

Yearbook of the United Nations

1990



YEARBOOK OF THE
UNITED NATIONS
1990

Volume 44

Yearbook of the United Nations, 1990

Volume 44

Sales No. E.98.I.16

Prepared by the Yearbook Section of the Department of Public Information, United Nations, New York. Although the Yearbook is based on official sources, it is not an official record.

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Copy Co-ordinator: Leonard M. Simon

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Jacket Design: Graphic Design Unit, Department of Public Information

YEARBOOK OF THE UNITED NATIONS 1990

Volume 44



Department of Public Information
United Nations, New York

Martinus Nijhoff Publishers
THE HAGUE / BOSTON / LONDON

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Published for and on behalf of the United Nations by Martinus Nijhoff Publishers
PO. Box 85889, 2508 CN The Hague, Netherlands
Kluwer Law International incorporates the
publishing programmes of Martinus Nijhoff Publishers

Sold and distributed in North and South America
by Kluwer Law International,
675 Massachusetts Avenue, Cambridge, MA 02139, United States

In all other countries, sold and distributed
by Kluwer Law International,
PO. Box 85889, 2508 CN The Hague, Netherlands

Yearbook of the United Nations, 1990

Vol. 44

ISBN: 90-411-1043-7

ISSN: 0082-8521

UNITED NATIONS PUBLICATION

SALES NO. E.98.I.16

Printed in the United States of America

Foreword

THE YEAR 1990 MARKED A WATERSHED in United Nations history, with the end of the cold war signalling a significant opportunity for the Organization to tackle new tasks and fresh challenges, some unprecedented.

Among the year's historic achievements was the attainment of Namibia's independence, which had a positive impact on the situation in South Africa, where some progress was made towards dismantling the apartheid system. In Central America, United Nations involvement was instrumental in leading the countries of the region towards peace. After years of upheaval, the parties in Cambodia accepted a framework for a settlement drawn up by the five permanent members of the Security Council. The General Assembly devoted a special session to international co-operation on issues related to narcotic drugs, and another to the discussion of global economic issues. Among other highlights on the United Nations agenda during the year were the World Summit for Children, attended by leaders from 159 countries, the Second United Nations Conference on the Least Developed Countries, and the Second World Climate Conference.

At the same time, new problems arose, as the Security Council was called upon to deal with the invasion of Kuwait by Iraq. Tension and violence also escalated in the Israeli-occupied territories, and developments in the Horn of Africa and western Africa led to unprecedented increases in refugees and displaced persons. The Organization also faced new obstacles to a thriving world economy, based on deceleration and the need to transform and integrate Eastern European societies into the global trading and financial systems.

Having been able to contribute to solutions to some long-standing conflicts and pressing problems on the international agenda made this, my last year as Secretary-General of the United Nations, a particularly rewarding one. Yet many unmet challenges remain as the Organization moves towards a new millennium. I extend my best wishes to my successors as Secretary-General as they rise to the challenges of this important period in the history of the United Nations.

A handwritten signature in black ink, reading 'Javier Pérez de Cuéllar'.

JAVIER PÉREZ DE CUÉLLAR

Former Secretary-General of the United Nations

New York, March 1999

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About the 1990 edition of the Yearbook

The 1990 YEARBOOK OF THE UNITED NATIONS is the third and last backlog edition (1988, 1989, 1990) to be published. As the publication of Yearbook volumes had been falling behind over a period of time, it was decided to focus on the production of current volumes, with the backlog editions to be done concurrently through the provision of funds by the publisher. The 1988 edition was published in 1994 and the 1989 edition in 1997. The scope, content and breadth of coverage of these volumes have been restructured and redefined to enhance the presentation of the main activities and events of each year. As in previous volumes, this volume has been designed to serve as the most comprehensive reference tool for use by the research community and those interested in the activities of the United Nations and its related organizations.

Structure and scope of articles

The Yearbook is subject-oriented, divided into seven major parts: political and security questions, regional questions, economic and social questions, trusteeship and decolonization, legal questions, administrative and budgetary questions, and intergovernmental organizations related to the United Nations.

Information includes summaries of major reports, Secretariat activities and, in selected cases, the views of States in written communications.

Activities of United Nations bodies. All resolutions, decisions and other major activities of the principal organs and, on a selective basis, those of subsidiary bodies are either reproduced or summarized in the respective articles. The texts of all resolutions and decisions of substantive nature adopted in 1990 by the General Assembly, the Security Council, the Trusteeship Council and the Economic and Social Council are reproduced or summarized under the relevant topic. These texts are followed by the procedural details giving date of adoption, meeting number and vote totals (in favour-against-abstaining); information on their approval by a sessional or subsidiary body prior to final adoption, approved amendments and committee reports; and information on sponsors. Also given are the document symbols of any financial implications and relevant meeting numbers. In addition, details are provided of any recorded or roll-call vote on the resolution/decision as a whole.

Major reports. Most reports of the Secretary-General, in 1990, along with selected reports from other UN sources, such as seminars and working groups, are summarized briefly.

Secretariat activities. The operational activities of the United Nations for development and humanitarian assistance are described under the relevant topics. For major activities financed outside the UN regular budget, selected information is given on contributions and expenditures.

Views of States. Written communications sent to the United Nations by Member States and circulated as documents of the principal organs have been summarized in selected cases, under the relevant topics. Substantive actions by the Security Council have been analysed and brief reviews of the Council's deliberations given, particularly in cases where an issue was taken up but no resolution was adopted.

Related organizations. The Yearbook also briefly describes the 1990 activities of the specialized agencies and other related organizations of the UN system.

Terminology

Formal titles of bodies, organizational units, conventions, declarations and officials are given in full on first mention in an article or sequence of articles. They are also used in resolution/decision texts, and in the SUBJECT INDEX under the key word of the title. Short titles may be used in subsequent references.

How to find information in the Yearbook

The reader may locate information on the United Nations activities contained in this volume by the use of the TABLE OF CONTENTS, the SUBJECT INDEX and the INDEX OF RESOLUTIONS AND DECISIONS. The volume also has five appendices: APPENDIX I comprises a roster of Member States; APPENDIX II reproduces the Charter of the United Nations, including the Statute of the International Court of Justice; APPENDIX III gives the structure of the principal organs of the United Nations; APPENDIX IV provides the agenda for each session of the principal organs in 1990; and APPENDIX V gives the addresses of the United Nations information centres and services world wide.

For more information on the United Nations and its activities, visit the following Internet site:

<http://www.un.org>

ABBREVIATIONS COMMONLY USED IN THE YEARBOOK

ACABQ	Advisory Committee on Administrative and Budgetary Questions	NGO	non-governmental organization
ACC	Administrative Committee on Co-ordination	NPT	Treaty on the Non-Proliferation of Nuclear Weapons
ASEAN	Association of South-East Asian Nations	NSGT	Non-Self-Governing Territory
CDP	Committee for Development Planning	OAS	Organization of American States
CEDAW	Committee on the Elimination of Discrimination against Women	OAU	Organization of African Unity
CERD	Committee on the Elimination of Racial Discrimination	ODA	official development assistance
CPC	Committee for Programme and Co-ordination	OECD	Organisation for Economic Co-operation and Development
CSDHA	Centre for Social Development and Humanitarian Affairs	ONUCA	United Nations Observer Group in Central America
DIEC	Development and International Economic Co-operation	OPEC	Organization of Petroleum Exporting Countries
DIESA	Department of International Economic and Social Affairs	PLO	Palestine Liberation Organization
DPI	Department of Public Information	SC	Security Council
DPRK	Democratic People's Republic of Korea	SDR	special drawing right
EC	European Community	S-G	Secretary-General
ECA	Economic Commission for Africa	SPC	Special Political Committee
ECDC	economic co-operation among developing countries	TC	Trusteeship Council
ECE	Economic Commission for Europe	TCDC	technical co-operation among developing countries
ECLAC	Economic Commission for Latin America and the Caribbean	TDB	Trade and Development Board (UNCTAD)
ECOWAS	Economic Community of West African States	TNC	transnational corporation
EEC	European Economic Community	UN	United Nations
ESC	Economic and Social Council	UNAVEM	United Nations Angola Verification Mission
ESCAP	Economic and Social Commission for Asia and the Pacific	UNCDF	United Nations Capital Development Fund
ESCWA	Economic and Social Commission for Western Asia	UNCHS	United Nations Centre for Human Settlements (Habitat)
FAO	Food and Agriculture Organization of the United Nations	UNCITRAL	United Nations Commission on International Trade Law
GA	General Assembly	UNCTAD	United Nations Conference on Trade and Development
GATT	General Agreement on Tariffs and Trade	UNDOF	United Nations Disengagement Observer Force (Golan Heights)
GDP	gross domestic product	UNDP	United Nations Development Programme
GNP	gross national product	UNDRO	Office of the United Nations Disaster Relief Co-ordinator
IAEA	International Atomic Energy Agency	UNEP	United Nations Environment Programme
ICAO	International Civil Aviation Organization	UNESCO	United Nations Educational, Scientific and Cultural Organization
ICJ	International Court of Justice	UNFICYP	United Nations Peace-keeping Force in Cyprus
ICRC	International Committee of the Red Cross	UNFPA	United Nations Population Fund
ICSC	International Civil Service Commission	UNHCR	Office of the United Nations High Commissioner for Refugees
IDA	International Development Association	UNIC	United Nations Information Centre
IFAD	International Fund for Agricultural Development	UNICEF	United Nations Children's Fund
ILC	International Law Commission	UNIDIR	United Nations Institute for Disarmament Research
ILO	International Labour Organisation	UNIDO	United Nations Industrial Development Organization
IMF	International Monetary Fund	UNIFIL	United Nations Interim Force in Lebanon
IMO	International Maritime Organization	UNIIMOG	United Nations Iran-Iraq Military Observer Group
INCB	International Narcotics Control Board	UNITAR	United Nations Institute for Training and Research
INSTRAW	International Research and Training Institute for the Advancement of Women	UNMOGIP	United Nations Military Observer Group in India and Pakistan
IPF	indicative planning figure (UNDP)	UNRWA	United Nations Relief and Works Agency for Palestine Refugees in the Near East
ITC	International Trade Centre (UNCTAD/GATT)	UNTAG	United Nations Transition Assistance Group (Namibia)
ITU	International Telecommunication Union		
JIU	Joint Inspection Unit		
LDC	least developed country		
NATO	North Atlantic Treaty Organization		

UNTSO	United Nations Truce Supervision Organization	WFP	World Food Programme
UNU	United Nations University	WHO	World Health Organization
UNV	United Nations Volunteers	WIPO	World Intellectual Property Organization
UPU	Universal Postal Union	WMO	World Meteorological Organization
WFC	World Food Council	YUN	Yearbook of the United Nations

EXPLANATORY NOTE ON DOCUMENTS

References in square brackets in each chapter of Parts One to Six of this volume give the symbols of the main documents issued in 1990 on the topic. The following is a guide to the principal document symbols:

A/- refers to documents of the General Assembly, numbered in separate series by session. Thus, A/45/- refers to documents issued for consideration at the forty-fifth session, beginning with A/45/1. Documents of special and emergency special sessions are identified as A/S- and A/ES-, followed by the session number.

A/C.- refers to documents of the Assembly's Main Committees, e.g. A/C.1/- is a document of the First Committee, A/C.6/-, a document of the Sixth Committee. A/BUR/- refers to documents of the General Committee. A/AC.- documents are those of the Assembly's ad hoc bodies and A/CN.-, of its commissions; e.g. A/AC.105/- identifies documents of the Assembly's Committee on the Peaceful Uses of Outer Space, A/CN.4-, of its International Law Commission. Assembly resolutions and decisions since the thirty-first (1976) session have been identified by two arabic numerals; the first indicates the session of adoption; the second, the sequential number in the series. Resolutions are numbered consecutively from 1 at each session. Decisions of regular sessions are numbered consecutively, from 301 for those concerned with elections and appointments, and from 401 for all other decisions. Decisions of special and emergency special sessions are numbered consecutively, from 11 for those concerned with elections and appointments, and from 21 for all other decisions.

E/- refers to documents of the Economic and Social Council, numbered in separate series by year. Thus, E/1990/- refers to documents issued for consideration by the Council at its 1990 sessions, beginning with E/1990/1. E/AC.-, E/C.- and E/CN.-, followed by identifying numbers, refer to documents of the Council's subsidiary ad hoc bodies, committees and commissions. For example, E/CN.5/- refers to documents of the Council's Commission for Social Development, E/C.7/- to documents of its Committee on Natural Resources. E/ICEF/- documents are those of the United Nations Children's Fund (UNICEF). Symbols for the Council's resolutions and decisions, since 1978, consist of two arabic numerals: the first indicates the year of adoption and the second, the sequential number in the series. There are two series: one for resolutions, beginning with 1 (resolution 1990/1); and one for decisions, beginning with 201 (decision 1990/201).

S/- refers to documents of the Security Council. Its resolutions are identified by consecutive numbers followed by the year of adoption in parentheses, beginning with resolution 1(1946).

ST/-, followed by symbols representing the issuing department or office, refers to documents of the United Nations Secretariat.

T/- refers to documents of the Trusteeship Council.

Documents of certain bodies bear special symbols, including the following:

ACC/-	Administrative Committee on Coordination
CD/-	Conference on Disarmament
CERD/-	Committee on the Elimination of Racial Discrimination
DC/-	Disarmament Commission
DP/-	United Nations Development Programme
HS/-	Commission on Human Settlements
ITC/-	International Trade Centre
TD/-	United Nations Conference on Trade and Development
UNEP/-	United Nations Environment Programme

Many documents of the regional commissions bear special symbols. These are sometimes preceded by the following:

E/ECA/-	Economic Commission for Africa
E/ECE/-	Economic Commission for Europe
E/ESCAP/-	Economic and Social Commission for Asia and the Pacific
E/ESCWA/-	Economic and Social Commission for Western Asia
LC/G.-	Economic Commission for Latin America and the Caribbean

"L" in a symbol refers to documents of limited distribution, such as draft resolutions; "CONF." to documents of a conference; "INF." to those of general information. Summary records are designated by "SR.", verbatim records by "PV.", each followed by the meeting number.

United Nations sales publications each carry a sales number with the following components separated by periods: a capital letter indicating the language(s) of the publication; two arabic numerals indicating the year; a Roman numeral indicating the subject category; a capital letter indicating a subdivision of the category, if any; and an arabic numeral indicating the number of the publication within the category. Examples: E.90.II.A.2; E/F/R.90.II.E.7; E.90.X.I.

Report of the Secretary-General

Report of the Secretary-General on the work of the Organization

Following is the Secretary-General's report on the work of the Organization, presented to the General Assembly on 16 September 1990. The Assembly took note of it on 16 October (decision 45/404).

I

The period we have entered is Janus-faced. It wears both the aspect of hope and the countenance of dangerous unrestraint. In one major segment of world affairs, we have witnessed political change of a phenomenal character. In large parts of the globe, however, the scene continues to be one of simmering resentments, violent collisions and at best a precarious peace. The question whether the more beneficial developments of 1989-1990 will have a healthy impact on the totality of the world situation is still unanswered.

The ending of the cold war has meant the abandonment of the many assumptions that throttled progress in international affairs, bred chronic suspicion and fear and polarized the world. The lessons it conveys both for social thought and for purposes of practical policy are manifold. From the viewpoint of the United Nations, however, three of its characteristics have a global significance.

First, the revolutionary developments in Eastern and Central Europe have given powerful expression to two of the cardinal principles of the Charter of the United Nations: self-determination of peoples and respect for human rights.

Second, it has been strikingly demonstrated that a status quo based primarily on the military factor is bound to prove fragile.

Third, the larger-and saner-concept of security, encompassing all its dimensions, which has begun to emerge is precisely the one the United Nations has been expounding all through the years. It has been a stable theme at the United Nations that an obsession with military security results in a self-perpetuating arms race, distorts priorities, hampers social and economic progress, constrains political dialogue, affects the institutions of the State to their long-term detriment, and aggravates the sense of insecurity in all nations. What often sounded a voice in the wilderness has now gained a volume and resonance it lacked before.

Thus, the very change that has rendered obsolete the whole architecture of the cold war serves to reveal afresh the design for peace which the

United Nations is meant to execute. Nothing in the constructive refashioning that has taken place in Europe nor in the destructive trends exploding elsewhere requires a modification of the purposes and principles of the Organization as laid down in its Charter. In fact, in this respect, the Charter gains richer meaning as political evolution progressively enlarges and clarifies the scope of its principles.

The United Nations, therefore, enters the post-cold war era as a central point of constancy in the midst of flux. Through years of patient effort, it has achieved a complementarity in the working of its different organs which makes it far better fitted to fulfil its onerous tasks. The exercise of the authority of the Security Council in the manner envisaged in the Charter, the many instances of the General Assembly and the Council reinforcing each other's efforts, the close co-operation between the Council as a whole and the Secretary-General, the growing role of the Secretariat as represented by the Secretary-General in undertaking increasingly diversified missions of peace, and the revitalized role being contemplated for the Economic and Social Council—all these testify to a strengthening of the institutions embodied in the Organization.

With its ability thus enhanced and its relevance emphasized by the process of change, three broad objectives define its mandate. It has to try to eliminate the seeds of war in all areas of the globe and, in so doing, squarely face the fact that new sources of conflict are emerging in our age. It has to serve as the prime instrument for extending the spirit of co-operation to those spheres--economic relations between nations and humanity's social problems—which are seemingly non-political but have profound political implications. It has to strive unrelentingly to ensure that international affairs are governed by the rule of law and universal respect for human rights.

This is an ambitious agenda but a rapidly changing world asks for nothing less.

II

As we survey the political scene, we see the dawn of a new era in Europe, streaks of light in some regions and the darkness of old animosities and new hatreds enveloping others.

The unification of the two German States and the changes in Eastern Europe have signalled the end of the entrenched division from which Europe suffered ever since the Second World War. A remarkable feature of the whole process, which has transformed the political shape of the continent in the span of less than one year, has been the high level of understanding, far-sightedness and respect for popular will that has been exhibited by all the parties concerned, including the global Powers. Nothing could better reflect a fundamental change in relations between those Powers and promise to open a more constructive chapter of world history. It is noteworthy that, in a different region, this year also witnessed the establishment of the new Republic of Yemen when the two Yemeni States decided peacefully to unite.

Indeed, in a climate created by palpable signs of new attitudes and perceptions, the expectation grew that the quality of openness pervading Europe now and the choice for peace that Europe has made would prevail elsewhere as well. However, recent developments, like the invasion of Kuwait by Iraq, remind us of the danger of underestimating the political density of the globe and the variety of factors behind the current situations of tension in other continents. An optimistic view can be sustained only when the peaceful settlement of disputes becomes a consistent practice all over the world and when the anxieties and the causes of unrest in the international community as a whole are fully addressed.

This report is being written at an extraordinary point in time when developments are taking place so rapidly that today's perspective on a situation may have shifted tomorrow. While this inevitably makes some observations tentative, I propose to look first at the brighter side of the picture.

During the year under review, the United Nations has had remarkable success in conducting a variety of operations aimed at managing peaceful transitions in societies which were the scenes of conflicts or had suffered upheavals. Given such a purpose, these operations have so many different facets and have so combined elements of peace-keeping and peace-making as to have radically altered traditional concepts of the arrangement between the two. Formerly, peace-keeping was understood to mean essentially to control or contain conflicts while peace-making was meant to resolve them. A deeper and more active involvement of the United Nations has over time, however, in-

creasingly shown that peace-making itself determines, as it should, the size, scope and duration of peace-keeping as conventionally understood and that it is often by a fusion of the two in an integral undertaking that peace can genuinely be brought to troubled areas. I am referring here in particular to the complex operation mounted in Namibia and several others conducted in Central America. All of them have yielded new insights which can be most useful as the United Nations is called upon to deal with other and even more complicated situations in future. Whatever political obstacles to the solution of thorny problems may be encountered in other places, the practicability of physically putting a solution in place through the management of the United Nations, given the requisite support of Member States, need no longer be in question.

Namibia has shown the reward of perseverance in the quest of just solutions to international disputes. Nearly a quarter century after the General Assembly first adopted a resolution on the territory's status and a dozen years after the Security Council laid out a settlement plan for its independence, through a tortuous process which went through alternating phases of hope and frustration, the United Nations reached its goal this year. The time span between the formulation and the achievement of the aim could, and should, have been shorter, but the result could not have been more convincing. Personally, it brought to me gratifying fulfilment of a priority I had set myself when I assumed my present responsibilities.

The Namibian experience was a striking demonstration of the results that can be achieved by multilateral effort, by the active engagement of the principal organs of the United Nations and by the members of the Security Council and other States undertaking a crucial role in negotiations conducted with the parties. It was a focus on the prime objective that ensured the convergence of the diplomatic efforts launched from several fronts. The United Nations Transition Assistance Group in Namibia (UNTAG) turned out to be something far more than its somewhat pedestrian name implied. It established the workability of democratic procedures even in a terrain which at first looked most unpromising. It also proved the executive ability of the United Nations in successfully managing a complex operation, which brought together 8,000 men and women from more than 100 nations, all united in the aim of peacefully bringing a country to independence through modalities set out by the Security Council.

The settlement of the question of Namibia has had a healthy impact on the situation in southern Africa. The official United Nations team which I

sent in June to South Africa, with the agreement of the South African Government, observed that the country had reached the threshold of a new era. The political process towards dismantling the apartheid system is yet at an early stage and difficulties are still caused by the continuance of apartheid structures, questionable police practices, repressive laws and politically related violence. Nor can the fear and anxiety which accompany the fundamental transformation of a society be underestimated.

However, progress has been made towards establishing an atmosphere conducive to negotiations. The situation was recently given an impetus by the joint declaration of the South African Government and the African National Congress that aimed at accelerating the political process towards a negotiated settlement through various measures, including the release of political prisoners and reviewing current security legislation. The announcement by the African National Congress of the suspension of all armed actions has also been a significant development. Unfortunately, these promising events have been marred in recent weeks by a marked increase in the incidence of violence, resulting in innumerable casualties and jeopardizing political dialogue. This issue needs to be addressed urgently at the highest level by all concerned.

The prospect of a non-racial democracy in South Africa in the not-too-distant future is no longer unrealistic. This would carry a significance far beyond that of profound and beneficial change in a large and pluralistic society. It would mean the realization of one of the objectives of the United Nations which goes to the root of the justice and stability of international relations envisaged in the Charter.

The United Nations has undertaken a wide range of endeavours pertaining to peace in Central America in the past year, in pursuance of the goals of the agreement known as Esquipulas II. The Organization's involvement in the region is very complex and varied and demands on it have required versatility and constant adaptation, using a variety of frequently innovative means. Last October I appointed a personal representative for the Central American peace process in order to assist me in co-ordinating the discharge of these many-faceted endeavours.

The Organization played a major part in resolving the conflict in Nicaragua. A United Nations Observer Mission (ONUVEN) monitored the preparation and holding of free and fair elections in February, the first such operation authorized and conducted by the Organization internally in a Member State. The success of this

endeavour led to a central role for the Organization in the peaceful transfer of power in a region where in the past such transfers have been the exception rather than the rule.

In the context of the International Support and Verification Commission (CIAV), the United Nations assumed a key role in the voluntary demobilization of the members of the Nicaraguan Resistance. The Commission, which I together with the Secretary-General of the Organization of American States (OAS) established in response to a request by the Central American Presidents, was instrumental in obtaining the agreement by the Nicaraguan Resistance to demobilize. With the operational support of the United Nations High Commissioner for Refugees, CIAV is assisting in their resettlement in Nicaragua.

The task of receiving and destroying the weapons of the members of the Nicaraguan Resistance and of verifying the cease-fire which made possible their demobilization inside Nicaragua was discharged by the United Nations Observer Group in Central America (ONUCA), the first United Nations peace-keeping operation in the region, whose original mandate was to verify compliance by the five Central American Governments with their security commitments entered into in Esquipulas II.

Late last year the five Central American Presidents requested me to engage more actively in diplomatic efforts in search of solutions to conflicts in the region, specifically in El Salvador. I was asked to find ways for Powers from outside the region to support these efforts. With my assistance, the Government of El Salvador and the Frente Farabundo Marti para la Liberación Nacional (FMLN) agreed in April to launch a negotiating process under my auspices for the purpose of speedily ending through political means the armed conflict which has torn that nation for a decade as well as to promote the democratization of the country, guarantee unrestricted respect for human rights and reunify Salvadorian society.

The initial goal set for the negotiation is to achieve political agreements on a number of issues in order to secure a cease-fire, to be verified by the United Nations. With the full and active participation of my representative, a partial accord has to date been reached on a text regarding respect for human rights, which provides for an unprecedented scheme for long-term, nationwide monitoring by the United Nations. The Organization is also expected to play a role in overseeing the process which is to lead to elections in March 1991.

The issues involved, however, are deeply rooted and complex. They touch upon the structure of the State and the fabric of society. In addition to

human rights, the judicial and electoral systems and economic and social questions, the central issue is that of the armed forces, including their relationship with the civilian authorities and the role of the military apparatus in society. As elsewhere in Latin America, the issue of how to deal with the past is also at the forefront of the agenda. The negotiation in progress holds the potential of leading to a positive transformation of Salvadorian society, which would strengthen the link, embodied in Esquipulas II, between the establishment of peace and the consolidation of democracy.

It is thus understandable that it has not yet been possible to reach the initial goal and that the war consequently goes on in El Salvador. I remain convinced that this process can succeed if the parties unswervingly adhere to their April undertakings and there is strong support from outside Powers that are in a position to provide it. Without such adherence and support, however, there is no end to the war in sight.

In March, a process was launched with the ultimate purpose of seeking a political solution to the internal armed confrontation in Guatemala. This effort, under the auspices of the Guatemalan National Reconciliation Commission, a body established in conformity with Esquipulas II, has to date involved the Unidad Revolucionaria Nacional Guatemalteca (URNG) and political parties as well as social forces of that country, and in due course is to lead to conversations between the Government and the Armed Forces and URNG. An observer appointed by me is attending the talks. It is my hope that this effort, which has begun auspiciously, will usher in a process leading to peace and national reconciliation in this long-suffering nation.

Encouraging progress continues to be made towards resolving the problem of Western Sahara. We have now not only an agreed set of proposals and a timetable for their implementation, but also a plan approved in June by the Security Council. This plan provides for holding a referendum which will enable the people of Western Sahara to determine their future without military or administrative constraints.

In July, I dispatched a technical mission to the Territory and to neighbouring countries to refine the administrative aspects of the implementation of the plan and to obtain the necessary data for an estimate of the cost of the operation. I am in the process of submitting a further report to the Security Council in this regard.

Contacts with the parties concerned, Morocco and the Frente Polisario, as well as with the observers to the peace process, Algeria and Mauritania, have continued throughout. Close contact

has also been maintained with the Chairman of the Organization of African Unity. In March, I visited the region and renewed discussions with the leaders of Morocco and the Frente Polisario whose continued support and co-operation has been essential to the progress of our efforts.

A critical element in the organization of the referendum will be the problem of identifying those eligible to vote. Taking into account the social structure of Western Sahara, the acknowledged tribal leaders will have a particularly important role to play in the process. In this context, a representative group of tribal leaders from Western Sahara was invited to meet with the Identification Commission in Geneva so that they could be briefed on the Commission's terms of reference and the methods of work it would adopt. I have also endeavoured to ensure that the actual process of such identification, and of the referendum itself, should be clear and fully understood by the people directly involved.

Without wishing to minimize the complexity and dimensions of the task before us, I am of the view that, given the co-operation and political will displayed by the parties, a solution to this long-standing problem is well within our grasp.

There is now a widely shared belief that a solution to the conflict in Cambodia may be within reach. The agreement on a framework for a comprehensive political settlement based on an enhanced role of the United Nations, which was reached by the five permanent members of the Security Council at the end of August, and the recent decision of the Cambodian parties in Jakarta to accept this framework and to form a Supreme National Council represent major steps forward in the negotiating process. I earnestly hope that all parties concerned will pursue this process vigorously, so that the Paris Conference on Cambodia can be reconvened to finalize and conclude a comprehensive peace agreement. The time has come to put an end to the fighting and to the long suffering endured by the Cambodian people. The establishment of a durable peace will ultimately depend, however, on a genuine national reconciliation among the Cambodians, as well as on the full support and co-operation of all the parties directly or indirectly involved in this tragic conflict.

Over the past year, I have continued to work closely with the parties concerned and to make my good offices available as needed, in order to contribute to the negotiating process. In early February, I established a Secretariat task force on Cambodia. Since then, I have dispatched four fact-finding missions to the country, in order to gather information and data relevant to an eventual United Nations operation in Cambodia. The

United Nations will, of course, be prepared to assume in Cambodia any appropriate role which is agreed by the parties and approved by the Security Council. However, I cannot over-emphasize the need to ensure that the mandate that may ultimately be entrusted to the United Nations is realistic, clearly defined and practicable in operational terms. It is also essential that the Organization be provided with sufficient resources, in a timely and assured manner, so that an efficient operation can be implemented with a reasonable chance of success.

My efforts concerning the Cyprus problem have focused last year on finding a way to complete the outline of an overall agreement, as the leaders of the two communities had agreed in June 1989. As I have reported to the Security Council, it has not yet been possible to achieve this goal, and I am concerned by the lack of movement in the negotiating process and the deteriorating situation on the island.

At the same time, I have been encouraged by the active involvement of the Security Council, which on several occasions during the past year was unanimous in stressing the importance it attached to an early negotiated settlement of the Cyprus problem. In resolution 649(1990), the Council confirmed and clarified the lines along which a solution is to be sought, and in its statement of 19 July 1990 it endorsed my plan of action for completing the outline and launching the negotiations for an overall agreement. These developments offer a basis for progress, provided both sides heed the Council's call to co-operate with me, promote reconciliation, and are willing to deal with the issues in a manner amenable to compromise.

Over the last 12 months, the suffering of the Afghan people has continued and the number of refugees in Pakistan and Iran has remained basically unchanged. At the international level, however, there has been progress in the direction of a consensus among the Guarantor Powers and the countries neighbouring Afghanistan.

Such an international consensus is necessary, in my view, in order to encourage an Afghan political process which in turn would enable the Afghan people to exercise, unhindered, their right of self-determination. In my recent efforts, I have particularly focused on promoting such a consensus and the responses I have received so far from the Governments concerned clearly indicate a desire to achieve a settlement through political means. During my contacts with all segments of the Afghan leadership, I made clear the readiness of the United Nations to assist them, in whatever way they would deem appropriate, to begin a political process leading to the establishment of a broad-based government. The opportunity now

exists for collective and concerted efforts, both at the national and international levels, to achieve a resolution of the conflict.

While a spirit of conciliation prevails in many areas of the world today, new and alarming dangers have arisen in the Middle East in recent weeks. Throughout my tenure as Secretary-General, I have repeatedly underscored the need for a comprehensive settlement of the complex issues facing this region, pointing out that a deterioration of the situation in one area almost invariably has repercussions elsewhere. The events that began on 2 August 1990, and the developments that were set in motion as a result, illustrate this point vividly.

The invasion and purported annexation of the State of Kuwait by Iraq has evoked an historic response from the Security Council. In a series of resolutions without precedent, the Council has established that such actions, which are in direct contravention of the principles of the Charter and international law, cannot be committed with impunity. The Council promptly condemned the invasion, demanded that Iraq withdraw immediately and unconditionally all its forces, called upon Iraq and Kuwait to begin immediately intensive negotiations for the resolution of their differences and expressed support of all efforts in this regard, especially those of the League of Arab States. When the demand was not complied with, the Council imposed economic sanctions under Chapter VII of the Charter in order to bring the invasion and occupation of Kuwait by Iraq to an end and restore the sovereignty, independence and territorial integrity of Kuwait. The Council further declared the annexation of Kuwait by Iraq as null and void. As regards the situation of the nationals of third countries in Kuwait and Iraq, the Council demanded that Iraq permit and facilitate their immediate departure and take no action to jeopardize their safety, security or health. It also demanded that Iraq rescind its orders for the closure of diplomatic and consular missions in Kuwait and the withdrawal of the immunity of their personnel. The continuing non-compliance by Iraq with the Security Council's demands led to the Council's call upon "those Member States co-operating with the Government of Kuwait which are deploying maritime forces to the area to use such measures commensurate to the specific circumstances as may be necessary under the authority of the Security Council... to ensure strict implementation" of the provisions laid down in the resolution relating to economic sanctions. In this connection, States were requested to co-ordinate their actions, using, as appropriate, mechanisms of the Military Staff Committee. The Council has em-

phasized that it alone, or acting through its Committee, can determine whether humanitarian circumstances have arisen in which it will be necessary for foodstuffs to be supplied to the civilian population in Iraq or Kuwait in order to relieve human suffering. Though the outcome of this crisis may not be predictable at the moment, these resolutions are bound to remain of definitive importance in the application of the rule of law in safeguarding the sovereignty, independence and territorial integrity of Member States.

The invasion of Kuwait has also caused a human tragedy of immense proportions, the dimensions of which are still incalculable. Hundreds of thousands of third-country nationals residing in the area have been rendered destitute overnight; many of them have been left without the means to support their families, much less to return to their countries of origin, which are themselves staggering under the economic effects of this crisis. International relief efforts have begun to respond to the enormous demands that have been created, not only in providing temporary shelter and sustenance to a displaced population now spread throughout five countries, but also in making transport available for those seeking to leave the area. I have appointed a personal representative to assist me in these efforts. Meanwhile, the decision by Iraq to restrict the movement of nationals of certain countries has heightened tension, and continues to be a source of profound concern to the international community.

It is clear that progress cannot be made on the overall situation in the region, including the Arab-Israeli conflict, until the present crisis is set on the way to solution in accordance with the position taken by the Security Council. It is disappointing to note that an impasse has been reached in the effort to promote a dialogue between Israelis and Palestinians. The intifadah will soon enter its fourth year and, regrettably, the situation in the occupied territories remains bleak, with little hope of early progress. I continue to believe that, in addition to the efforts to promote a dialogue, the Security Council could make an important contribution to the process by renewing its commitment to resolutions 242(1967) and 338(1973) which, in my view, together with the legitimate political rights of the Palestinian people, including self-determination, can constitute the basis of a just and lasting peace in the area.

Since my last report, relations between Iran and Iraq have improved and it has thus been possible to implement important aspects of Security Council resolution 598(1987), with the United Nations Iran-Iraq Military Observer Group fulfilling the role assigned to it. In this connection, withdrawal to the internationally recognized

boundaries has taken place and prisoners of war are now being repatriated and are rejoining their families-in accordance with the Treaty and conventions to which Iran and Iraq are parties. It is worth recalling, however, that resolution 598(1987) is a comprehensive peace plan, and certain of its elements have yet to be fulfilled, including its paragraph 8 which envisages the search for measures to enhance the stability and security of the region. This remains most relevant at this stage.

The Middle East as a whole continues to be the most explosive region of the world today. Long-standing grievances, which have festered for years, have been aggravated by an escalating arms race throughout the area, which has spawned a deadly arsenal of weapons of mass destruction. In the long run, lasting peace will come to the Middle East only when the principles of international law govern the relations between States, when disputes are resolved through peaceful means, when the aspirations of those deprived of their rights have been fulfilled, and regional security and economic arrangements-which take into account the concerns of all the parties in the area-have been established.

III

It has been said that, twice in this century, after two devastating wars, the possibilities of building a peaceful global order were not fully realized. There is, of course, no doubt that the establishment of the world Organization, the adoption of its Charter, the liquidation of colonialism and the acceptance in principle of universal standards of human rights have been nothing less than new departures in history. However, the fact remains that no coherent strategy of peace was put in place. The reasons for this failure need hardly be recapitulated. What is beyond controversy is that we are now presented with a unique opportunity to work out such a strategy.

A refreshed political will and long-term thinking that is not overwhelmed by the perceptions and concerns of the moment is an absolute essential for seizing the opportunity. So is a clear understanding of the means that can be employed for making, keeping and building the peace. These three overlapping lines of endeavour need to be pursued with equal determination. As I have said earlier, it is the effort of peace-making or conflict resolution that sets the stage for, and determines, peace-keeping or conflict control. To gain time, and establish an environment, for the settlement of the dispute underlying a conflict is, of course, always an immediate necessity-this is the rationale of peace-keeping operations as traditionally understood. But it can

sometimes result in temporizing if it is not accompanied by, or does not directly lead to, a negotiated solution of the dispute and, where necessary, an operation implementing that solution. Both these are to be seen as part of the wider effort of creating conditions in which the opposite claims or interests of States are purged of the character of violent hostility.

There has been a variety of situations over four decades in which the mounting of operations by the United Nations has been found indispensable. In essence, a United Nations peace-keeping operation is one which, mounted with the consent of the parties concerned, involves the deployment of international military personnel under an integrated command combined with civilian elements, all acting under the authority and discipline of the Organization, in order to stop or avert fighting and help facilitate or implement a settlement. As the consent of the parties concerned is crucial to their mandate, such operations are to be distinguished from measures under Chapter VII of the Charter.

From 1948 onwards, the United Nations has launched 18 operations, five of them during 1988 and 1989. Indeed, in recent years, the Organization's role in combinations of peace-keeping and peace-making has expanded impressively. The composite nature of these recent operations means that the tasks assigned to them have multiplied. The United Nations Transition Assistance Group in Namibia provides a standing example of important civilian and police components working together with military elements to secure the implementation of a complex peace plan under its supervision and control. The delicate mission accomplished in Nicaragua also illustrated the versatile forms that undertakings assigned to the Secretariat by the competent organs of the United Nations can take.

The conditions for the success of these operations remain what they have always been: a precise and workable mandate, the consent and co-operation of the parties involved, the consistent support of the Security Council, the readiness of Member States to volunteer personnel and adequate financial arrangements. The presupposition in meeting all these conditions is freedom from uncertainty: doubts with regard to any one of them can jeopardize an operation, threaten the security of the personnel employed, imperil peace, cost human lives and, indeed, subvert the purpose of the undertaking. Moreover, a large and complex operation, such as the ones conducted in Namibia and likely to be decided upon in Cambodia, El Salvador and Western Sahara, takes long planning and preparation, while the implementation of a settlement acquires an

urgency as soon as it is agreed upon. It is extremely difficult to reconcile these two requirements in the Organization's existing administrative and financial situation. We are being asked to do more with fewer resources and even those are sometimes provided too late.

The disparity between responsibilities and resources can nowhere be as crippling-and dangerous-as in this matter. I call upon Member States to review again my proposals for the establishment of a reserve stock of basic peace-keeping equipment and supplies, earmarking of military personnel, assurance of the necessary logistical and technological support, increase in the working capital fund and dependable contributions of cash. It is also foreseeable that, in some cases, advance authority will need to be given to the Secretary-General to commit funds in order to enable him to set up the operation within a politically acceptable time-frame. The whole point is that we have reached a stage where limits to improvisation have come glaringly into view.

From the administrative point of view, peace-keeping operations have to be very closely coordinated, both at Headquarters and in the field. I have, for this purpose, set up a Senior Planning and Monitoring Group within the Secretariat.

The growing urge to resolve situations of conflict, the striking success of the operations in Namibia and Nicaragua and the prospect of those in Cambodia, El Salvador and Western Sahara have all encouraged reflections on the possible extension of the principles of United Nations operations to other situations not identical with those in which they have been mounted so far. I believe that some caveats are necessary on this point. Apart from the fact that United Nations operations require authorization by the competent organ, they are suitable only in cases which meet certain criteria. First, they are called for primarily in situations with a clear international dimension. Second, should they involve the monitoring of an election or referendum, they should cover the entire electoral process in order to secure conditions of fairness and impartiality. Where the induction of a United Nations presence in the electoral process of a State at a critical point in its political life is sought by the Government concerned and approved by the competent organ of the United Nations, it is necessary that there is broad public support in the State for the United Nations assuming such a role. Third, United Nations operations can be mounted only at clearly defined points in location and strategy, and not in situations of an indeterminate character.

Encouraging though the successes of operations mounted by the United Nations are and

large though the range of their possible applications might be, the responsibility of negotiating settlements of international disputes or the obligation of accepting the terms laid down for them by the Security Council rests on the parties concerned. In a recent statement, the Security Council has stressed that a peace-keeping operation is essentially a temporary measure and that its mandate is not automatically renewable. Experience has shown that the mere continuance of a peace-keeping operation does not by itself generate movement towards a settlement. This is not a comforting thought, but it cannot be dismissed on that account.

To organize peace-making efforts in all situations of unresolved conflict is a primary challenge at the stage we have reached in the evolution of global society. There is now a manifest need to harness all available diplomatic capabilities for bringing about just and lasting resolution of conflicts that threaten or endanger the peace. These capabilities are not, and need not always be, employed solely through the United Nations.

Voluntary mediation outside the United Nations by Member States is, and will always remain, one of the means for the pacific settlement of disputes and also one of the ways in which Governments articulate their foreign policies and use or enhance their influence. What, however, needs to be carefully considered is how far the exertions made independently of the United Nations to resolve major regional conflicts have succeeded in cutting through the tangles and in narrowing the differences between the disputants to the degree necessary for meaningful negotiations. The question involved here bears upon the potentialities of a focused and systematic multilateral effort as compared to its alternatives.

There seems to be a lingering impression that a diplomatic initiative by a Member State or regional organization, dispensing with the procedures of the United Nations, is tidier, quicker and likely to be more fruitful than one made through the United Nations. The evidence so far is at least ambiguous, if not altogether discouraging.

What distinguishes the handling of a dispute by the United Nations is that it permits full expression to all the relevant interests and viewpoints and does not seek to abridge any vital aspect of a situation, including the aspect of justice and human rights, for the sake of speedy disposal. Then again, in recent years, the United Nations has increasingly used methods—in the consultations of the Security Council and in the exercise of good offices by the Secretary-General—that have the effect of avoiding unproductive argument and of discerning the lines along which just solutions can be sought. It

should now be evident that the United Nations is more than a forum of debate; it is also a place or vehicle of purposeful negotiations.

Here, a wider understanding is required from Member States, especially the most influential ones. Even with all its recent successes in the resolution of conflicts and its pronounced role in crisis management, the United Nations will still remain in danger of being bypassed and sidelined if, in pursuance of their interests, Member States individually or in regional groupings choose to undertake efforts which are not in harmony with those of the United Nations or the principles of the Charter. This is less a matter of upholding the prestige of the Organization than of avoiding incoherence, dispersal and fragmentation in the peace effort. The emergence of a collegial spirit among the permanent members of the Security Council provides an indispensable safeguard against this danger but, as I said in my report last year, agreement among the major Powers must carry with it the support of a majority of Member States if it is to make the desired impact on the world situation. It is the willing endorsement of the decisions of the Security Council by the international community that can best counter any impression, likely to create anxiety, of world affairs being run by a directorate.

Apart from this, I believe that the peace-making capacity of the United Nations would be considerably strengthened if the Security Council had a peace agenda that is not confined to items formally inscribed at the requests of Member States, and if it held periodic meetings to survey the political scene and identify points of danger at which preventive or anticipatory diplomacy is required. Since the proceedings of such meetings need not necessarily be published, they would encourage candid discussions without making parties to disputes harden their positions. Nor would the reports of the Secretary-General to such meetings amount to an invocation by him of Article 99 of the Charter. There is little use in encumbering the peace effort with formal procedures when such procedures are not likely to lead to results conducive to peace. Other ways to strengthen the Council's role in dealing with incipient disputes lie in improving fact-finding arrangements, in establishing a United Nations presence in unstable areas and in instituting subsidiary bodies, where appropriate, for preventive diplomacy.

In this context, it needs to be stressed again that the means at present at the disposal of the Secretary-General for gathering the timely, accurate and unbiased information that is necessary for averting violent conflicts are inadequate. I made suggestions in this regard in my report last

year and I would urge Member States to consider afresh ways of enabling the Secretariat to monitor potential conflict situations from a clearly impartial standpoint. The strategy of peace must reflect a better regard for timing than has been the case so far. The Organization's mediatory or investigative capacity should not be kept in reserve until it is too late to avert hostilities.

Once a dispute or a situation which might lead to international friction or give rise to a dispute is investigated and considered by the Security Council, it becomes the responsibility of the Council to recommend appropriate procedures or methods of adjustment. The divisive and distracting factors that operated in the past and made the Council indecisive have now largely disappeared and we are faced with the question how to ensure that parties to disputes abide by the Council's resolutions.

This, in turn, raises the question of how best a threat to the peace, breach of the peace or act of aggression can be countered through the resources of persuasion, influence or concerted pressure at the disposal of the Security Council. The essentiality of the provisions of Chapter VII to the system of collective security envisaged in the Charter is, of course, beyond doubt or dispute. Peace-making would lack the firmness and authority it needs if the Council were not in a position to issue salutary and credible warnings of enforcement measures and to resort to such measures when its warnings went unheeded. As the swift response to the challenge thrown by Iraq's invasion of Kuwait has shown, the new atmosphere prevailing in the Security Council has for the first time enabled the Council to exercise the authority vested in it by the Charter.

Any situation calling for action under chapter VII of the Charter is certain to have its own peculiarities. However, it seems to be widely recognized that such action is a measure of last resort, which should not mean the abandonment of the necessary diplomatic effort to negotiate a solution in conformity with the principles of the Charter. Indeed, recourse to the provisions of enforcement must itself be consistently based on principle and a sense of equity and perceived to be so.

Moreover, the conditions of our time clearly suggest some of the requirements for enforcement action to succeed. In the economic sphere, the special problems arising for one or more States from the carrying out of measures under Chapter VII must be comprehensively foreseen and speedy remedies envisaged for them. Article 50 recognizes this need. In today's vastly more complicated and interdependent conditions as compared to those of four decades ago, this entails addressing the chain effects of economic ac-

tion. In the political sphere, all measures of enforcement must be seen to issue from a collective engagement, which requires complete unity of aim as defined by the Council and which imposes a discipline all its own. The role of the Military Staff Committee in the making of plans for the application of armed force is clearly laid down in Articles 46 and 47 of the Charter. Then again, enforcement measures must be so applied that they do not cause an unintended economic or political fall-out which can outspread the specified area of involvement and defeat the original purpose of the action taken by the Council.

The rule of law in international affairs should also be promoted by a greater recourse to the International Court of Justice not only in adjudicating disputes of a legal nature but also in rendering advisory opinion on the legal aspects of a dispute. Article 96 of the Charter authorizes the General Assembly and the Security Council to request such an opinion from the Court. I believe that the extension of this authority to the Secretary-General would greatly add to the means of peaceful solutions of international crisis situations. The suggestion is prompted by the complementary relationship between the Security Council and the Secretary-General and by the consideration that almost all situations bearing upon international peace and security require the strenuous exercise of the good offices of the Secretary-General.

IV

To build peace and create conditions of stability in the world of the 1990s will require innovative responses to security challenges of a type radically different from those encountered in the past. The effort, however, will be adrift unless it is firmly anchored in the principles of the Charter and is perceived to be so. While some old models can no longer be used and some traditional categories of thought are now inadequate, the principles of international ethics and human rights articulated by the Charter still hold.

Today, in a growing number of cases, threats to national and international security are no longer as neatly separable as they were before. In not a few countries, civil strife takes a heavy toll of human life and has repercussions beyond national borders. The disintegration of the institutions of government and society in one country and senseless slaughter in another are two appalling instances. Separatism, by no means a rare phenomenon, causes strains on both the country directly affected and its immediate neighbours. Anarchy in one State means mass migrations which unsettle another. Then again, terrorism and drug trafficking cut across frontiers. So do

environmental disasters. Furthermore, the rising consciousness of ethnic, linguistic or religious identities destabilizes some existing national formations while social breakdown in the wake of economic inequalities and the twin evils of poverty and repression tear apart the fabric of peace.

It seems that the era we are entering now may witness the institution of the nation-state being put on a harsher trial than any it has had to face in its history. Diverse forces are pulling it in diverse directions. In a politically stable environment, States are forming larger functional wholes; the outstanding example is the expected integration of the economies of the 12 industrial nations of Western Europe in 1992. Bearing in mind the trail of recurrent and internecine war blazed by nationalism in Europe until the middle of this century, this reformation carries a significance for the political evolution of the entire global community. On the opposite side, however, not a few States face the danger of decomposition as the sense of national affiliation is eroded by a variety of factors-political, economic or those relating to human rights. In many a case, fragile state structures are made even more vulnerable by lack of democratic accountability or by over-centralization. Extreme nationalism, violent ethnic rivalry, xenophobia and racial or cultural prejudice tend to fill a psychological void created by a perceived want of legitimacy or social justice. We cannot in this context forget that these destabilizing elements are not confined to any particular region of the world. Indeed, in the first half of this century, they led to cataclysmic consequences in Europe. Now, unless they are handled through ways implied in the Charter, they might ravage larger parts of the globe.

On a different level, economic forces make the nation-state more and more dependent on international co-operation. They do not permit that sense of self-sufficiency on which nationalism can thrive and isolationism take a stand. This is true both in settings of affluence and in conditions of deprivation. In the former case, with investment becoming increasingly transnational and horizontal alliances between corporations in different countries exerting greater weight on production, pricing, flow of resources and, to some extent, employment, it becomes more and more difficult for Governments to stabilize national economies without concerting policies with one another. Nor can the disruptive effects of hostile economic competition be dismissed. As for the less privileged countries, the very fact 'of dependence on external economic assistance entails profound political consequences. More often than not, the conditions on which it is rendered have an immediate impact on social situations.

How these processes will affect the world's political structure, whether the nation-state will be able to absorb the new pressures and, in so doing, undergo a change and how far into the future the present configuration of States will endure are questions that are difficult to answer, yet unwise to ignore. It is, however, plain that nationalism will become incapable of supporting State structures if it runs counter to international co-operation and becomes insensitive to the global concern for human rights.

Some people believe that the United Nations could develop an integrated plan for responding to these challenges. While such a plan might be conceivable in theory, it would be unworkable in practice as situations of diverse character arise. Moreover, not all the afflictions of societies can be remedied by multilateral action. The operative principles for such action derive from the full meaning of security in our time, from the relevance of economic and social developments to the issues of security and from the necessity to anticipate and prevent problems, help mitigate them should they occur and stimulate corrective measures to prevent them from recurring. This means maintaining a prompt, comprehensive and effective global watch rather than laying down a blueprint. It means monitoring transnational trends and developing the authority of the United Nations to the commensurate level.

For dealing with the new kinds of security challenges, regional arrangements or agencies can render assistance of great value. This presupposes the existence of the relationship between the United Nations and regional arrangements envisaged in Chapter VIII of the Charter. The defusion of tensions between States and the pacific settlement of local disputes are, in many cases, matters appropriate for regional action. The proviso, however, is that the efforts of regional agencies should be in harmony with those of the United Nations and in accordance with the Charter. This applies equally to regional arrangements in all areas of the globe, including those which might emerge in Europe. Moreover, the requirement stipulated in Article 54 of the Charter needs to be viewed not merely as a matter of form and procedure but as relating to the substance of the peace effort. If regional responses to situations affecting the maintenance of international peace and security and regional initiatives in dealing with them are supportive of the lines of policy indicated by the United Nations and do not sidetrack the United Nations, howsoever unwittingly, not only the coherence but also the effectiveness of a peace strategy would be greatly enhanced. Here again, it is the totality of the Charter rather than isolated elements of it that need to be brought to bear on the world situation.

There are many intangibles involved in the effort of building a just and stable order of peace that the world's statesmanship can discern. Some priorities have, however, been clearly identified through the work of the United Nations. The reduction of the level of weaponry and armed forces at the disposal of States, a universal human rights regime, a concerted response to the challenge posed by the deterioration of the environment and the population explosion, more equitable economic relations between nations and addressing the world's social problems are the main imperatives of the present situation. All bear upon peace.

V

A new security situation is being shaped at the global level by the rapid improvements in the relationship between East and West. Measures of disarmament, a long-sought goal of the international community, have finally moved into the realm of the possible.

We are witnessing a situation in which political developments have fast overtaken the cautious pace of negotiations to limit arms and armaments. The doctrines which dominated military thought and planning throughout the decades following the Second World War have suddenly lost their relevance and applicability. Appropriate security structures need to be found to replace the adversarial strategies of the past.

The significance of the current process goes far beyond the sheer numbers of arms and armed forces involved. It is now widely recognized that the process of creating a system of confidence-building measures is indispensable in removing the mistrust and misjudgements that have been the root causes of the arms race. This recognition has given new meaning to, and validated, the principle of seeking undiminished security at progressively lower levels of armaments and armed forces.

But to claim that we have navigated the rough waters and are now sheltered from the unexpected would be naive and dangerous. As the explosive developments in the Persian Gulf region have sharply demonstrated in the past few weeks, many challenges have to be squarely addressed before the present positive trend can be deemed irreversible and indeed world wide. A number of long-standing concerns still hinder peaceful relations, while new ones are added to the international agenda. The early 1990s provide an opportunity for arms limitation and disarmament that we cannot afford to squander.

The overarching question of nuclear weapons continues to pose a complex issue in the strategic

equation. Three concerns, however, deserve to be underscored in this context.

The first is the vital importance of progress in the bilateral negotiating process between the United States and the Soviet Union for deep cuts in their strategic arsenals. This process should eventually be expanded to incorporate all other types of nuclear weapons, including those of the other nuclear-weapon States. As long as the declared policies of some States do not contemplate a nuclear-free world it is difficult to foresee the elimination of all nuclear weapons. However, the fostering of a moral and political climate in which such weapons are stigmatized and fore-sworn is no longer utopian.

The second concern pertains to the cessation of nuclear-weapon tests about which differences still persist. The achievement of a comprehensive test-ban treaty must remain the prime objective, but pending its attainment the number of tests conducted each year and their respective yields should and can be significantly reduced.

The third concern focuses on the crucial need to maintain a viable regime for the non-proliferation of nuclear weapons. Since the Treaty on the Non-Proliferation of Nuclear Weapons was concluded in 1968, experience has revealed its shortcomings. It can be acknowledged that, in some ways, the Treaty imposes asymmetrical obligations. However, since no better arrangements have yet been devised, its basic aim of preventing nuclear proliferation must be upheld and promoted.

As we welcome the reduction of the nuclear stockpiles and hope that further reductions will follow, leading eventually to their elimination, it would be beyond reason to condone the emergence of any new nuclear-weapon State, potential or undeclared. The legitimate national security concerns of Member States must no doubt be fully met, but the acquisition of nuclear weapons by additional States would be as dangerous as the continuation of the nuclear-arms race among the nuclear-weapon States. Building effective barriers against nuclear-weapon proliferation, in all its aspects, must be a foremost priority. In this context I welcome the establishment of nuclear-weapon-free zones in regions in which the interests of the States concerned coincide and where there is wide international support for their establishment.

The primacy of the issue of nuclear weapons cannot, and should not, deflect attention from other weapons of mass destruction, which continue to be a cause of deep and widespread anxiety. Chemical weapons have proliferated alarmingly and there is appalling danger of their actual use in conflicts. The basic issues involved have

been brought to the forefront of multilateral negotiations this year. However, the breakthrough that all of us had hoped for has not yet occurred. The remaining obstacles could be overcome by judicious compromise combined with a focus on the main goal. The meeting of the Conference on Disarmament that has been proposed at ministerial level could, with adequate preparation, contribute to this aim. The work necessary for presenting the convention for urgent adherence by all Member States needs to be completed expeditiously. This would be the most effective way to end the menace that the possession of chemical weapons poses to humanity.

At long last, the industrialized countries that dispose of the largest concentration of conventional weapons have come near to reaching agreements in Vienna about a major reduction of such weapons. However, this positive trend is not mirrored in other parts of the globe. The military expenditures of the developing countries have been estimated recently to be nearly one fifth of the budgets of central Governments. During the period when, owing to chronic tensions, the major Power blocs were engaged in an unending arms race, it was difficult to argue that developing countries should institute the process of real disarmament. Now that the global situation has taken a turn for the better, it should be feasible for countries to seek their security at the lowest possible levels of armed forces and armaments.

Since almost all developing countries are largely importers of arms, the decreasing arms transfers in recent years could be construed as a positive trend. However, this decline in weapons imports is primarily due to the current economic difficulties experienced by developing countries rather than substantive changes in their defence postures. The basic prerequisite for reductions in military outlays and weapon purchases will be a change in the political climate marked by reduction of local tensions and the peaceful settlement of disputes as well as the development of regional confidence-building measures.

With significant arms reductions in prospect in Europe, the transfer of surplus weaponry to other parts of the world becomes a disturbing possibility. This gives added urgency to the quest for ways of restraining such transfers; all arms-supplying countries need to be mindful of their responsibility in this respect. I would urge earnest consideration to be given to establishing an international arms transfer register as a step towards curbing what has been a burgeoning trade.

It is, of course, vitally important to provide developing countries unimpeded access to the benefits of modern science and technology. This,

however, should not mean that the quantitative arms race is replaced by a qualitative one and high-technology weapons are introduced that would destabilize regional and even global security. I would suggest that the international community make a special effort to clarify the important issues involved and produce clear and fair guidelines acceptable to all. This would remove a great deal of apprehension in a large number of countries that are affected by the supply policies currently applied by exporters of technology.

The process of transition from military to civilian economies may be unsettling and cause some economic disruptions in the short run, but apprehensions on that score must be allayed by considerations of the long-term benefits. A wider exchange of experiences and international co-operation in the area of conversion could help the adjustment process. I believe that the modalities and forms of such exchanges and co-operation will need to be elaborated. Recently, the Secretariat has organized several forums at which high-level discussions have deepened awareness of the issues involved.

The turn for the better in the field of arms limitation provides an impetus and a fresh sense of purpose to the disarmament machinery within the framework of the Organization. The United Nations Disarmament Commission has been reinvigorated by the recent rationalization of its work. The time is ripe to consider streamlining the work of other disarmament bodies as well. This is necessary for enabling the Organization to cope with issues requiring a concerted international effort.

VI

Resolution of conflicts, observance of human rights and the promotion of development together weave the fabric of peace; if one of these strands is removed, the tissue will unravel.

This has been a motif of the thought and work of the United Nations over the years. Current experience strongly confirms the truth that respect for the organs and institutions of the State, national cohesion, the viability of political systems or social ideologies, sustained economic development and the stability of the international order all greatly depend on the observance and promotion of human rights.

The past year has seen the conversion of human rights from a subsidiary theme of the international discourse to a dominant concern. All over the world, there is a resurgent awareness that no social or political dispensation can, or should, endure that does not respect the dignity and worth of the human person, the equal rights of men and women and of nations large and small.

From its very inception, the United Nations has engaged itself in elaborating human rights instruments and establishing bench-marks against which standards of behaviour can be measured. It has provided the world community with the International Bill of Human Rights, consisting of the Universal Declaration and the two International Covenants, under which the protection of fundamental rights is accepted as a permanent obligation. Under the Organization's auspices, many other legal instruments have been adopted to define these rights in various contexts. The 1986 Declaration on the Right to Development laid a basis for the integration of human rights concepts into the planning, execution and evaluation of development projects so that respect for human rights and the effectiveness of these projects are both strengthened and secured. The process of incorporating human rights in international conventions is a continuous one. This year, a proposal before the international community is the convention to protect the rights of migrant workers and their families—a group that is among the weakest and most vulnerable in society.

Legal instruments, however, provide but the foundation on which the structure of human rights can be based. It needs initiative, tact, opportunity and co-operation to secure their implementation. Very often, for instance, the Secretary-General has to exercise his good offices in this regard with the utmost confidentiality lest they prove counter-productive. There can be little doubt, however, of the faith and expectations that peoples all over the world place in the efforts of the United Nations to restore human rights where they are denied or violated.

The promising advances of the past year in democracy and human rights should not, however, let us forget the remorseless realities of the world in which we live. Hardly a day passes without bringing news of torture, killings, disappearances of individuals, firing on unarmed demonstrators, of violent suppression of dissidence, of discrimination and deprivation, which point up the gulf between our legal instrumentation and the conditions in which so many of our fellow human beings are condemned to live.

Our aim must be to narrow the gulf between aspiration and fact. Strong and effective international norms are essential, but they are not sufficient. At the national level, a deep-rooted and persuasive human rights culture and the means for its implementation must be nurtured and developed. The World Campaign for Human Rights launched by the United Nations seeks to create a focused awareness of the importance and content of human rights. Another programme for rendering services and technical assistance seeks to fur-

ther the creation and enhancement of national human rights infrastructures.

In striving to meet the human rights aspirations of all regions, the United Nations relies upon the commitment of non-governmental organizations and the courage and self-sacrifice of individuals throughout the world. They at times put their lives at risk to promote and secure human rights and they deserve our admiration and support. Our Organization should give its close attention to ways and means of assisting and protecting them in their tasks and of stimulating popular association with our ceaseless effort to make a human rights regime encompass the whole world.

The responsibility of the United Nations to monitor human rights situations has also become easier through the ability of the mass media, particularly through the work of conscientious correspondents, to report infringements of the norms of conduct. In many cases, if not all, gross violations of human rights are rapidly flashed around the globe and arouse moral outrage and protest. This, however, does not always act as an effective deterrent against the flouting of standards agreed to by the international community. The Organization's vigilance should ensure that the human wrongs committed are exposed and condemned so as to prevent their recurrence.

As progress is achieved, demands and expectations rise and the challenges before us continue to grow. I believe that much is at stake in our ability to meet them.

VII

The Charter of the United Nations governs relations between States. The Universal Declaration of Human Rights pertains to relations between the State and the individual. The time has come to devise a covenant regulating relations between humankind and nature.

At present, human beings in their many activities have turned into nature's foes. Now nature is sending us a message: protect nature and survive or destroy nature and perish.

Nearly two decades have passed since the United Nations first put the question of the environment on the global agenda. Although the deterioration of the environment has not yet been arrested, there has been a universal awakening to the profound dangers involved. The solidarity of nations in resolving to meet this unprecedented challenge has been one of the most reassuring phenomena of recent years. The emergence of an "earth patriotism" has led to co-operative efforts at the national and the international levels to ensure that future generations inherit a revived planet. It is now generally acknowledged that both greed and waste, among the economically privileged, and the desperate struggle for survival,

among the poor, have despoiled the resources of the earth.

While much has been done in the last few years, the campaign to restore the ecological health of our planet has only just begun. It is obviously necessary to develop an approach which addresses the interrelated issues of environment and economic development in a balanced way, taking into account the legitimate concerns of the developing countries. Indeed, now that the gulf between East and West has closed and there is a sense of common concern, the world community is provided with a long-sought opportunity to refocus its attention on the economic, social and environmental agenda and to adopt a blueprint for concerted action towards environmentally sound and sustainable development. The questions involved bring into sharp relief the interdependence of nations, rich and poor. By their very nature, therefore, they can stimulate perceptions and attitudes which should narrow the gulf between the North and the South.

The Conference on Environment and Development, to be held in 1992, will consider conventions on such critical issues as climate change and biological diversity. It will endeavour to draw up agreements on basic principles to guide international behaviour and co-operation in respect of environment and development and address the complex issues involved in a comprehensive and integrated manner. It will also set an agenda for action into the twenty-first century, and consider the strengthening of relevant institutional mechanisms and processes. As we prepare for it, we must step up our efforts at all levels to prevent further environmental degradation. In this context, I welcome the results achieved at the World Climate Conference in London and at the meeting at Bergen held this year as part of the overall effort, in association with the United Nations system, to create better understanding of the problem and promote the search for solutions.

The initiative for halting environmental damage must no doubt lie, in the first place, with each country, and efforts are indeed being undertaken at the national and regional levels. New partnerships will need to be forged between Governments, the scientific community, industry, media and non-governmental and grass-roots organizations, to ensure the widest possible participation in this effort. Much work has also been done at the multilateral level. Last year, the Montreal Protocol on ozone depletion, adopted in 1987, came into force. An important step was taken when additional measures were subsequently agreed upon to meet the special needs of developing countries and a fund was established to facilitate transfer of ozone non-depleting technology to them.

A study has been under way, again under the auspices of the United Nations, of the pace, nature and impact of climatic change, and a conference scheduled to take place later this year will constitute another step forward in framing measures to halt the dangerous development of the greenhouse effect. These efforts will culminate, I hope, in the adoption of an international convention on climate change that is expected to be ready for signature at the Conference in 1992.

The increasing support being given to the Convention on the transboundary movement and disposal of hazardous wastes, which was adopted in Basel last year, has been encouraging. Additional guidelines on international trade in certain chemicals have been elaborated, and international codes of conduct, such as the one on the distribution and use of pesticides, expanded and refined. Other measures before the international community focus on building a network of monitoring, research and exchange of data on issues such as transboundary air pollution. An information exchange system continues to expand globally, responding to queries on environmental problems.

We do not have the excuse of ignorance now. The road towards environmental improvement is long, but the journey began with the recognition of our common vulnerability. It is nothing but a movement for survival.

VIII

The forces and pressures of economic life can pull nations together or they can drive them apart. One of the great challenges of the new era is to realize the possibilities of genuine co-operation to the maximum extent that the world's resources and capacities will permit. Lasting peace will necessarily require an improvement in the human condition. This, in turn, can only be achieved through productive patterns of interaction among all members of the international community. For this a renewed commitment and more focused efforts are required to stimulate and achieve economic development and social progress, particularly in the developing countries.

For over 40 years, tension between two ideological blocs influenced and shaped not only political systems but also economic relations. The world invested enormous resources, financial and human, in developing ingenious means for its own destruction. Now, in the post-cold war world, we have the opportunity to evolve a framework for equitable economic relations as well as security arrangements. This need assumes even greater importance as East-West ideological differences are replaced by the threat of global and regional tensions due to economic and social factors. An aspect of the present crisis in the Middle

East is a grim reminder of the disruptive effects of disagreement on the price and supply of a crucial commodity.

The 1980s showed how elusive was the promise of the 1960s and the 1970s for economic betterment and social progress. Although a few countries, most of them in Asia, have made notable progress, three continents, by and large, are no better off today, and a disconcertingly large proportion of their populations are worse off than they were before those decades of hope and high aspirations. The great advances made in science and technology convince us further that it is both possible and necessary to ensure a better future for that large segment of humanity whose constant companion is hunger and disease.

We seem to forget that it is people who must be at the centre of all development and that their well-being cannot be assessed in monetary terms alone. A recent report prepared by the United Nations Development Programme analyses how economic growth translates-r fails to translate-into improving human lives. There has been encouraging progress in some countries in basic human development indicators such as life expectancy, literacy, nutrition and child mortality. But overall there has been an increase in poverty, disease and deprivation. Over-population and rapid urbanization not only create economic and social problems but also endanger security. Every year, they add millions to the poorest of the world, stifling development efforts and causing alarming increases in social ills such as crime and drug addiction.

If not addressed effectively, the cycle of poverty, population growth, low commodity prices, debt, economic stagnation, destruction of the environment, arms expenditure and the erosion of the social structures in many developing countries will undermine the stability of a global order of peace. Without concerted international action this could cause political, economic and social disorder across the globe. No nation can expect to remain unaffected. There is no room for complacency.

Development must, of course, rest on national efforts to build the necessary institutions and frame the policies through which it can flourish and be shared by all. If the will to do so is lacking or distracted, there are very narrow limits to what the international community can do to promote it. But where those national efforts have been seriously embarked upon they need external support and help. Unfortunately, the international economic environment has often frustrated what years of arduous development effort and foreign aid tried to achieve.

Almost 10 years of depressed commodity prices, increasing debt-servicing burden and under-funded structural adjustment programmes have seriously weakened the economies of a large number of developing countries and dangerously eroded the social cohesion in these societies.

Development has especially suffered in African countries. Their terms of trade have worsened more than those of any other continent and their infrastructure continues to be inadequate and is eroding in many countries. The international community needs to act speedily to augment support for Africa, particularly through increases in financial flows, debt forgiveness, trade liberalization and appropriate measures to deal with the commodity problem, including the stabilization of commodity prices.

The least developed countries, most of which are in Africa, face acute problems and remain marginalized in the fundamental transformations that are taking place in the world economy. At the Second United Nations Conference on the Least Developed Countries efforts are under way to identify impediments to their development, and agree on urgent and far-reaching measures to reverse the present trends.

The distortions in the international economy are also reflected at the national level where parallel societies are growing apart, one rich and privileged and the other poor and dispossessed. In developing countries, it means the emergence of two societies, one having access to the levers of power and the other lacking it; the result is political and social instability. In industrialized societies, it manifests itself in tension and crime. National economic policies must address these contradictions and ensure that economic and social progress is shared by all.

At the present time, a number of short-term exigencies present themselves to the international community as the result of the crisis in the Middle East. The ability of the United Nations to cope with man-made disasters is once again being put to the test. It is apparent that the repercussions of this crisis will aggravate the economic problems of the international community and can wreak havoc on the economies of certain countries. The severity of these costs will depend on whether the conflict can be contained and how it is resolved. This notwithstanding, serious efforts need to be urgently made to mitigate the economic and social consequences of this crisis and to see how to provide a safety net for developing countries ill-equipped to cope with such situations.

Whatever the outcome of the present crisis, some issues of longer standing seem particularly important, all of them calling for far-sightedness

and imagination in finding an adequate international response that would enable the developing countries to renew the process of growth and development.

The first is the problem of external indebtedness of the developing countries. It is now obvious that the magnitude and seriousness of this problem demands a comprehensive and truly decisive approach. The progressive deepening of the debt crisis, since 1982, constitutes a grave threat to the political, social and economic order in many of the affected countries. It is also a burdensome constraint on the international economy with adverse consequences even for creditor countries.

The most debilitating consequence of the debt problem is the large net transfers of financial resources from debtor countries to their creditors. Developing countries, which need to supplement their meagre internal savings with external finance, have now for over 10 years been providing the world economy with resources which they themselves urgently require for their own development. In 1989 alone, this net outflow of resources amounted to \$US26 billion. These negative transfers must be eliminated quickly and eventually reversed. Debt and debt-service reduction have a central role to play in this regard. The ongoing efforts by private and official creditors as well as by multilateral financial institutions to address the debt problem need urgently to be broadened and intensified. A number of new and practical ideas for addressing commercial as well as official debt are now available, and I welcome the interest elicited by the report on external debt recently submitted by my personal representative.

Second, but equally critical, is the question of the international trade regime and the soon to be concluded Uruguay Round of Multilateral Trade Negotiations. The declared commitment of the industrialized countries to achieve substantial results is encouraging. However, the negotiations so far reveal that the interests and concerns of the economically weaker developing countries are not being fully taken into consideration. A balanced outcome that benefits all nations and that secures access for developing countries to the existing trading blocs as well as to the emerging big markets should be the main objective of the Uruguay Round. The vulnerability of the developing countries in these negotiations must not be used to extend or impose the national interests of major trading countries in ways detrimental to the functioning of the international trade and payments system over the long run.

Third, the instability and the continued depressed prices for commodities, which are the prime source of export earnings for most of the

developing countries in Africa and Latin America, and to some extent Asia, are further impeding their efforts to diversify and revitalize their economies. Policies for diversification of these economies will need to be pursued and supported in a variety of ways, including the promotion of greater stability and higher commodity prices. To a large extent, existing commodity agreements have suffered and indeed failed to achieve their objectives because of inadequate financial resources. There is need to examine anew the modalities and functioning of international commodity agreements with a view to ensuring their effectiveness for both producers and consumers.

Fourth, the process of integration of the Soviet and the Eastern European economies into the international financial and trading regimes needs to be supported to ensure a smooth transition. The opening of this region to international trade presents a great opportunity for the world economy as a whole. Our common objective must be to ensure a positive transformation of Eastern European countries concurrently with the development of the developing countries. The commitment of the industrialized countries not to weaken their support for the developing nations is therefore central to this objective.

The complexity of international global economic problems, their interrelationships and their close links with social and political issues dictate a sounder management of the global economy. Already, the economic integration of Western Europe and the creation of trading blocs are raising apprehensions about access to these markets. It is also feared that these developments may lead to a fragmentation of the international trading system, exacerbate existing trade tensions and further marginalize the majority of the developing countries. I am also concerned about the increased reliance on bilateral and plurilateral arrangements rather than on multilateral rules for trade liberalization.

Conditions at the end of the Second World War influenced the shaping of international institutional arrangements for political and economic relations in the post-war period. For the past 25 years, major industrialized countries have periodically sought to co-ordinate their macro-economic policies outside the framework of existing multilateral institutions with varying degrees of success. Now, the more complex challenges of a new era such as preserving the health of our planet and combating drug abuse demand a global response. Systematic and institutionalized co-ordination of the global economy within these institutions would help achieve greater coherence in national and international strategies for eco-

conomic and social development and ensure more disciplined economic behaviour by all.

We must utilize the experience of the past to develop a vision for our common future. The weaknesses and the strengths not only of the competing ideologies but also of a world order reflecting tension between them have become quite apparent. We know that the restructuring of economic systems will not by itself satisfy popular aspirations for social justice and equity. Indeed, the fundamental principles of social welfare and services, such as education, medical care, social security, housing and employment, will remain valid whatever the orientation of the ideology pursued.

A process of serious evaluation and a subtle transformation of international institutions has already begun. A more equitable and efficient system of economic relations should benefit from their strengths and advantages. At its special session on international co-operation last April, the General Assembly reaffirmed the special role of the Organization as a forum where central issues of importance to humanity can be addressed in an integrated manner. The renewal of multilateralism will enhance the capacity of the United Nations to respond to the challenges and opportunities of the post-cold war international order.

The transition to that order will inevitably be fraught with difficulties. During this period, we may witness intense competition among economic super-Powers or blocs not only to gain economic advantage but also to influence the shaping of the new rules of the game. The consequences for the global economy could be serious. The economic tension will affect prospects of a more peaceful international atmosphere where objectives of development and social progress could be pursued with greater determination. In these circumstances, how the United Nations, and particularly the Economic and Social Council, effectively addresses economic concerns and promotes legitimate aspirations in order to forestall conflict and reduce tensions assumes particular urgency.

The growing international consensus is contributing to a greater awareness of the close relationship between political and security considerations and economic and social issues. As the work of the Security Council demonstrates a new sense of purpose and a fresh determination to protect and promote peace, one should like to see a similar development in the Economic and Social Council. In this context, I welcome the decision of the Council to consider the implications of the evolution of the East-West relations for the world economy, and in particular the developing countries, at a high-level special meeting next

year. I have consistently maintained that high-level and more focused meetings of the Council on important policy questions and developments will have a positive impact on the role and functioning of this body. A revitalized Council, meeting at ministerial level, could provide the framework for evolving economic and social policy guidelines which contribute to the process of promoting stability based on balanced economic development and social justice.

There is, however, a need for the United Nations, including its intergovernmental structures in the economic and social sector, to be more responsive to the emerging needs of, and new challenges faced by, the international community. As political rhetoric recedes, a higher degree of specialization will be needed to strengthen the technical underpinnings for the Economic and Social Council and the General Assembly.

IX

The sources of disorder and potential conflict in the world today are not confined to political tensions and economic disparities. An equal cause of derangement is the social crisis that has crossed all frontiers, regional or cultural. Now that common sense is beginning to replace the ideological obsessions of yesterday, sustained attention must be devoted to the ills that afflict society at present. Neither can diagnosis be attempted nor remedies prescribed in terms of one nation or group of nations alone; both approach and action need to be global.

The scourge that has been caused by widespread psychological and social dislocation takes its most pronounced form in drug abuse and trafficking. This inflicts damage at all levels: in addition to the strain on familial and social relations, there is the high cost to society in general—in terms of health care, in increased risk of accidents, in lost industrial productivity, and in the higher incidence of crime and threats to the civic order which have been the cause of so much misery in so many countries. Another danger associated with intravenous drug abusers is the high risk of spreading the AIDS pandemic.

The General Assembly, at its last session, took drug-abuse control as one of its main themes. This was followed by the convening of the seventeenth special session of the General Assembly, concentrating specifically on drugs. It led to the adoption of a political declaration and a global programme of action which will entail an improvement and widening of our existing efforts to combat drug abuse.

As with so many other programmes requiring priority attention, the resources currently available to the United Nations for drug abuse control

are paltry compared to the magnitude of the problem. In order to make a tangible impact on drug abuse and trafficking world wide, very considerable additional funding would be necessary. Moreover, our existing institutional arrangements need to be streamlined and made more effective—a matter under serious consideration at present.

Comprehensive legal instruments have been drawn up over the years within the framework of the United Nations, culminating in the Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances. The Convention will enter into force later this year. I would urge States that have not done so to ratify it without further delay and, even before this, to implement its provisions rigorously in order to fight this pestilence.

One of the darker aspects of the rapid societal change of the recent past is the upsurge in crime in many countries, particularly in its organized and transnational forms. This year, the Organization convened the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders at Havana. The Congress adopted important operational guidelines, standards and model agreements, which aim at intensifying the fight against crime at the national, regional and international levels and further improving the performance of criminal justice systems.

The growing world-wide recognition of the need to strengthen the rule of law in international relations was crystallized, at the last session of the General Assembly, in the declaration of the 1990s as the Decade of International Law. A notable achievement in this context, after nine years of negotiations, was the adoption by the General Assembly of the International Convention against the Recruitment, Use, Financing and Training of Mercenaries. This Convention will outlaw the activities of soldiers of fortune who so often were employed to destabilize the countries in which they operated and who indulged in plunder with impunity.

The campaign against grave afflictions is only one part of the global social strategy. Equally important is constructive action to revive basic social institutions and to end discrimination against, or ill-treatment of, some of society's major segments.

At the root of the problems confronting us is the breakup of basic social structures, leaving the individual shelterless against violent social pressures and disruptions. As the family is the basic unit of society, an agent of development as well as a support for the individual, the General Assembly last year decided to observe 1994 as the International Year of the Family. Fundamentally important in this context is the role of women. The

recent activities of the world Organization on their behalf have included an appraisal of the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women, five years after their adoption, and the decision taken to convene a World Conference on Women in 1995. The tenth anniversary of the adoption of the Convention on the Elimination of All Forms of Discrimination against Women was another milestone: 103 Member States have ratified or acceded to the Convention.

It is children, however, who are the most vulnerable segment of society. The United Nations Children's Fund supported the initiative of Heads of State to hold a World Summit for Children here at United Nations Headquarters this year in order to promote commitment, at the highest political level, to goals and strategies for ensuring the survival, protection and well-being of children as key elements in social development. The occasion is remarkable for being the first summit of leaders from the North, the South, the East and the West and thus facilitating dialogue on a universal scale. Further efforts will have to be planned to address those issues that will most critically affect children in the decades ahead.

Last year, a landmark was reached when the General Assembly adopted the Convention on the Rights of the Child, which is the first legal instrument to define and lend content to children's rightful status in society. The emergence of an international consensus for strengthened multi-lateral co-operation focusing on children can be a development of far-reaching significance. It is particularly encouraging that this Convention came into force earlier this month, which was less than a year after its adoption—a very rapid pace indeed for an international treaty.

It is, however, chastening to observe that much of the progress we are making in repairing social structures and protecting the rights of women and children is threatened, and often reversed, by the explosion in population. The global population, now standing at 5.3 billion, increases by 250,000 every single day, or almost 1 billion in the span of 10 years. Well over 90 per cent of that growth will occur in the poorest countries. There is thus an unmanageable increase in the numbers to be fed, clothed and sheltered. This has over-strained the capacity of developing countries to provide employment, housing, infrastructure and related services. Unless this trend is arrested, there will be social chaos in large parts of the world.

Experience has shown that population and family planning programmes, working in unison with other social and economic development efforts, are effective in leading to the desired result.

The freedom of choice that flows from improved access to family planning, education and health care and enhanced status for women is crucial.

Efforts in this field need to be strengthened. The International Meeting on Population, planned for 1994, will provide a much-needed opportunity to review progress at the mid-point of the decade. At the same time, the world Organization will need to implement the provisions of the Global Strategy for Shelter to the Year 2000 and deal with the increasing environmental degradation in order to provide the most basic needs for the world's peoples.

X

Forty years ago, the hope was entertained that the refugee problem would be temporary and easily manageable. The fact that the United Nations, through the Office of the United Nations High Commissioner for Refugees and the United Nations Relief and Works Agency for Palestine Refugees, has to cope with refugee situations in undiminished numbers testifies to the frequency, persistence and severity of conflicts in the world today.

Regional conflicts continue to cause mass migrations. The exodus caused by the current crisis in the Persian Gulf is a most painful example of the disruptions in the lives of human beings, which are due to political upheavals. Some refugee situations have persisted and durable solutions have to be found for them. The international environment has become generally less receptive for refugees, asylum-seekers and displaced persons.

In Africa, civil strife continues to take a mounting toll of human lives. Grave social problems have developed with increasing numbers of internally and externally displaced people, the destruction of towns and villages and the isolation by war of communities from sources of essential supplies. The result has been destitution, homelessness and famine on a large scale.

In most cases, the Governments concerned have sought the help of the United Nations system. I have repeatedly emphasized that the cardinal principle of humanitarian programmes is that such help is neutral in nature and must be made available without discrimination to all in need and regardless of their location. It is equally vital that relief operations are assured of the full support and co-operation of the parties to the conflict, and that United Nations relief convoys and relief workers are given safe and secure access to the intended beneficiaries.

The settlement of political issues in some areas has brought immediate relief. In Namibia, for example, thousands of Namibians were repatriated

as part of the independence plan for that country. Significant progress is also being made in South Africa, giving rise to the hope that a political settlement will bring an end to the conditions that have caused several thousand South Africans to seek refuge outside their country. This could also have a beneficial impact on an even larger number of Mozambicans who have been uprooted and displaced. In Central America, members of the Nicaraguan Resistance and their families were voluntarily demobilized and are being repatriated, and their safety upon return monitored. Voluntary repatriation of Salvadorians increased in late 1989 and early 1990.

Contrasted with these encouraging developments, however, are instances where initial expectations of settlement have not yet been fulfilled. Stalled by the difficult political situation in Afghanistan, over 3 million refugees remain in Pakistan, and over 2 million in Iran. The situation in Cambodia also awaits a political agreement, making the repatriation of hundreds of thousands of Cambodian refugees and displaced persons currently impossible. This means that the situation of refugees in South-East Asia, including Vietnamese and Lao asylum-seekers and refugees, continues to be a serious problem for the international community.

In Africa, despite progress in the southern part of the continent, the numbers of refugees are increasing. Malawi, Somalia, the Sudan, Uganda, and, most recently, Côte d'Ivoire, Guinea and Sierra Leone, all experienced additional or new influxes. Events in Mauritania and Senegal caused large-scale displacement of people from both countries. The biggest influx has been of nearly 500,000 Liberians escaping civil strife in their country.

To partially alleviate the human suffering, emergency assistance is rendered in difficult geographical conditions, marked by a desperate lack of resources and infrastructure. In co-operation with other agencies, the World Food Programme acts promptly to relieve hunger to the extent its resources permit.

Natural disasters also cause death, suffering and displacement on a large scale. It is a preoccupation of the Organization to provide help through the Office of the United Nations Disaster Relief Co-ordinator. The United Nations has taken a new approach to mitigate their catastrophic effects. The declaration by the General Assembly of the 1990s as the International Decade for Natural Disaster Reduction embodies a significant conceptual move from post-disaster response to pre-disaster preparedness. Too often in recent years the world has experienced huge population losses and immense economic plight

due to endemic weaknesses in housing, infrastructure and other resources essential for rehabilitation. Considering recent earthquakes in the Soviet Union and Mexico, and this year in Iran and the Philippines, it is plain that the advances made by science and technology in our age could be utilized to minimize the devastation caused by such occurrences in vulnerable areas.

X I

It is clear from the foregoing that the past year has brought new tasks and fresh challenges, some unprecedented, to the Organization. Many new initiatives are already in prospect, and we enter the decade with greater capability to fulfil the enlarged role that is being assigned to the Organization. Additional responsibilities, however, mean new administrative and financial requirements.

Following the reform programme instituted by General Assembly resolution 41/213, the Secretariat has undergone a major internal restructuring and considerable reduction in staff. At the same time, new procedures have enhanced mutual confidence between Member States and the Secretariat in administrative and financial matters. By adopting all relevant resolutions without a vote, the last session of the General Assembly showed greater convergence of views on questions related to administration, budget and management. Equally encouraging were the consensus votes on revised estimates and the programme budget for 1990-1991.

The reforms in the budgetary process have thus concluded the first cycle and, I believe, have largely achieved their purpose. They have brought about a better awareness among Member States and within the Secretariat of the way in which the United Nations utilizes its resources, and encouraged their more judicious use. They have also largely allayed the concerns of the major contributors. This is the result of fruitful co-operation between all Member States and the Secretariat.

A fundamental requirement for enhanced organizational effectiveness is the availability of relevant and accurate information to managers. The creation of an integrated management information system that I proposed will facilitate decentralized management, while providing centralized access world wide. This system, which is scheduled to become operational in 1993, will enable us to analyse, plan and allocate resources in the most efficient manner.

The extraordinary expansion in field operations combining peace-making and peace-keeping has stretched both our human and financial resources. This is evident at the planning and preparatory as well as the executory stages.

Early and sound planning is essential to promote the chances of success, especially in cases of complex, multi-functional operations working within a narrow time-frame of which the Namibia undertaking was a prime example.

Unfortunately, such thorough advance preparation has become increasingly difficult because of the overall depletion in the Organization's resources. I find it inexplicable that many Member States of the United Nations fail to fulfil their financial obligations on time and in full, thus endangering the Organization's financial stability. To date this year, only 57 Governments have fully paid their assessed contributions for the regular budget. Currently, the Organization is owed about \$660 million by its Members for the regular budget, which means that we have funds for only 24 further days of operation. Moreover, peace-keeping assessments unpaid by Member States now total an additional \$436 million.

This is the bleak picture at a time when many hopes and expectations are being placed in the work of the United Nations. Day by day, new initiatives are brought to its legislative bodies: in peace-making or peace-keeping, in such matters as human rights, environmental protection and narcotics control, as well as in many other areas wherein co-ordination through the United Nations is vital. The weakness of the Organization's finances jeopardizes the desired projects, despite all the economies and the reforms we have effected. If all Governments do not meet their financial obligations fully, and within the proper time-frame, the Organization will not be able to play the role expected of it by the Governments and peoples of the world. That dismaying moment could be close at hand.

These circumstances of inability and constraint provide an ironical contrast to the impressive dedication and the skills demonstrated by the Organization's staff, often under extremely trying circumstances, in field operations and missions. Equally, staff at Headquarters have admirably shouldered increased responsibilities due to post reductions and to the absence of key personnel serving in missions abroad. The high standard of performance expected of United Nations staff has again pointed to the need to employ men and women of the highest calibre, with the widest geographical distribution and range of skills. Unfortunately, the United Nations has fallen seriously behind in the level of remuneration it offers and is, in many fields, no longer financially competitive. This fact is well known to Member States and I would urge them to earnestly consider remedial action. It should be recognized that the present situation affects the Organization's capacity to deliver results and it

weakens the morale of the staff, which is so highly important at a time when the Organization is undergoing rapid change and when such heavy demands are being placed on its human resources.

XII

Public perceptions of the United Nations, of its essentiality and its work have radically changed during the last two years. While earlier it was regarded in some circles as a tower of Babel and at best avenue for often fruitless diplomatic parleys, it is now seen as a centre of agreement and decision, a barrier against chaos in international relations and the one institution which can best assure that the actions of nations are governed by international law and respond to the demands of justice.

I believe this carries important policy implications for the Governments of Member States. They can draw strength from the widening peace constituency which exists in all countries-and whose concerns are so well articulated by non-governmental organizations, especially in the fields of disarmament, human rights and the environment. However, to do this and to be able in difficult situations to adjust their attitudes and policies to the Charter of the United Nations, Governments need to regard the Organization as a source of unique assistance to them in unravelling issues which touch other nations, in settling international disputes and in responding to the emerging challenges confronting the global society. The Charter needs to be viewed not as an external and onerous appendage but as a body of principles which must govern the life of every nation.

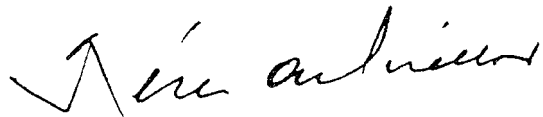
There is not, and there cannot be, an adversarial relation between the United Nations and any Member State. In situations of conflict, only the procedures of multilateralism as developed and employed by the United Nations can offer justice and dignified disengagement to the parties involved and to their supporters.

If there is anything plain from the evolution of international affairs, it is that neither in the current nor in any foreseeable situation can there be any Power or group of Powers which will have a limitless freedom of manoeuvre and the political capability to impose its own values or world view

on others. This, however, does not detract in the slightest degree from the position of respect that a Power or group of Powers can command at the United Nations through its resources of knowledge and experience and its ability to take a lead in shaping the universal agenda. A changing, turbulent world may not sustain hegemonies, global or regional, but it is receptive to influence, especially the influence that comes from statesmanship and consistent conformity with international law. The greater the Power, the higher is the responsibility to act and to be seen to act with justice. This is true as much of States as of the Organization as a whole and of its organs.

I believe that it has been a wholesome development of recent years that the international discourse has been disburdened of excessive ideological or rhetorical baggage. It is far easier to accommodate contentious interests or claims, honestly stated, than to reconcile opposing doctrines. If the new mood of pragmatism which has released us from the thraldom of the cold war is to spread all over the world, nations need to shed the vestigial prejudices of former times and couch their dialogue in terms of common sense and plain justice. International morality should not be confused with moralistic stances which can conceal the truth of a situation. Since notions of legitimacy are sometimes bound to clash, the only safeguard against issues becoming intractable is recourse to the principles stated in the Charter and accepted by all nations.

A formative point has been reached in the world's struggle towards stability and well-being. Stability will not mean stasis. Peace will not bring the cessation of all conflict. It will only make conflicts manageable through means other than force or intimidation. In the words of one of the intellectual progenitors of the United Nations, Immanuel Kant, peace will mean "equilibrium in liveliest competition". The United Nations seeks to train our vision towards that end.



Javier PÉREZ DE CUÉLLAR
Secretary-General

PART ONE

Political and security questions

Chapter I

International peace and security

The United Nations in 1990 continued efforts to help resolve persistent conflicts and to address new situations in various parts of the globe deemed to pose a threat to international peace and security.

The General Assembly stressed the need for further strengthening the role of the Organization in the maintenance of peace and security and in promoting respect for international law. In that regard, it encouraged the Secretary-General to continue to examine all aspects of peace-keeping operations to ensure that they were conducted in an efficient and cost-effective manner. Noting that those operations had become a valuable instrument in facilitating the settlement of international disputes, the Security Council affirmed its readiness to launch new peace-keeping operations as necessary in the interest of international peace and security in accordance with the principles of the Charter of the United Nations.

With respect to regional security problems, the Assembly urged co-operation with the Mediterranean States with a view to reducing tension, promoting peace and security and ensuring stability, prosperity and support for democratic processes. It called for co-operation in the promotion of the objectives of the 1986 declaration of the zone of peace and co-operation of the South Atlantic and for ensuring the protection of the region from environmental damage.

Peace-keeping operations

The General Assembly in 1990 asserted that the increasing activities in the field of United Nations peace-keeping operations—which it considered an integral component of enhancing the effectiveness of the Organization in the maintenance of international peace and security—required greater human, financial and material resources for the Organization.

Over the course of the year, there were a total of 10 UN peace-keeping operations, two of which were terminated in March—the UN Transition Assistance Group (UNTAG), in Namibia,

and the UN Good Offices Mission in Afghanistan and Pakistan (UNGOMAP). The remaining eight were: the UN Peace-keeping Force in Cyprus (UNFICYP); the UN Angola Verification Mission (UNAVEM); the UN Observer Group in Central America (ONUCA); the UN Interim Force in Lebanon (UNIFIL); the UN Disengagement Observer Force (UNDOF); the UN Truce Supervision Organization (UNTSO); the UN Iran-Iraq Military Observer Group (UNIIMOG); and the UN Military Observer Group in India and Pakistan (UNMOGIP). (See PART ONE, Chapter IV, and PART TWO, Chapters I, II, III and IV, for further information on these peace-keeping operations.)

The United Nations in 1990 established and dispatched to Haitian observer group for the verification of the December elections in that country. In addition, it had under consideration the possible establishment of a survey mission in Cambodia (formerly Democratic Kampuchea), an observer mission in El Salvador and a mission for the planned referendum for self-determination in the Territory of Western Sahara.

In the light of the significant increase in peace-keeping and related missions, the Secretary-General, on 4 January, established within the Secretariat a Senior Planning and Monitoring Group for Peace-keeping Operations to advise him on peace-keeping and related matters and on budget formulation and the monitoring and control of regular and extrabudgetary funds related to peace-keeping activities.

At its 1990 session, held from 7 to 10 May and on 29 June [A/45/330], the Special Committee on Peace-keeping Operations had before it a March report by the Secretary-General, with later addenda [A/AC.121/37 & Add.1-4]. Prepared pursuant to General Assembly resolution 44/49 [YUN 1989, p. 27], the report contained the replies from 15 Member States to his request for their observations and suggestions on all aspects of peace-keeping operations, in particular proposals to make those operations more effective. As a result of its consideration of those suggestions, the Committee adopted a series of conclusions and recommendations for transmittal to the Assembly.

Responding to further requests in the same resolution, the Secretary-General submitted to

the Assembly a number of other reports, among them one issued in May [A/45/217] providing a broad indication to Member States of the military personnel, material and technical resources and services required for UN peace-keeping operations. By means of a questionnaire based on that report, Member States were invited to identify which of those resources they would be prepared to contribute so that an indicative registry of available resources could be established. The remaining reports, prepared in September and October, concerned the use of civilian personnel in peace-keeping operations [A/45/502], model guidelines for the preparation of national training programmes for UN peace-keeping service [A/45/572], a model of status-of-forces agreement for peace-keeping operations [A/45/594], to serve as a basis for the drafting of individual agreements between the United Nations and host countries, and progress made in the preparation of standard operating procedures for peace-keeping operations [A/45/602], expected to be completed in early 1991.

The Secretary-General also reported on certain administrative and budgetary aspects of the financing of peace-keeping operations (see PART SIX, Chapter I), specifically on measures taken to establish a support account [A/45/493] and on the feasibility and cost-effectiveness of a reserve stock of equipment and supply items for UN peace-keeping activities [A/45/493/Add.1].

SECURITY COUNCIL ACTION

The Security Council considered the item on UN peace-keeping operations on 30 May, when it authorized its President to make the following statement [S/21323] on its behalf:

The members of the Council note with satisfaction that the United Nations has in recent years played an increasingly important and active role in restoring and maintaining international peace and security. The peace-keeping operations of the United Nations have become a valuable instrument facilitating the settlement of international disputes. Recent successful peace-keeping operations have, for their part, contributed to the enhanced standing and effectiveness of the United Nations.

The members of the Council express their deep satisfaction with the growing support of the international community for United Nations peace-keeping and, in particular, with the participation of a growing number of Member States in the operations. They pay tribute to the Secretary-General and his staff for their tireless efforts in the conduct of those operations. They also commend States which have provided resources for such operations. Furthermore, they commend the peace-keeping forces for their exemplary and dedicated service in the cause of international peace and security.

The members of the Council consider it of vital importance that adequate resources are available for the preparation, deployment and maintenance of the United Nations peace-keeping operations. This must be underlined all the more in view of the new challenges in prospect. They urge Member States to respond positively and rapidly to requests from the Secretary-General for contributions of financial, human and material resources for the operations. They emphasize that the operations must be launched and maintained on a sound and secure financial basis and stress the importance of full and timely payments of assessed contributions. At the same time, they underscore that the operations must be planned and conducted with maximum efficiency and cost-effectiveness.

The members of the Council also emphasize the importance of political support by all Member States, and in particular by the parties concerned, for United Nations peace-keeping and for the action of the Secretary-General in conducting the operations. They stress that a peace-keeping operation is essentially a temporary measure, intended to facilitate the resolution of conflicts and disputes. Its mandate is not automatically renewable. Peace-keeping should never be construed as a substitute for the ultimate goal: an early negotiated settlement. In the light of this, the members of the Council will continue to examine carefully the mandate of each operation and, when necessary, vary it in response to prevailing circumstances.

The members of the Council, while recognizing the principle that 'peace-keeping should only be undertaken with the consent of the host countries and the parties concerned, urge the host countries and all parties involved to assist and facilitate in every way the successful and safe deployment and functioning of the United Nations peace-keeping operations in order to enable the fulfilment of their mandates, including the early conclusion of status-of-forces agreements with the United Nations and the provision of appropriate infrastructure support.

The members of the Council are encouraged by recent achievements of United Nations peace-keeping. Bearing in mind the primary responsibility of the Council under the Charter of the United Nations, they express their determination to continue to work jointly and in co-operation with the Secretary-General for the prevention and resolution of international conflicts. The members of the Council remain ready to consider launching new peace-keeping operations as and when necessary in the interest of international peace and security, in accordance with the principles and purposes of the Charter.

Meeting number. SC 2924.

GENERAL ASSEMBLY ACTION

On 11 December, the General Assembly adopted resolution 45/75.

Comprehensive review of the whole question of peace-keeping operations in all their aspects

The General Assembly,

Recalling its resolutions 1874(S-IV) of 27 June 1963, 2006(XIX) of 18 February 1965, 2053 A (XX) of 15 De-

ember 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, 39/97 of 14 December 1984, 40/163 of 16 December 1985, 41/67 of 3 December 1986, 42/161 of 8 December 1987, 43/59 A of 6 December 1988 and 44/49 of 8 December 1989,

Welcoming the progress made by the Special Committee on Peace-keeping Operations during its session in 1990 and, in particular, the agreement reached on a number of conclusions and recommendations,

Convinced that the United Nations peace-keeping operations are an integral component of enhancing the effectiveness of the United Nations in the maintenance of international peace and security,

Taking into account that increasing activities in the field of United Nations peace-keeping require increasing human, financial and material resources for the Organization,

Aware of the extremely difficult financial situation of the United Nations peace-keeping forces and of the heavy burden on the troop contributors, especially those from developing countries,

Emphasizing that the current political atmosphere is propitious for achieving further progress in the work of the Special Committee.

Bearing in mind the fact that constructive exchanges of views on various practical aspects of peace-keeping operations can contribute favourably to the smooth and effective functioning of these operations,

Taking note of the report of the Secretary-General on the work of the Organization,

Having examined the report of the Special Committee,

1. Takes note of the report of the Special Committee on Peace-keeping Operations;

2. Notes with appreciation the preparation by the Secretary-General, pursuant to General Assembly resolution 44/49, of his report on requirements for United Nations peace-keeping operations and of a questionnaire on that subject;

3. Invites Member States to complete the questionnaire as soon as possible, in order to facilitate the early preparation by the Secretary-General of a registry, indicative in nature, of potential contributions by Member States of personnel, material and technical resources and services;

4. Looks forward to the completion by the Secretary-General of the other studies and documents requested in resolution 44/49;

5. Emphasizes again the need to ensure a secure and sound financial basis for United Nations peace-keeping operations;

6. Reiterates its call upon all Member States to pay their assessed contributions in full and on time and encourages again those States which can do so to make voluntary contributions that are acceptable to the Secretary-General;

7. Stresses the importance of the need to reimburse outstanding dues of troop-contributing countries;

8. Decides to consider, in the competent bodies, as a matter of priority, practical means of adequately securing the financing of the start-up phases of peace-keeping operations;

9. Encourages the Secretary-General to continue to examine all aspects of peace-keeping operations in order to ensure that they are conducted in an efficient and cost-effective manner;

10. Welcomes the initiative of the Secretary-General in preparing a model agreement between the United Nations and Member States contributing personnel to peace-keeping operations, while maintaining the flexibility needed to encompass different possible circumstances;

11. Reiterates its appeal to host countries of any United Nations peace-keeping operations and all directly interested parties to extend all possible support in order to facilitate the deployment and functioning of such operations, and urges them to respect and safeguard the security of United Nations peace-keepers;

12. Urges again host countries to conclude status-of-forces agreements with the United Nations as soon as possible upon the establishment of a peace-keeping operation;

13. Considers that the composition of United Nations peace-keeping operations, taken as a whole, should be on a wide geographical basis, while the composition of each operation would be consistent with particular requirements thereof;

14. Requests the Secretary-General to prepare a detailed report on the successfully concluded operation of the United Nations Transition Assistance Group;

15. Welcomes the seminars and other exchanges of views on peace-keeping operations among Member States and interested organizations, with the participation of Secretariat officials, that have taken place and encourages the holding of regional and international seminars, in consultation with the Secretariat, as appropriate, in the future;

16. Again encourages Member States to establish training programmes for personnel for peace-keeping operations and looks forward to the completion by the Secretary-General, in accordance with resolution 44/49, of training manuals, which Member States might wish to use as guidelines for their training programmes;

17. Encourages those Member States with national or regional training programmes to give access to those programmes, as appropriate, to other interested Member States;

18. Requests the Secretary-General to prepare for Member States a factual report describing the responsibilities, functions and structures of the various Secretariat units dealing with peace-keeping operations, including details of overload posts;

19. Encourages studies on the possible application of high technology to peace-keeping operations, where it would enhance their efficiency;

20. Considers it useful to have further discussions, in the appropriate forums, including the Special Committee, on the possible fields for peace-keeping and on the further development of peace-keeping operations;

21. Invites the Secretary-General to consider appropriate ways of honouring the services of United Na-

tions peace-keepers, bearing in mind that the United Nations peace-keeping forces were awarded the Nobel Prize for Peace in 1988;

22. Stresses the importance of maintaining the flow of information between the Secretariat and Member States, and encourages the Secretariat to continue its practice of providing regular informal briefings on current and potential peace-keeping operations;

23. Encourages States contributing personnel and other interested States to hold informal consultations, as appropriate, on operational and technical matters relating to the practical aspects of peace-keeping operations;

24. Notes with appreciation the contribution of the Secretariat to the work of the Special Committee, and encourages the further development of this co-operation;

25. Encourages the contribution to the Special Committee's work of experts and bodies having specialized expertise in peace-keeping and the conduct of peace-keeping operations;

26. Urges the Special Committee, in accordance with its mandate, to continue its efforts for a comprehensive review of the whole question of peace-keeping operations in all their aspects with a view to strengthening the role of the United Nations in this field, taking into account the difficult financial situation of peace-keeping operations and the need for maximum cost efficiency;

27. Decides that the Special Committee shall accept the participation of observers of Member States, including in the meetings of its working groups;

28. Invites Member States to submit any further observations and suggestions on peace-keeping operations to the Secretary-General by 1 March 1991, outlining proposals on specific items in order to allow for more detailed consideration of the Special Committee, with particular emphasis on practical proposals to make these operations more effective;

29. Requests the Secretary-General to prepare, within existing resources, a compilation of the above-mentioned observations and suggestions and to submit it to the Special Committee by 30 March 1991;

30. Requests the Special Committee to consider authorizing its Bureau to prepare, in advance of the commencement of the session in 1991, a draft working document based on the submissions of Member States to the Secretary-General, containing specific items and elements for possible consideration by the Special Committee;

31. Also requests the Special Committee to submit a report on its work to the General Assembly at its forty-sixth session;

32. Decides to include in the provisional agenda of its forty-sixth session the item entitled "Comprehensive review of the whole question of peace-keeping operations in all their aspects".

General Assembly resolution 45/75

11 December 1990 Meeting 65 Adopted without vote

Approved by Special Political Committee (A/45/824 & Corr.1) without vote, 28 November (meeting 27); 6-nation draft (A/SPC/45/L.26); agenda item 76.

Sponsors: Argentina, Canada, Egypt, Japan, Nigeria, Poland.

Financial implications. 5th Committee, A/45/836; S-G, A/SPC/45/L.36, A/C.5/45/55.

Meeting numbers. GA 45th session: 5th Committee 42; SPC 17, 19, 21, 27; plenary 65.

By decision 45/455 of 21 December, the Assembly decided to retain on the agenda of its forty-fifth session the items on the comprehensive review of the whole question of peace-keeping operations in all their aspects and on the administrative and budgetary aspects of the financing of those operations.

Special Committee membership

In 1990, the General Assembly, by decision 45/326 of 21 December, took note of the appointment of Germany as a member of the Special Committee on Peace-keeping Operations to fill the vacancy brought about by the accession of the German Democratic Republic to the Federal Republic of Germany.

Security issues

Enhancing international peace and security

At its 1990 session [A/45/33], held in New York from 12 February to 2 March, the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization considered two revised working papers on proposals for fact-finding by the United Nations in the field of the maintenance of international peace and security: one sponsored by Belgium, the Federal Republic of Germany, Italy, Japan, New Zealand and Spain [A/AC.182/L.60/Rev.1]; and the other by Czechoslovakia and the German Democratic Republic [A/AC.182/L.62/Rev.1]. On the basis of the joint discussion of those two working papers, a unified text was subsequently prepared and presented to the Committee by the eight sponsors [A/AC.182/L.66]. Also examined was the Secretary-General's progress report [A/AC.182/L.64] on the preparation of a draft handbook on the peaceful settlement of disputes between States.

On 28 November, the General Assembly, by resolution 45/44, requested the Special Committee to endeavour to complete consideration of the proposal on fact-finding and to submit its conclusions to the Assembly in 1991; as well as to consider the final text of the draft handbook with a view to recommending its publication to the Assembly in 1991. The Assembly thus requested the Secretary-General to complete preparation of the draft handbook for submission in final form to the February 1991 session of the Special Committee. By decision 45/412 of 28 November, the

Assembly decided that the peaceful settlement of disputes between States should be examined within the framework of the programme for the United Nations Decade of International Law and in the Special Committee on the Charter.

In a related action, the Assembly, by decision 45/413, also of 28 November, requested the Secretary-General to circulate, for comments and suggestions, the document [A/45/143 & Corr.1] relating to the draft rules of the United Nations for the conciliation of disputes between States.

On 3 October, the USSR and the United States issued a joint statement [A/45/598-S/21854] on responsibility for peace and security in a changing world, involving promoting peace and security in all its aspects and a unitary United Nations, assuring needed financial resources and establishing a new sense of responsibility for peace.

(See also PART FIVE, Chapter II, for peaceful settlement of disputes, and Chapter IV, for UN Decade of International Law.)

Implementation of 1970 Declaration on Strengthening of International Security

The Secretary-General, in an October report [A/45/516], transmitted the replies from seven States to General Assembly resolution 44/126 [YUN 1989, p. 23] requesting Member States to submit their views on the implementation of the 1970 Declaration on the Strengthening of International Security [GA res. 2734(XXV)].

GENERAL ASSEMBLY ACTION

On 12 December, the General Assembly adopted resolution 45/80.

Review of the implementation of the Declaration on the Strengthening of International Security

The General Assembly,

Conscious that the present stage of mankind's development is distinctive for its technological, economic and political changes, making overall progress possible towards the building of a more peaceful, secure, just, equitable, democratic and humane world,

Stressing that disarmament, the relaxation of international tension, respect for international law and for the purposes and principles of the Charter of the United Nations, especially the principles of the sovereign equality of States and the peaceful settlement of disputes and the injunction to refrain from the use or threat of use of force in international relations, respect for the right to self-determination and national independence: economic and social development, the complete eradication of colonialism, apartheid and all other forms of racism and racial discrimination, aggression and occupation, and respect for human rights are closely related and provide the basis for international peace and security.

Welcoming the recent positive changes in the international order, characterized by the end of the cold war and the relaxation of tensions on the global level and

the emergence of a new spirit governing international relations,

Welcoming also, in this context, that a number of conflicts and hostilities are being resolved through negotiations in an atmosphere of understanding and co-operation,

Welcoming further the wide-ranging dialogue between the Union of Soviet Socialist Republics and the United States of America, with its positive effects on world developments, and expressing its hope that this process will continue and expand with a view to promoting further international peace and security and co-operation,

Expressing the hope that the positive trends that started in Europe, where a new system of security and co-operation is being built through the process of the Conference on Security and Co-operation in Europe, will continue and will encourage similar trends in other parts of the world,

Expressing at the same time its serious concern over the persisting conflicts and problems and the new threats to international peace and security and its support for all efforts towards a peaceful and just resolution of hotbeds of crisis in the world, including further military disengagement,

Stressing the need for the strengthening of international security through disarmament, particularly nuclear disarmament leading up to the elimination of all nuclear weapons, and restraints on the qualitative and quantitative escalation of the arms race,

Stressing also the growing importance of the relationship between disarmament and development in current international relations,

Considering that there can be no stable and lasting peace and security in the world without the resolution of grave economic problems, particularly the requirements of economic development of developing countries,

Considering also in this context that the economic situation in the developing countries has deteriorated dramatically, widening further the gap between developed and developing countries, especially in the least developed ones,

Considering further that the protection of the environment has emerged as a major global concern, dramatically emphasizing the growing interdependence of the world, which calls for urgent co-operative measures ensuring sustainable and environmentally sound development,

Stressing that the promotion of freedom and human rights is one of the basic objectives of the world community,

Deeply concerned that racism and discrimination based on colour, creed, ethnic origin, culture or way of life are still practised,

Strongly emphasizing that apartheid is a particular and repugnant form of institutionalized racism, which civilized nations have rightly condemned as a crime against humanity,

Reaffirming that the United Nations is the fundamental instrument for regulating international relations and resolving international problems and that its main organs, particularly the Security Council, are responsible for the maintenance and effective promotion of international peace and security,

1. Reaffirms the continuing validity of the Declaration on the Strengthening of International Security, and calls upon all States to contribute effectively to its implementation;

2. Reaffirms also that all States must abide strictly, in their international relations, by their commitment to the Charter of the United Nations;

3. Emphasizes that, until an enduring and stable universal peace based on a comprehensive, viable and readily implementable structure of international security is established, peace, the achievement of disarmament and the settlement of disputes by peaceful means continue to be the first and foremost task of the international community;

4. Calls upon all States 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;

5. Also calls upon all States to seek, through 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;

6. Stresses the need for further strengthening of the role of the United Nations in the maintenance of peace and security and promoting respect for international law, as well as in economic and social development and progress for the benefit of mankind;

7. Welcomes the recent active involvement of the Security Council, in pursuance of its primary responsibility in the maintenance of international peace and security, and expresses the hope that it will continue in this spirit to address other threats to international peace and security;

8. Urges all States, in particular the nuclear-weapon States and other militarily significant States, to take further immediate steps aimed at promoting and using effectively the system of collective security as envisaged in the Charter, as well as halting effectively the arms race with the aim of achieving general and complete disarmament under effective international control, and implementing the recommendations and decisions contained in the Final Document of the Tenth Special Session of the General Assembly;

9. Emphasizes that the sustained growth and development of the world economy, particularly that of the developing countries, and the solution of their economic problems, are basic prerequisites for the strengthening of international peace and security;

10. Stresses the need for a balanced development of the world economy and for redressing the present asymmetry and inequality in economic and technological development between the developed and developing countries through, inter alia, a more broad-based management of the world economy to reflect the interests of all countries;

11. Considers that respect for and promotion of human rights and fundamental freedoms in all aspects and the strengthening of international peace and security mutually reinforce each other;

12. Reaffirms the legitimacy of the struggle of peoples under colonial domination, foreign occupation or

racist regimes and their inalienable right to self-determination and independence;

13. Reaffirms also the responsibility of the United Nations on the question of the dismantling of apartheid, and calls for the full implementation of the Declaration on Apartheid and its Destructive Consequences in Southern Africa, adopted by the General Assembly at its sixteenth special session;

14. Reaffirms further that the democratization of international relations is an imperative necessity, and stresses its belief that the United Nations offers the best framework for the promotion of this goal;

15. Invites Member States to submit their views on the question of the implementation of the Declaration on the Strengthening of International Security, particularly in the light of recent developments in the field of international security and co-operation, and requests the Secretary-General to submit a report to the General Assembly at its forty-sixth session on the basis of the replies received;

16. Decides to include in the provisional agenda of its forty-sixth session the item entitled "Review of the implementation of the Declaration on the Strengthening of International Security".

General Assembly resolution 45/80

12 December 1990 Meeting 66 123-1-29 (recorded vote)

Approved by First Committee (A/45/791) by recorded vote (91-1-29), 30 November (meeting 50); 11-nation draft (A/C.1/45/L.66/Rev.1), orally revised; agenda item 69.

Meeting numbers. GA 45th session: 1st Committee 44-50; plenary 66.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: United States.

Abstaining: Australia, Austria, Belgium, Canada, Czechoslovakia, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Liechtenstein, Luxembourg, Malta, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Spain, Sweden, Turkey, United Kingdom.

Implementation of the 1978

Declaration on societies and peace

As requested by General Assembly resolution 42/91 [YUN 1987, p. 116], the Secretary-General submitted an October report [A/45/575] on implementation of the 1978 Declaration on the Preparation of Societies for Life in Peace [GA res. 33/73]. The report contained the replies from 10 Member States to his request for information on progress in their implementation efforts, as well as a summary of the relevant activities of the Secre-

tariat and two of the specialized agencies of the UN system.

In considering plans for future action, the Secretary-General noted that the Declaration provided an important guideline for international and national activities, and that the process of preparing societies for life in peace was a continuing one, which could not be accomplished through a single programme or initiative, but rather through a variety of projects and orientations. He also stated that further review of the process should be conducted in the context of UN action for the promotion of peace.

GENERAL ASSEMBLY ACTION

On 12 December, the General Assembly adopted resolution 45/81.

Implementation of the Declaration on the Preparation of Societies for Life in Peace The General Assembly,

Aware of the overwhelming desire to maintain peaceful and secure conditions for the social and economic development of all nations,

Recalling the Declaration on the Preparation of Societies for Life in Peace, contained in its resolution 33/73 of 15 December 1978,

Taking note with appreciation of the report of the Secretary-General,

1. Recognizes the impact that the Declaration on the Preparation of Societies for Life in Peace has exerted in efforts designed to promote international peace and security and to raise public awareness of their importance for the future of nations;

2. Commends all Governments, the United Nations and the concerned organizations of its system and other international as well as national organizations—both governmental and non-governmental—for their valuable contribution to the implementation of the principles and objectives of the Declaration;

3. Invites all States to guide themselves in their activities by principles enshrined in the Declaration aimed at establishing, maintaining and strengthening a just and durable peace for present and future generations;

4. Appeals to all States to continue utilizing the United Nations potential to strengthen international peace and security, confidence and understanding as well as mutually beneficial co-operation among States in the common interest of all mankind.

General Assembly resolution 45/81

12 December 1990 Meeting 66 Adopted without vote
Approved by First Committee (A/45/792) without vote, 29 November
(meeting 49); draft by Poland (A/C.1/45/L.67); agenda item 70.
Meeting numbers. GA 45th session: 1st Committee 44-49; plenary 66.

Regional issues

Security and co-operation in the Mediterranean

In accordance with General Assembly resolution 44/125 [YUN 1989, p. 29], the Secretary-General submitted a November 1990 report

[A/45/713] on strengthening of security and co-operation in the Mediterranean region. Besides presenting a summary of the debate on the question during the Assembly's forty-fourth session, the Secretary-General also included six replies from Member States in response to his request for their views.

In related developments, the Third Ministerial Conference of the Mediterranean Non-Aligned Countries (Algiers, Algeria, 25-26 June) [A/45/357] adopted a declaration on the prospects of global dialogue on security and co-operation in the Mediterranean. By the declaration, the Ministers stated, among other things, their conviction that an open and sustained dialogue as well as intensive contacts and co-operation would increase mutual understanding and trust, thus promoting stability, security and peace in the region. They further asserted their will to explore all possibilities likely to help achieve those common objectives of the region's non-aligned and European countries.

GENERAL ASSEMBLY ACTION

On 12 December, the General Assembly adopted resolution 45/79.

Strengthening of security and co-operation in the Mediterranean region

The General Assembly,

Recalling its relevant resolutions, including its resolution 44/125 of 15 December 1989,

Recognizing the importance of intensifying and promoting peace, security and co-operation in the Mediterranean region and of strengthening further the economic, commercial and cultural links in the region,

Reaffirming the primary role of the Mediterranean countries in the promotion of peace, security and co-operation in the Mediterranean region,

Expressing concern at the persistent tension and continuing military operations and activities in parts of the Mediterranean region and the consequent threat to peace and security,

Welcoming the favourable developments in international political relations, and expressing the hope that the enhancement of security and co-operation, particularly in Europe, will also have a positive impact on the Mediterranean region,

Reaffirming the responsibility of 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,

Recognizing the efforts realized so far and the determination expressed by the Mediterranean countries to intensify the process of dialogue and consultations aimed at promoting peace, security and co-operation in the region,

Recognizing also the desire of the Mediterranean countries that the needs of their region be taken into account in ongoing and future negotiations relating to

international security and disarmament, particularly on the enhancement of security and co-operation in Europe,

Recognizing further the indivisible character of security in the Mediterranean and the need to ensure that all actions are aimed towards the promotion of peace, security and co-operation in the region,

Noting with satisfaction the greater awareness in Europe of the need for interdependent action in the Mediterranean with the aim of contributing to reducing tension, improving good-neighbourly relations and fostering political, cultural and economic progress in the region,

Taking note of the report of the Secretary-General on this item,

1. Reaffirms that security in the Mediterranean is closely linked to European security as well as to international peace and security;

2. Welcomes the determination expressed by Mediterranean countries to intensify their efforts to promote dialogue and co-operation in the region in order to achieve through peaceful settlement just and lasting solutions to those crises which still threaten regional peace and stability, thus ensuring the withdrawal of foreign forces of occupation and the right of peoples under colonial or foreign domination to self-determination and independence, in accordance with the purposes and principles of the Charter of the United Nations;

3. Takes note of the conclusions of the Third Ministerial Conference of the Mediterranean Non-Aligned Countries, held at Algiers in June 1990, and of the expressed conviction that an open and 'sustained dialogue as well as intensive co-operation would increase mutual understanding and trust, thus promoting stability, security and peace in the region;

4. Express satisfaction at the progress achieved within the Conference on Security and Co-operation in Europe, which has increased substantially the possibilities of implementing the commitment made by the States participating in the Conference to intensify political dialogue and co-operation with all Mediterranean countries in order to strengthen security and work towards the relaxation of tensions and the settlement of crises and conflicts, as well as towards the development of co-operation in the Mediterranean;

5. Takes note of the report of the Meeting on the Mediterranean of the Conference on Security and Co-operation in Europe, held at Palma de Mallorca in September and October 1990, which, *inter alia*, reaffirmed the commitment of the States participating in the Conference to, and stressed the continuing relevance of, the provisions of the Conference concerning security and co-operation in the Mediterranean;

6. Notes the widespread support among Mediterranean countries for the proposal to convene a conference on security and co-operation in the Mediterranean and their willingness to open regional consultations with a view to creating the appropriate conditions for the initiation of such a process;

7. Notes also the progress already achieved in other initiatives promoting security and co-operation in the Mediterranean region, in particular, the 83rd Inter-parliamentary Conference, held at Nicosia in April 1990, the first Meeting of Ministers for Foreign Affairs of the Western Mediterranean, held at Rome in Octo-

ber 1990, the Meeting of the Ministers for Foreign Affairs of the Balkan States, held at Tirana in October 1990, and the meetings of the Arab Maghreb Union;

8. Emphasizes the need for just and peaceful settlement of persistent problems in the region, for respecting and safeguarding the sovereignty, independence and territorial integrity of all countries and peoples of the Mediterranean and for full adherence to the principles of non-use of force or threat of use of force and the inadmissibility of the acquisition of territory by force, in accordance with the Charter and the relevant resolutions of the United Nations;

9. Urges all States to co-operate with the Mediterranean States in the intensification of existing forms of co-operation in various fields, with a view to reducing tension, promoting peace and security and ensuring stability, prosperity and support for democratic processes, economic reforms and development in the countries of the region in accordance with the purposes and principles of the Charter;

10. Encourages efforts to eliminate the economic and social disparities in levels of development and to promote durable growth of the Mediterranean States, particularly the developing States of the region, which are displaying sustained efforts to adjust and which are making sacrifices in a still unfavourable environment;

11. Invites the Secretary-General to continue to pay close 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 Mediterranean countries in their concerted efforts in promoting peace, security and co-operation in the region;

12. Invites all Member States, as well as the relevant regional organizations and subregional groupings, to communicate to the Secretary-General concrete ideas and suggestions concerning this issue, and requests the Secretary-General to submit a report to the General Assembly at its forty-sixth session;

13. Decides to include in the provisional agenda of its forty-sixth session the item entitled 'Strengthening of security and co-operation in the Mediterranean region'.

General Assembly resolution 45/79

12 December 1990 Meeting 66 Adopted without vote

Approved by First Committee (A/45/790) without vote, 29 November (meeting 49); 9-nation draft (A/C.1/45/L.65); agenda item 68.

Sponsors: Albania, Algeria, Cyprus, Egypt, Libyan Arab Jamahiriya, Malta, Morocco, Tunisia, Yugoslavia.

Meeting numbers. GA 45th session: 1st Committee 44-49; plenary 66.

South Atlantic zone of peace

In furtherance of actions aimed at fulfilling the goals of the "Zone of peace and co-operation of the South Atlantic", declared as such by General Assembly resolution 41/11 [YUN 1986, p. 369], the States of the zone held their second meeting in 1990 (Abuja, Nigeria, 25-29 June) [A/45/474], at the end of which they issued a final document.

By that document, the States reaffirmed that the questions of peace and security and of development were interrelated and that co-operation among them was essential to promoting the objectives of the zone of peace and co-operation of

the South Atlantic. The States urged all zone members, particularly those with relevant capabilities, to co-operate to establish joint monitoring mechanisms in the South Atlantic, including coastal watch, and stressed the need for peaceful and legitimate maritime transactions in the South Atlantic Ocean that excluded outside foreign interference, military rivalry and nuclear weapons competition. They called for co-operation and co-ordination of policies in such activities as trade fairs, foreign investment promotions, exchanges of commercial and trade intelligence information and of information on investment opportunities, and provision of other relevant basic data; and agreed that increased trade and commercial co-operation would be facilitated through the setting up of ad hoc groups of experts in key areas of interest. The States further decided to strengthen the mechanism for monitoring, collating and disseminating information and data on the movement in the region of vessels suspected of carrying hazardous, toxic and nuclear wastes and reiterated their preoccupation that neighbouring Antarctica be safeguarded from environmental pollution. They emphasized the need to strengthen the links in the fields of culture, education and public information and to promote tourism. The States additionally welcomed Namibia-which had recently acceded to independence and membership of the United Nations-as a member of the zone.

Also during the year, the group of experts on law of the sea of the States members of the zone held its first meeting (Brazzaville, Congo, 12-15 June). The group attached particular importance to problems related to the implementation in the region of the United Nations Convention on the Law of the Sea [YUN 1982, p. 181], as well as to areas of co-operation, including a review of national maritime policies of the States of the zone and harmonization of national legislation.

In response to General Assembly resolution 44/20 [YUN 1989, p. 30], the Secretary-General submitted an October report [A/45/653] containing the views of seven Governments on implementation of the declaration of the zone of peace and co-operation of the South Atlantic.

GENERAL ASSEMBLY ACTION

On 27 November, the General Assembly adopted resolution 45/36.

Zone of peace and co-operation of the South Atlantic

The General Assembly,

Recalling its resolution 41/11 of 27 October 1986, in which it solemnly declared the Atlantic Ocean, in the region situated between Africa and South America, the "Zone of peace and co-operation of the South Atlantic",

Recalling also its resolution 42/16 of 10 November 1987, in which it urged States of the region to continue their actions aiming at fulfilling the goals of the declaration, especially through the adoption and implementation of specific programmes for this purpose, its resolution 43/23 of 14 November 1988, in which it commended initiatives by States of the zone to promote peace and regional co-operation in the South Atlantic, and its resolution 44/20 of 14 November 1989, in which it noted with appreciation the efforts of States of the zone towards fulfilling the goals of the declaration,

Reaffirming that the questions of peace and security and those of development are interrelated and inseparable, and considering that co-operation among all States, in particular those of the region, for peace and development is essential to promote the objectives of the zone of peace and co-operation of the South Atlantic,

Also reaffirming the determination of the States of the zone to accelerate their co-operation in political, economic, scientific, technical, cultural and other spheres,

Aware of the importance that the States of the zone attach to the preservation of the region's environment and recognizing the threat that pollution from any source poses to the marine and coastal environment, its ecological balance and its resources,

Also aware of the importance of the South Atlantic to global maritime and commercial transactions, and determined to preserve the region for all activities enshrined in relevant international law, including the freedom of navigation in the high seas,

Noting with satisfaction the various initiatives of the States of the zone to contribute to the achievement of the objectives of the zone,

1. Takes note of the report submitted by the Secretary-General in accordance with resolution 44/20;

2. Calls upon all States to co-operate in the promotion of the objectives of peace and co-operation established in the declaration of the zone of peace and co-operation of the South Atlantic and to refrain from any action inconsistent with those objectives, as well as with the Charter of the United Nations and relevant resolutions of the Organization, particularly actions which may create or aggravate situations of tension and potential conflict in the region;

3. Welcomes the holding of the second meeting of the States of the zone of peace and co-operation of the South Atlantic at Abuja, Nigeria, from 25 to 29 June 1990, and takes note of the final document of the meeting;

4. Also welcomes the independence of Namibia, its admission as a member of the community of the States of the zone and its participation in the activities of the zone, and calls upon the international community to render necessary assistance to Namibia in the areas of its defined needs in order to consolidate its independence and sovereignty;

5. Urges all States to abstain from transferring into and disposing within the region hazardous, toxic and nuclear wastes and notes the determination of the States of the zone to establish a mechanism aimed at monitoring, collating and disseminating information and data on the movement of hazardous, toxic and nuclear wastes within the region;

6. Emphasizes the imperative need to preserve the environment of the region and urges all States to take

the necessary measures in order to ensure its protection from environmental damage;

7. Welcomes with appreciation the assistance that the Office for Ocean Affairs and the Law of the Sea of the Secretariat and the United Nations Development Programme have extended towards the convening by the States of the zone of a seminar of a group of experts held at Brazzaville, from 12 to 15 June 1990, which was devoted to the review of the development and implementation of the legal regime established by the United Nations Convention on the Law of the Sea, and looks forward to the convening of the second seminar on the subject in Uruguay in 1991, particularly with a view of its indication of specific areas for co-operation by the States of the zone, on all common marine programmes;

8. Expresses support for the determination of the States of the zone that technical co-operation among developing countries be recognized as activities that can be financed by the United Nations Development Programme, and requests the United Nations as well as other relevant international bodies to assist the States of the zone in the realization of their needs in this regard, at their request;

9. Also expresses support for the aspirations of the States of the zone to make it an active instrument for fostering human rights, fundamental freedoms, racial equality, justice and liberty as integral elements of peace, development and co-operation at national and regional levels;

10. Requests the Secretary-General to keep the implementation of resolution 41/11 under review and to submit a report to the General Assembly at its forty-sixth session, taking into account, *inter alia*, the views expressed by Member States;

11. Decides to include in the provisional agenda of its forty-sixth session the item entitled "Zone of peace and co-operation of the South Atlantic".

General Assembly resolution 45/36

27 November 1990 Meeting 47 150-1-1 (recorded vote)

21-nation draft (A/45/L.23 & Add.1); agenda item 31.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Czechoslovakia, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: United States.

Abstaining: Japan.

Other issues

Right of peoples to peace

The Secretary-General, responding to General Assembly resolution 43/22 [YUN 1988, p. 31], submitted an October report with a later addendum [A/45/546 g. Add.1], reviewing measures taken by eight Member States and six UN bodies and international organizations to implement the 1984 Declaration on the Right of Peoples to Peace [GA res. 39/11].

GENERAL ASSEMBLY ACTION

On 7 November, the General Assembly adopted resolution 45/14.

Implementation of the Declaration on the Right of Peoples to Peace

The General Assembly,

Recalling the Declaration on the Right of Peoples to Peace, adopted in its resolution 39/11 of 12 November 1984,

Stressing that the emerging new positive trends and events in international relations are becoming increasingly conducive to strengthening universal peace and security and to implementing the spirit and letter of the Declaration,

Noting with satisfaction the renaissance of the peace-keeping and peace-making potential of the United Nations,

Having in mind the Universal Declaration of Human Rights, which emphasizes that recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Having in mind also its resolution 44/21 of 15 November 1989, which, *inter alia*, calls upon all States to intensify their practical efforts towards ensuring international peace and security in all its aspects through co-operative means in accordance with the Charter of the United Nations,

1. Takes note of the report of the Secretary-General on the implementation of the Declaration on the Right of Peoples to Peace;

2. Reaffirms the lasting importance of the objectives of the Declaration;

3. Emphasizes the importance of the efforts at the national and international levels towards the implementation of the Declaration, having in view, especially, the need for all States to abide by the provisions of the Charter of the United Nations and, in particular, to respect the principles of sovereign equality, political independence and territorial integrity of States and non-intervention in internal affairs, to refrain from the threat or use of force inconsistent with the Charter, to settle disputes peacefully, to adhere to the principles of equal rights and self-determination of peoples, respect for human rights and fundamental freedoms and co-operation among States, and to comply in good faith with their obligations assumed in accordance with the Charter;

4. Requests the Secretary-General to keep the implementation of the Declaration under review and report on this matter as required.

General Assembly resolution 45/14
7 November 1990 Meeting 37 Adopted without vote
21-nation draft (A/45/L.15 & Add.1); agenda item 22.

Science and peace

Pursuant to General Assembly resolution 43/61 [YUN 1988, p. 32] proclaiming the week of 11 November each year "International Week of Science and Peace", the Secretary-General submitted an October report [A/45/601] describing the highlights of the 1989 observance of the Week. He noted that several Member States had informed the Secretariat of plans for the 1990 observance and that the Peace Studies Unit of the Secretariat's Department of Political and Security Council Affairs was exploring the feasibility of organizing a meeting of scientists who composed the international co-ordinating committee for the Week. The Secretary-General concluded that the annual observance of the Week was making an important contribution to the promotion of peace and encouraged greater academic exchange on a subject of universal importance while also generating greater awareness of the relationship of science and peace among the general public.

GENERAL ASSEMBLY ACTION

On 11 December, the General Assembly adopted resolution 45/70.

Science and peace

The General Assembly,

Recalling its resolution 43/61 of 6 December 1988, in which it proclaimed the "International Week of Science and Peace", which would take place each year during the week in which 11 November falls.

Recognizing that this celebration has generated a series of activities and initiatives leading to the study and dissemination of information on the links between progress in science and technology and the maintenance of peace and security,

Considering that progress in science and technology profoundly affects international peace and security, economic and social development, respect for human rights and many other aspects of civilization and culture,

Considering also that political and economic decisions have a decisive effect on the direction of scientific research and the use of the results obtained thereby,

Affirming that it is necessary to promote greater awareness among scientists world wide of the usefulness of science to increase international peace, security

and co-operation, the social and economic development of mankind, the promotion of human rights and the protection of the environment,

Affirming in particular, the need for scientists to establish a free and open dialogue between one another, and with political leaders and the public in general, with regard to scientific developments and their present and potential implications for our civilization,

Considering the importance of encouraging scientists to work towards constructive objectives, to improve the climate for arms control and disarmament, and to promote a dialogue on important topics in connection with the positive contributions that scientific knowledge can make to peace, security and ecological balance,

Considering also that the celebration each year of a special week of action devoted to the topic "Science and peace" is an important means of generating and increasing public interest in this topic,

Noting with appreciation the joint efforts made by scientists and members of other professional groups to promote the achievement of those aims through the holding of the First International Week of Scientists for Peace from 10 to 16 November 1986 and every year since then during the week in which 11 November falls,

1. Takes note with satisfaction of the report of the Secretary-General on the observance of the International Week of Science and Peace in 1989 and the wide variety of activities that took place in connection with this event;

2. Urges Member States and intergovernmental and non-governmental organizations to encourage universities and other institutions of advanced study, scientific academies and institutes, and professional associations and individuals in the scientific community to hold, during that Week, lectures, seminars, special debates and other activities conducive to the study and dissemination of information on the links between progress in science and technology and the maintenance of peace and security;

3. Urges Member States to promote international co-operation among scientists by facilitating exchanges of experts and information;

4. Requests the Secretary-General to draw the attention of Member States and interested organizations to the importance of the International Week of Science and Peace and invite them to report to him on their activities and initiatives in connection with this event, and to report thereon to the General Assembly at its forty-seventh session.

General Assembly resolution 45/70

11 December 1990 Meeting 65 Adopted without vote

Approved by Special Political Committee (A/45/817 & Corr.1) without vote, 14 November (meeting 13); 44-nation draft (A/SPC/45/L.11); agenda item 71.

Chapter II

Disarmament

The United Nations in 1990 continued to play a major role in global and regional efforts to achieve disarmament. In December, the General Assembly declared the 1990s as the Third Disarmament Decade, stressing its desire that the current momentum in the disarmament process be maintained, and its conviction that the Third Decade would accelerate that process.

Nuclear disarmament and related topics were the subject of many of the resolutions and decisions adopted by the world body at its forty-fifth session, including those related to bilateral negotiations, cessation of nuclear tests, a nuclear freeze, and strengthening the security of non-nuclear-weapon States, among others. In August, the Fourth Review Conference of the Parties to the 1968 Treaty on the Non-Proliferation of Nuclear Weapons was convened in Geneva. The General Assembly, in December, stating its conviction that the existence and use of nuclear weapons posed the greatest threat to the survival of mankind, urged that agreement be reached on the draft Convention on the Prohibition of the Use of Nuclear Weapons.

Both the Conference on Disarmament and the Disarmament Commission also met during the year. The 40-member Conference, the world's only multilateral negotiating body on disarmament, continued negotiations on a chemical weapons ban and considered a comprehensive programme of disarmament, among other things. The General Assembly, in reviewing the work of the Conference, stated that in the current international climate, it was more than ever imperative to give a new impetus to the immediate future negotiations on disarmament at all levels and to achieve genuine progress in this area.

The Disarmament Commission, in addition to recommending approval of the Third Disarmament Decade, dealt with the role of the United Nations in the field of disarmament; South Africa's nuclear capability; conventional disarmament; and naval armaments and disarmament. It also dealt with various aspects of the nuclear-arms race and ways to eliminate the dangers of nuclear war.

Other disarmament topics under United Nations scrutiny in 1990 included: various aspects of conventional weapons disarmament, confidence-building, prevention of an arms race

in outer space, technological change and global security, and disarmament and development.

Regional centres for disarmament, nuclear-weapon-free zones and zones of peace were also considered. Expert disarmament studies reviewed by the General Assembly included one on the role of the United Nations in the field of verification.

General aspects

UN disarmament bodies

The United Nations continued its disarmament efforts in 1990 mainly through the General Assembly and its First Committee (Disarmament and Related International Security Questions), the Disarmament Commission (a deliberative body) and the Conference on Disarmament (a multilateral negotiating forum which met in Geneva).

Disarmament Commission

The Disarmament Commission, composed of all UN Member States, held eight plenary meetings at its 1990 session (New York, 7-29 May) [A/45/42].

The Commission's agenda included items on various aspects of the arms race, particularly the nuclear-arms race and nuclear disarmament, in order to expedite negotiations aimed at effective elimination of the danger of nuclear war; elaborating a general approach to negotiations on nuclear and conventional disarmament; South Africa's nuclear capability; naval armaments and disarmament; issues related to conventional disarmament; review of the United Nations role in disarmament; consideration of the Declaration of the 1990s as the Third Disarmament Decade; and objective information on military matters.

The Commission established a Committee of the Whole, four working groups and a consultation group to deal with its agenda items. Working Group I dealt with South Africa's nuclear capability and adopted conclusions and recommendations on the subject, which were included in the Commission's report to the General Assembly. Working Group II reviewed the role of the United

Nations in the field of disarmament and adopted the text on the subject which was also included in the report of the Commission to the Assembly, while Working Group III continued discussion on conventional disarmament. Working Group IV adopted a draft Declaration of the 1990s as the Third Disarmament Decade. The consultation group on objective information on military matters also reported to the Commission. The item on naval armaments and disarmament was discussed in open-ended consultations, the findings and recommendations of which were contained in a working paper by the Chairman, which was annexed to the Commission's report.

On 7 May, the Commission adopted a document on ways and means to enhance its functioning, which was elaborated by the General Assembly in 1989 and adopted in its resolution 44/119 C [YUN 1989, p. 35].

GENERAL ASSEMBLY ACTION

On 4 December, the General Assembly adopted resolution 45/62 B.

Report of the Disarmament Commission

The General Assembly,

Having considered the annual report of the Disarmament Commission,

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, 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, the second special session devoted to disarmament,

Also taking into account widespread views expressed during the fifteenth special session of the General Assembly, the third 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,

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, 39/148 R of 17 December 1984, 40/152 F of 16 December 1985, 41/86 E of 4 December 1986, 42/42 G of 30 November 1987, 43/78 A of 7 December 1988 and 44/119 C of 15 December 1989,

1. Takes note of the annual report of the Disarmament Commission;

2. Notes with appreciation that the Disarmament Commission has concluded its consideration of all substantive items on its agenda, except the item on objective information on military matters;

3. Commends the Disarmament Commission for its adoption by consensus of the specific recommendations on the following subjects on its agenda: (a) South

Africa's nuclear capability, (b) the role of the United Nations in the field of disarmament, (c) conventional disarmament and (d) the draft Declaration of the 1990s as the Third Disarmament Decade;

4.. Notes that the findings and recommendations contained in the report of the Chairman of the Disarmament Commission on the item regarding naval armaments and disarmament are endorsed by all participants in his consultations;

5.. Also notes that no consensus could be reached on specific recommendations for the item regarding various aspects of the arms race, particularly the nuclear-arms race and nuclear disarmament, as well as a general approach to negotiations on nuclear and conventional disarmament;

6. Recalls the role of the Disarmament Commission as the specialized, deliberative body within the United Nations multilateral disarmament machinery that allows for in-depth deliberations on specific disarmament issues, leading to the submission of concrete recommendations on those issues;

7. Stresses the importance for the Disarmament Commission of working on the basis of a relevant agenda of disarmament topics, thereby enabling the Commission to concentrate its efforts and thus optimize its progress on specific subjects in accordance with resolution 37/78 H;

8. Notes with satisfaction that the Disarmament Commission adopted by consensus a set of "Ways and means to enhance the functioning of the Disarmament Commission" at its 1990 substantive session;

9. 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, and with paragraph 3 of resolution 37/78 H, and to that end to make every effort to achieve specific recommendations on the items on its agenda, taking into account the adopted "Ways and means to enhance the functioning of the Disarmament Commission";

10. Recommends that the Disarmament Commission, as a result of consultations, adopt at its 1990 organizational session the following substantive items for inclusion in the working agenda of the 1991 session of the Commission:

(1) Objective information on military matters;

(2) Process of nuclear disarmament in the framework of international peace and security with the objective of the elimination of nuclear weapons;

(3) Regional approach to disarmament within the context of global security;

(4) The role of science and technology in the context of international security, disarmament and other related fields;

11. Also requests the Disarmament Commission to meet for a period not exceeding four weeks during 1991 and to submit a substantive report to the General Assembly at its forty-sixth session;

12. Requests the Secretary-General to transmit to the Disarmament Commission the annual report of the Conference on Disarmament, together with all the official records of the forty-fifth session of the General Assembly relating to disarmament matters, and to render all assistance that the Commission may require for implementing the present resolution;

13. Also requests the Secretary-General to ensure full provision to the Commission and its subsidiary bodies of interpretation and translation facilities in the official languages, and to assign, as a matter of priority, all the necessary resources and services to this end:

14. Decides to include in the provisional agenda of its forty-sixth session the item entitled "Report of the Disarmament Commission".

General Assembly resolution 45/62 B

4 December 1990 Meeting 54 Adopted without vote

Approved by First Committee (A/45/782) without vote, 16 November (meeting 39); 18-nation draft (A/C.1/45/L.12/Rev.1); agenda item 60 (a). Meeting numbers. GA 45th session: 1st Committee 3-23, 38, 39; plenary 54.

UN role in disarmament

Pursuant to General Assembly resolution 44/116 Q [YUN 1989, p. 37], the Disarmament Commission continued its consideration of the role of the United Nations in the area of disarmament. Working Group II, established on 7 May to deal with the topic, held nine meetings between 8 and 18 May. The Group decided that the 1989 Chairman's working paper and the proposals and amendments to it, as contained in annexes to the Commission's 1989 report [YUN 1989, p. 34], should constitute the basic documents on the subject.

Working Group II recommended that the effectiveness of the United Nations in the field of disarmament should be strengthened and the work of its bodies improved. The Organization should support and facilitate all disarmament efforts and be informed of developments in disarmament efforts outside of its aegis, without prejudice to the progress of negotiations. All States should give due account and consideration to its recommendations and act in accordance with their obligations. It was important that the Conference on Disarmament continue to discharge its substantive responsibilities, while the Security Council should continue to ensure the effectiveness of its central role with regard to the maintenance of international peace and security, keeping in mind its interrelationship with disarmament. The General Assembly should continue to promote disarmament and to facilitate the achievement of disarmament agreements among States by means of special sessions, its First Committee and the Disarmament Commission. States should give the Secretary-General maximum support, and he should be assisted by an adequately staffed and funded Department of Disarmament Affairs, whose role should be strengthened. The Secretary-General should continue to serve as depositary of the legal instruments of multilateral disarmament agreements. His Advisory Board could benefit from wider contacts with prominent persons and institutions with expertise relevant to the Board's work. The

work of the United Nations Institute for Disarmament Research (UNIDIR) should continue to be independent-research-oriented, of a high academic standard and of practical value. It should strengthen its co-operation with national and regional research institutes. More financial contributions would ensure a greater viability and the development of the Institute. Member States and other entities were encouraged to broaden the financial base of the World Disarmament Campaign and co-operate to increase its effectiveness, and to continue to mark the observance of Disarmament Week to promote the objectives of the World Disarmament Campaign. The Disarmament Commission should encourage Member States and other entities to make contributions to the regional centres for peace and disarmament to ensure their effective functioning and viability. The United Nations Disarmament Fellowship, Training and Advisory Services programme should be continued, taking into account in the yearly annual selection of fellows, the adequate representation of developing countries and the need for rotation among States.

Second Disarmament Decade (1980s)

In its review and appraisal of the Declaration of the 1980s as the Second Disarmament Decade, declared by the General Assembly in its resolution 35/46 [YUN 1980, p. 102], the Assembly, in 1985, had requested the Secretary-General to report annually on the Declaration's implementation [SUN 1985, p. 22].

In a September report with later addendum [A/45/510 & Add.1], the Secretary-General submitted the views and suggestions of Governments on the implementation of the Declaration.

Declaration of the 1990s as the Third Disarmament Decade

The General Assembly in 1988 declared the 1990s as the Third Disarmament Decade [GA res. 43/78 L] and in 1989 directed the Disarmament Commission to finalize a draft resolution entitled "Declaration of the 1990s as the Third Disarmament Decade" [YUN 1989, p. 40]. In 1990, the Commission [A/45/42] established Working Group IV on the subject, which held 11 meetings between 9 and 24 May. The Group concluded consideration of the item and on 24 May adopted by consensus the text of the draft Declaration of the 1990s as the Third Disarmament Decade, which was subsequently adopted by the Assembly.

GENERAL ASSEMBLY ACTION

On 4 December, the General Assembly adopted resolution 45/62 A.

Declaration of the 1990s as the
Third Disarmament Decade

The General Assembly,

Recalling its resolution 35/46 of 3 December 1980, in which it declared the 1980s as the Second Disarmament Decade,

Recalling also its resolution 34/75 of 11 December 1979, in which it directed the Disarmament Commission to prepare elements of a draft resolution entitled "Declaration of the 1980s as the Second Disarmament Decade" for submission to the General Assembly at its thirty-fifth session for consideration and adoption,

Bearing in mind that the Second Disarmament Decade declared by its resolution 35/46 has come to an end,

Reaffirming its resolution 43/78 L of 7 December 1988, in which it decided to declare the decade of the 1990s as the Third Disarmament Decade,

Recalling further its resolution 44/119 H of 15 December 1989, in which it directed the Disarmament Commission, at its 1990 substantive session, to finalize the preparation of elements of a draft resolution to be entitled "Declaration of the 1990s as the Third Disarmament Decade" and to submit them to the General Assembly at its forty-fifth session for consideration and adoption,

Reaffirming also the responsibility of the United Nations in the attainment of disarmament,

Noting the progress in the arms limitation and disarmament talks between the Union of Soviet Socialist Republics and the United States of America, as well as other general recent positive developments in international relations and their positive impact on the attainment of global peace and security,

Desirous of maintaining the current momentum in the disarmament process,

Convinced that a third disarmament decade will accelerate the disarmament process,

1. Welcomes with satisfaction the work of the Disarmament Commission at its 1990 session, at which it successfully concluded a draft Declaration of the 1990s as the Third Disarmament Decade;

2. Adopts the text of the Declaration of the 1990s as the Third Disarmament Decade adopted by the Disarmament Commission, as set forth in the annex to the present resolution;

3. Declares the 1990s as the Third Disarmament Decade;

4. Calls upon all States to support the objectives of the Decade and to pursue the activities elaborated in the Declaration of the Third Disarmament Decade;

5. Requests the Secretary-General to report as and when necessary to the General Assembly on progress made in the implementation of the Declaration of the 1990s as the Third Disarmament Decade.

ANNEX

Declaration of the 1990s as the
Third Disarmament Decade

1. The present Declaration of the 1990s as the Third Disarmament Decade is addressed to the global community and deals with the hopes and aspirations of people for lasting peace and security.

2. After a period of heightened tensions, the latter part of the decade of the 1980s saw a noticeable improvement in the way many States conducted their relations with one another. Despite this favourable trend,

the specific goals of the Second Disarmament Decade were not fully realized.

3. In a world of growing interdependence, it is essential for the international community to stimulate and deepen awareness of the common interests of the global society and of the universal interest in achieving disarmament and strengthening international peace and security. The challenges facing the international community today are enormous. Accordingly, the solution of these difficult and complex issues will require the political will of States in conducting dialogue and negotiations and in promoting international co-operation, including confidence-building measures aimed at reducing tensions and the risk of military confrontation among States, bearing in mind specific conditions prevailing in the region concerned. It will also require acknowledgement of the profound interrelationship of questions relating to disarmament, social and economic development and environmental protection.

4. The international community stands on common ground in determining to make progress in the 1990s by resolutely pursuing disarmament along with other efforts necessary for attaining genuine peace and security. As members of the international community, we have identified the following common goals. In the nuclear field, we must continue urgently to seek early reductions in, and the eventual elimination of, nuclear weapons and work towards a comprehensive nuclear-test ban. To achieve the objective of non-proliferation in all its aspects, all States are encouraged to make every effort further to strengthen the non-proliferation regime and other measures to halt and prevent the proliferation of nuclear weapons. The aim of the international community should be to promote co-operation in the peaceful use of nuclear energy on a non-discriminatory basis and under agreed and appropriate international safeguards. The prevention of an arms race in outer space remains an important area to be further addressed. Many States also see the need to address naval confidence-building measures and disarmament issues. In the conventional field, we must seek reductions in arms and armed forces in all areas of the world and, in particular, where levels of concentrations of armaments are highest. In this regard, we urgently seek the successful conclusion of the negotiations on conventional forces in Europe. We aim for continued consideration of arms transfers in all their aspects. In the chemical field, we must work for the earliest conclusion of a convention on the prohibition of the development, production, stockpiling and use of all chemical weapons and on their destruction. The international community also calls for strict compliance with 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. As further steps forward, openness and transparency on all appropriate military matters should be developed, the scope and techniques of verification advanced, the use of science and technology for peaceful purposes promoted and non-military threats to security addressed. All other initiatives to halt and reverse the arms race, in particular the nuclear-arms race, in both its qualitative and quantitative aspects deserve careful consideration. Such initiatives include the establishment of nuclear-weapon-free

zones on the basis of arrangements freely arrived at among States of the region concerned and the creation of zones of peace under appropriate conditions defined and determined freely by the States concerned in the zone. In the pursuit of the foregoing goals, the international community acknowledges the particular responsibility of countries with the largest military arsenals. Resources freed through disarmament could be used for the benefit of a balanced world development. These goals should be included in a comprehensive programme of disarmament, which should be concluded at an appropriate time.

5. The United Nations will continue to foster multilateral co-operation for disarmament, wherein bilateral and regional efforts can be complementary and mutually supportive in attaining the purposes and principles of the United Nations. The international community can further promote disarmament through the United Nations by building upon its achievements in this field, including the Final Document of the Tenth Special Session of the General Assembly, which was adopted by consensus.

6. The international community affirms the positive role that an informed public can play in the process of disarmament by promoting a constructive and realistic dialogue on issues related to disarmament. In this regard, the pursuit of the World Disarmament Campaign and the observance of Disarmament Week will continue to play a useful role. Reflecting a growing understanding and commitment in dealing with the global problems of peace and security, it recognizes that non-governmental organizations play an invaluable role. It also supports an enhanced role for women in developing the conditions for enduring peace.

7. As the world moves towards the twenty-first century, it is evident that future generations will need increasing knowledge and understanding of the interdependent nature of life on the planet. Education on international peace and security issues will play a fundamental part in allowing every individual to realize his or her role as a responsible member of the world community.

General Assembly resolution 45/62 A

4 December 1990 Meeting 54 Adopted without vote

Approved by First Committee (A/45/782) without vote, 9 November (meeting 33); 2-nation draft (A/C.1/45/L.2/Rev.1); agenda item 60 (k).

Sponsors: Costa Rica, Nigeria.

Meeting numbers. GA 45th session: 1st Committee 3-23, 33; plenary 54.

Naval armaments and disarmament

The Disarmament Commission continued consideration of naval armaments and disarmament, on the basis of the 1985 study on the naval arms race [YUN 1985, p. 30], working papers submitted in previous years and two new papers by Sweden [A/CN.10/141] and by Finland, Indonesia and Sweden [A/CN.10/139].

The Chairman of the Commission entrusted a group with holding substantive open-ended consultations on the topic. The group held 13 meetings to consider various aspects of the question, including measures of naval arms limitation and disarmament and the desirability of applying

confidence-building measures at sea. The findings and recommendations of the group were incorporated into a working paper by the Chairman, which was annexed to the report of the Commission to the General Assembly [A/45/42].

In November, Sweden submitted to the First Committee a memorandum [A/C.1/45/8 & Rev. 1] dealing with nuclear arms at sea, the need for increased transparency and confidence-building measures and naval nuclear disarmament measures.

By decision 45/416 of 4 December, the General Assembly decided to include in the provisional agenda of its forty-sixth (1991) session the item on naval armaments and disarmament.

Conference on Disarmament

The Conference on Disarmament, the 40-member multilateral negotiating body, met twice in 1990 at Geneva (6 February-24 April and 12 June-24 August) [A/45/27], holding 45 formal meetings and 23 informal meetings. The Conference considered the issue of a nuclear-test ban; cessation of the nuclear-arms race and nuclear disarmament; prevention of nuclear war; chemical weapons; prevention of an arms race in outer space; security assurances to non-nuclear-weapon States; radiological weapons; and a comprehensive programme of disarmament.

The Conference re-established ad hoc committees on effective international agreements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons and radiological weapons; chemical weapons; prevention of an arms race in outer space; and a nuclear-test ban. (Details of those questions are discussed elsewhere in this chapter.) It continued to consider, but did not take action on, the possibility of increasing its membership by not more than four States. It also held informal consultations on the improved and effective functioning of the Conference and agreed to the arrangements by the Secretary-General for reducing the number of weekly meetings.

GENERAL ASSEMBLY ACTION

On 4 December, the General Assembly adopted resolution 45/62 D.

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, 39/148 N of 17 December 1984, 40/152 M of 16 December 1985, 41/86 M of 4 December 1986, 42/42 L of 30 November 1987, 43/78 M of 7 December 1988 and 44/119 D of 15 December 1989,

Having considered the report of the Conference on Disarmament,

Convinced that the Conference on Disarmament, as the single multilateral negotiating body on disarmament, should have the primary role in substantive negotiations on priority questions of disarmament,

Expressing its regret that the Conference on Disarmament was not able in 1990 to commence negotiations on the nuclear issues on its agenda,

Expressing its expectation that the Conference on Disarmament, in view of the positive current process in some fields of disarmament, will be in a position to reach concrete agreements on disarmament issues to which the United Nations has assigned the greatest priority and urgency and which have been under consideration for a number of years,

Considering that in the present international climate it is more than ever imperative to give a new impetus to negotiations on disarmament at all levels and to achieve genuine progress in the immediate future,

Taking note with satisfaction of the relevant paragraphs of the report of the Conference on Disarmament on the progress towards improved and effective functioning of the Conference and expressing the hope that the process will continue in all aspects of its work,

1. Reaffirms the role of the Conference on Disarmament as the single multilateral disarmament negotiating forum of the international community;

2. Notes the progress in the negotiations on the elaboration of a draft convention on the complete and effective prohibition of the development, production, stockpiling and use of all chemical weapons and on their destruction, and urges the Conference on Disarmament to intensify its work with a view to completing negotiations on such a draft convention as soon as possible;

3. Also notes the re-establishment of the Ad Hoc Committee on a Nuclear Test Ban;

4. Calls upon the Conference on Disarmament to strengthen its work, to further its mandate through substantive negotiations, within the framework of ad hoc committees as the most appropriate mechanism, and to adopt concrete measures on the specific priority issues of disarmament on its agenda, in accordance with the Programme of Action set forth in section III of the Final Document of the Tenth Special Session of the General Assembly;

5. Urges the Conference on Disarmament to provide negotiating mandates to ad hoc committees on all agenda items, in keeping with the fundamental role of the Conference as identified in the Final Document of the Tenth Special Session;

6. Requests the Conference on Disarmament to submit a report on its work to the General Assembly at its forty-sixth session;

7. Decides to include in the provisional agenda of its forty-sixth session the item entitled "Report of the Conference on Disarmament".

General Assembly resolution 45/62 D

4 December 1990 Meeting 54 128-8-16 (recorded vote)

Approved by First Committee (A/45/782) by recorded vote (108-8-16), 15 November (meeting 37); 24-nation draft (A/C.1/45/L.26/Rev.1); agenda item 60 (b).

Meeting numbers. GA 45th session: 1st Committee 3-23, 30, 37; plenary 54.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Finland, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Ireland, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Belgium, France, Germany, Italy, Luxembourg, Netherlands, United Kingdom, United States.

Abstaining: Bulgaria, Canada, Czechoslovakia, Denmark, Greece, Hungary, Iceland, Israel, Japan, Liechtenstein, Norway, Poland, Portugal, Romania, Spain, Turkey.

Comprehensive programme of disarmament

In 1990, the Conference on Disarmament continued consideration of a comprehensive programme of disarmament, first envisaged in the Final Document of the General Assembly's first special session on disarmament in 1978 [GA res. S-10/2] and considered annually since 1980.

The Conference considered the subject in plenary from 9 to 13 April and from 6 to 10 August. During the discussions, the Group of 21 neutral and non-aligned States (Algeria, Argentina, Brazil, Burma, Cuba, Egypt, Ethiopia, India, Indonesia, Iran, Kenya, Mexico, Morocco, Nigeria, Pakistan, Peru, Sri Lanka, Sweden, Venezuela, Yugoslavia, Zaire) expressed the belief that the improvement in East-West relations provided the appropriate scenario for a renewed effort towards a conclusion of the comprehensive programme of disarmament. The Group of 21 proposed that the Conference re-establish the Ad Hoc Committee on the programme at the beginning of its 1991 session. The Group of East European and Other States felt that the Conference should discuss the future activity of the Ad Hoc Committee before its re-establishment.

The Conference agreed that the organizational framework to deal with the item should be considered at the beginning of the 1991 session.

GENERAL ASSEMBLY ACTION

On 4 December, the General Assembly adopted resolution 45/62 E.

Comprehensive programme of disarmament

The General Assembly,

Recalling its resolution 2602 E (XXIV) of 16 December 1969, in which it declared the decade of the 1970s as a Disarmament Decade and requested, inter alia, the then Conference of the Committee on Disarmament

to work out "a comprehensive programme, dealing with all aspects of the problem of the cessation of the arms race and general and complete disarmament under effective international control, which would provide the Conference with a guideline to chart the course of its further work and its negotiations",

Recalling also its resolution 35/46 of 3 December 1980, by which it adopted the Declaration of the 1980s as the Second Disarmament Decade, which, *inter alia*, called for the elaboration of the comprehensive programme of disarmament with the utmost urgency,

Recalling further its resolution 44/119 A of 15 December 1989, in which it called upon the Conference on Disarmament to consider, at the beginning of its 1991 session, the resumption of the work of the Ad Hoc Committee on the Comprehensive Programme of Disarmament with the aim of resolving the outstanding issues in order to conclude the elaboration of the programme,

Having examined the part of the report of the Conference on Disarmament which contains the agreement that the organizational framework to deal with the comprehensive programme of disarmament, as in the case of other of its agenda items, shall be considered at the beginning of the 1991 session,

Bearing in mind the conclusions reached by the Ad Hoc Committee on the Comprehensive Programme of Disarmament in its report of 1989 to the effect that "it should resume work with the view to resolving the outstanding issues in the near future, when circumstances are more conducive to making progress in this regard",

Considering that the present improvement in East-West relations provides the appropriate scenario for a renewed effort towards the conclusion of the comprehensive programme of disarmament,

Considering also that the conclusion of the elaboration of the comprehensive programme of disarmament would constitute an important contribution to the success of the Third Disarmament Decade and to the role of the United Nations in the field of disarmament,

1. Requests the Conference on Disarmament to re-establish, at the beginning of its 1991 session, the Ad Hoc Committee on the Comprehensive Programme of Disarmament;

2. Recommends that the Ad Hoc Committee on the Comprehensive Programme of Disarmament continue its work, building on the texts already agreed to, with the view to resolving the outstanding issues and thus concluding negotiations on it;

3. Decides to include in the provisional agenda of its forty-sixth session the item entitled "Comprehensive programme of disarmament".

*Redesignated the Conference on Disarmament as from 7 February 1984.

General Assembly resolution 45/62 E

4 December 1990 Meeting 54 123-6-22 (recorded vote)

Approved by First Committee (A/45/782) by recorded vote (102-6-22), 14 November (meeting 36); B-nation draft (A/C.1/45/L.32); agenda item 60.

Sponsors: Bolivia, Indonesia, Mexico, Myanmar, Peru, Sri Lanka.
Meeting numbers. GA 45th session: 1st Committee 3-23, 24, 36; plenary 54.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belize.

Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran, Iraq, Ireland, Israel, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Belgium, France, Luxembourg, Netherlands, United Kingdom, United States.

Abstaining: Australia, Bulgaria, Byelorussian SSR, Canada, Czechoslovakia, Denmark, Germany, Greece, Hungary, Iceland, Italy, Japan, Liechtenstein, New Zealand, Norway, Poland, Portugal, Romania, Spain, Turkey, Ukrainian SSR, USSR.

In the Committee, paragraph 1 was adopted by a recorded vote of 96 to 13, with 20 abstentions. A separate vote was also requested in the Assembly; the paragraph was adopted by a recorded vote of 116 to 13, with 20 abstentions.

Other issues

Defensive security concepts and policies

Pursuant to General Assembly resolution 44/116 P [YUN 1989, p. 42], requesting that Member States initiate or intensify the dialogue on defensive security concepts and policies at the bilateral, regional or multilateral level, the Secretary-General, in an October note [A/45/556], transmitted to the Assembly a communication on the subject that he had received from the USSR.

GENERAL ASSEMBLY ACTION

On 4 December, the General Assembly resolution 45/58 O.

Defensive security concepts and policies

The General Assembly,

Recalling the principle that States shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations,

Reaffirming the obligation to maintain international peace and security in conformity with the purposes and principles of the United Nations,

Bearing in mind the reports of the Secretary-General transmitting the study on the relationship between disarmament and international security and the study of concepts of security submitted to the General Assembly in 1981 and 1985, respectively,

Recognizing that since then a number of important developments have taken place in the areas of disarmament and security and that new opportunities have emerged for arms control and disarmament, for ending regional conflicts and for developing among States constructive and co-operative relations,

Proceeding from the need for mutual confidence, reducing the risk of misunderstanding and making the military-political situation more transparent and predictable,

Noting the ongoing international dialogue on matters of security, including the renewed search for common security as well as for common approaches to the security requirements in different regions,

Noting also the exchange of views on military doctrines among the States participating in the Conference on Security and Co-operation in Europe,

Believing that security concepts and policies should be aimed at enhancing security and stability at progressively lower and balanced levels of armed forces and armaments,

Seeking to ensure that the armed forces of all States exist only to prevent war, as well as for individual and collective self-defence and for collective action in accordance with Chapter VII of the Charter of the United Nations with respect to threats to the peace, breaches of the peace and acts of aggression, and that defensive capabilities reflect true defensive requirements,

Bearing in mind the specific political and security requirements in different regions,

1. Considers the development of an international dialogue on defensive security concepts and policies to be of great importance for promoting the process of achieving disarmament and strengthening international security;

2. Invites Member States to initiate or intensify the dialogue on defensive security concepts and policies at the bilateral level, particularly at the regional level and, where appropriate, at the multilateral level;

3. Requests the Secretary-General, with the assistance of qualified governmental experts and taking into account the views of Member States and other relevant information, to undertake a study of defensive security concepts and policies to be submitted to the General Assembly at its forty-seventh session;

4. Decides to include in the provisional agenda of its forty-seventh session the item entitled "Defensive security concepts and policies".

General Assembly resolution 45/58 O

4 December 1990 Meeting 54 148-0-5 (recorded vote)

Approved by First Committee (A/45/778 & Corr.1) by recorded vote (124-0-6), 15 November (meeting 37): 'I'-nation draft (A/C.1/45/L.50/Rev.1); agenda item 56 (k).

Sponsors: Australia, Austria, Byelorussian SSR, Indonesia, Iran, Sweden, USSR.

Financial implications: 5th Committee, A/45/813; S-G, A/C.1/45/L.61, A/C.5/45/47.

Meeting numbers. GA 45th session: 1st Committee 3-23, 27, 33, 37; 5th Committee 39; plenary 54.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gabon, Gambia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique,

Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaïre, Zambia, Zimbabwe.

Against: None.

Abstaining: France, Israel, Japan, United Kingdom, United States.

Disarmament agreements

Parties and signatories

In November, the Secretary-General submitted to the General Assembly his annual report [A/45/705] on the status of multilateral disarmament agreements, based on information received from the depositaries of those instruments. It listed the parties to and signatories of those agreements as at 31 July 1990.

As at 31 December 1990, the following numbers of States had become parties to the multilateral agreements covered by the Secretary-General's report (listed in chronological order, with the years in which they were initially signed or opened for signature).

(Geneva) Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare (1925): 123 parties

The Antarctic Treaty (1959): 39 parties

Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water (1963): 117 parties

Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies (1967): 90 parties

Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) (1967): 31 parties

Treaty on the Non-Proliferation of Nuclear Weapons (1968): 141 parties

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 (1971): 82 parties

Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (1972): 111 parties

Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques (1977): 54 parties

Agreement Governing the Activities of States on the Moon and Other Celestial Bodies (1979): 7 parties

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 (1981): 31 parties
 South Pacific Nuclear-Free Zone Treaty (Treaty of Rarotonga) (1985): 13 parties
 Treaty on Conventional Armed Forces in Europe (1990): (not yet in force)

GENERAL ASSEMBLY ACTION

The General Assembly, by decision 45/417 of 4 December, invited the Secretary-General to compile and make available information on multilateral and bilateral arms control and disarmament agreements, with the aim of providing an easily available source of texts and measures used in such agreements.

Nuclear disarmament

Nuclear-arms limitation

During 1990, the Disarmament Commission [A/45/42] discussed various aspects of the arms race, particularly the nuclear-arms race and nuclear disarmament, in order to expedite negotiations aimed at the effective elimination of the danger of nuclear war, a general approach to negotiations on nuclear and conventional disarmament, and South Africa's nuclear capability. It established a contact group within the framework of the Committee of the Whole, and the group held 10 meetings between 9 and 23 May. The group based its work on the compilation of proposals for recommendations contained in the report of the Commission to the General Assembly in 1989 [YUN 1989, p. 34]. The contact group updated some of the texts and made some progress towards narrowing areas of disagreement. However, it was unable to reach a consensus on a complete set of recommendations.

The Conference on Disarmament [A/45/27] considered the prevention of nuclear war in five informal meetings held between 17 April and 31 July 1990. As in previous years, no consensus was reached on a mandate proposed by the Group of 21 neutral and non-aligned States for an ad hoc committee that would consider all proposals before the Conference. The Conference also considered the cessation of the nuclear-arms race and nuclear disarmament in five informal meetings between 10 April and 31 July and was again unable to agree on the establishment of an ad hoc committee under the item.

(For General Assembly action on cessation of the nuclear-arms race and nuclear disarmament and prevention of a nuclear war, see resolution 45/62 C below.)

GENERAL ASSEMBLY ACTION

On 4 December, the General Assembly adopted resolution 45/58 D.

Nuclear disarmament

The General Assembly,

Recalling its resolutions 41/59 F of 3 December 1986, 42/38 H of 30 November 1987, 43/75 E of 7 December 1988 and 44/116 D of 15 December 1989,

Reaffirming the determination to save succeeding generations from the scourge of war as expressed in the Preamble to the Charter of the United Nations.

Convinced that removing the threat of a world war—a nuclear war—remains the most acute and urgent task of the present day,

Recalling and reaffirming the statements and provisions on nuclear disarmament set forth in the Final Document of the Tenth Special Session of the General Assembly, and, in particular, provisions that “effective measures of nuclear disarmament and the prevention of nuclear war have the highest priority”, contained in paragraph 20, and that “in the task of achieving the goals of nuclear disarmament, all the nuclear-weapon States, in particular those among them which possess the most important nuclear arsenals, bear a special responsibility”, contained in paragraph 48,

Also recalling that paragraph 55 of the same document states that “Real progress in the field of nuclear disarmament could create an atmosphere conducive to progress in conventional disarmament on a world-wide basis”,

Bearing in mind that the ultimate goal of nuclear disarmament is the complete elimination of nuclear weapons,

Noting that the leaders of the Union of Soviet Socialist Republics and the United States of America agreed in their joint statement issued at Geneva on 21 November 1985 that “a nuclear war cannot be won and must never be fought” and the common desire they expressed in the same statement calling for early progress in areas where there is common ground, including the principle of a 50 per cent reduction in the nuclear arms of the Soviet Union and the United States appropriately applied, as well as the joint statement made by the leaders of the two countries on 1 June 1990 in Washington,

Noting also that the Union of Soviet Socialist Republics and the United States of America have conducted intensive negotiations on various disarmament issues and made progress in these negotiations,

Noting further that the Conference on Disarmament has not played its due role in the field of nuclear disarmament,

Believing that the qualitative aspect of the arms race needs to be addressed along with its quantitative aspect,

Bearing in mind that the Governments and peoples of various countries expect that the Union of Soviet Socialist Republics and the United States of America will reach agreement on halting the nuclear-arms race and further reducing nuclear weapons,

1. Welcomes the continued implementation of the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles;

2. Also welcomes the negotiations by the Union of Soviet Socialist Republics and the United States of America, which possess the most important nuclear arsenals, on the reduction of their nuclear arsenals and the progress made in these negotiations, and urges them further to discharge their special responsibility for nuclear disarmament, to take the lead in halting the nuclear-arms race and to effect drastic reductions of their nuclear arsenals at an early date;

3. Invites the Governments of the Union of Soviet Socialist Republics and the United States of America to keep, by appropriate means, the other States Members of the United Nations duly informed about their negotiations, in accordance with paragraph 114 of the Final Document of the Tenth Special Session of the General Assembly;

4. Reiterates its belief that bilateral and multilateral efforts for nuclear disarmament should complement and facilitate each other;

5. Decides to include in the provisional agenda of its forty-seventh session the item entitled "Nuclear disarmament".

General Assembly resolution 45/58 D

4 December 1990 Meeting 54 Adopted without vote

Approved by First Committee (A/45/778 & Corr.1) without vote, 12 November (meeting 34); draft by China (A/C.1/45/L.7); agenda item 56 (e). Meeting numbers. GA 45th session: 1st Committee 3-23, 31, 34; plenary 54.

Bilateral negotiations

Following the signing in 1987 [YUN 1987, p. 47] and the entry into force in 1988 [YUN 1988, p. 56] of the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles, the two parties continued to negotiate a 50 per cent reduction in their strategic arms.

On 1 June 1990, President George Bush of the United States and President Mikhail S. Gorbachev of the USSR issued joint statements [CD/1004 & CD/1005] at their summit meeting (Washington, D.C.) expressing satisfaction with the progress made in the negotiation of a treaty on the reduction and limitation of strategic offensive arms (START) and reaffirming their determination to have it completed and ready for signature by the end of the year. They agreed to pursue new talks on strategic offensive arms and on the relationship between offensive and defensive arms to reduce the outbreak of war, particularly nuclear war, and to ensure strategic stability, transparency and predictability through further stabilizing reductions in the strategic arsenals of both countries. That would be achieved by agreements that improved survivability and removed incentives for a nuclear first strike and by implementation of an appropriate relationship between strategic offences and defences.

Bilateral discussions between the USSR and the United States continued also on the subject of

missile technology proliferation. In June, the two sides issued a joint statement [CD/1001] in which they detailed steps to stem the proliferation of missiles and missile technology.

Other developments

By the Argentine-Brazil Joint Declaration on Nuclear Policy [A/45/809], signed at Foz do Iguaçu, Brazil, on 28 November by the President of Argentina, Carlos Saúl Menem, and the President of Brazil, Fernando Collor, the two leaders noted the efforts made by their Permanent Bilateral Committee on Nuclear Co-operation to enhance co-operation between the two countries in the areas of research, the exchange of information, industrial complementarity, the exchange of nuclear material, and the development of joint projects and policy co-ordination. In addition, they decided to adopt the joint accounting and control system agreed on by the Committee, which would apply to all their nuclear activities.

GENERAL ASSEMBLY ACTION

On 4 December, the General Assembly adopted resolution 45/58 B.

Bilateral nuclear-arms negotiations

The General Assembly,

Recalling its relevant resolutions, in particular resolutions 43/75 A of 7 December 1988 and 44/116 K of 15 December 1989.

Stressing the importance of the strengthening of international security through disarmament and the halting of the qualitative and quantitative escalation of the arms race,

Mindful that it is the responsibility and obligation of all States to speed up the emerging process of relaxation of international tension and to channel it in a direction that would benefit all and that lasting peace and security can be achieved only by pooling the efforts of the international community and with all States participating and contributing on the basis of equality,

Stressing also that general and complete disarmament under effective international control is by its very nature unattainable unless all States join in its implementation,

Emphasizing that nuclear disarmament and the prevention of nuclear war remains one of the principal tasks of our times,

Concerned, however, that the world is still threatened by the massive nuclear arsenals, which are being further refined and augmented, and that the way for nuclear disarmament and the prevention of nuclear war lies in the nuclear-weapon Powers' embracing the objective of the total elimination of nuclear weapons,

Aware of the fact that the disarmament process cannot be carried out without a contribution by all States and especially by the Union of Soviet Socialist Republics and the United States of America and by military alliances, which have the greatest responsibility in that regard,

Stressing that the co-operation between the Union of Soviet Socialist Republics and the United States of

America contributes to the process of general and complete disarmament and the strengthening of international security,

Noting that, in a joint statement of 1 June 1990, the two Presidents reaffirmed their determination to have the Treaty on the Reduction and Limitation of Strategic Offensive Arms completed and ready for signature by the end of 1990 and, following the signature of that Treaty, to pursue further negotiations on nuclear and space arms and to give these future negotiations the highest priority,

Affirming that bilateral and multilateral negotiations on disarmament should facilitate and complement each other,

1. Welcomes the positive developments in the bilateral negotiations between the Union of Soviet Socialist Republics and the United States of America on disarmament issues, including those relating to the Treaty on the Reduction and Limitation of Strategic Offensive Arms, as well as the signing of the Protocols to the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Underground Nuclear Weapon Tests, signed on 3 July 1974, and the Treaty between the United States of America and the Union of Soviet Socialist Republics on Underground Nuclear Explosions for Peaceful Purposes, signed on 28 May 1976, and their ratification;

2. Calls upon the Union of Soviet Socialist Republics and the United States of America to exert every effort to achieve the reduction in strategic offensive arms by signing the Treaty on the Reduction and Limitation of Strategic Offensive Arms by the end of 1990 as part of the process leading to the complete elimination of nuclear weapons and, as a matter of urgency, to intensify their efforts to achieve agreements in other areas, in particular, the issues of a comprehensive nuclear-test ban and agreement to ensure that outer space is kept free of all weapons;

3. Invites the Union of Soviet Socialist Republics and the United States of America to keep other States Members of the United Nations duly informed of progress in their negotiations, in accordance with paragraph 114 of the Final Document of the Tenth Special Session of the General Assembly;

4. Encourages and supports the bilateral negotiations and expects them to be successfully concluded.

General Assembly resolution 45/58 B

4 December 1990 Meeting 54 131-0-22 (recorded vote)

Approved by First Committee (A/45/778 & Corr.1) by recorded vote (109-0-20), 16 November (meeting 38); draft by Panama and Yugoslavia for Non-Aligned Movement (A/C.1/45/L.5); agenda item 56.

Meeting numbers. GA 45th session: 1st Committee 3-23, 31, 38; plenary 54.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran, Iraq, Ireland, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint

Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: None.

Abstaining: Belgium, Bulgaria, Canada, Czechoslovakia, Denmark, France, Germany, Greece, Iceland, Israel, Italy, Japan, Luxembourg, Mauritius, Netherlands, Norway, Poland, Portugal, Spain, Turkey, United Kingdom, United States.

*Later advised the Secretariat that it had intended to vote in favour.

Also on that date, the Assembly adopted resolution 45/58 H.

Bilateral nuclear-arms negotiations

The General Assembly,

Recalling that at their meeting at Geneva in November 1985 the leaders of the Union of Soviet Socialist Republics and the United States of America committed themselves to the objective of working out effective agreements aimed at preventing an arms race in space and terminating it on Earth,

Believing 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 achieve far-reaching and effectively verifiable agreements,

Firmly convinced that 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,

Noting that, in a joint statement of 1 June 1990, the two Presidents reaffirmed their determination to have the Treaty on the Reduction and Limitation of Strategic Offensive Arms completed and ready for signature by the end of 1990,

Noting also that in a further statement of the same date the Union of Soviet Socialist Republics and the United States of America agreed to pursue, following the signature of the Treaty, new negotiations on nuclear and space arms and further enhancing strategic stability and to give these future negotiations the highest priority,

Convinced that the international community should encourage the Government of the Union of Soviet Socialist Republics and the Government of the United States of America in their endeavours, taking into account both the importance and the complexity of their negotiations,

1. Welcomes the fact that the provisions of the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Nuclear Missiles are being implemented by the Soviet Union and the United States;

2. Also welcomes the prospect of an agreement on the Treaty on the Reduction and Limitation of Strategic Offensive Arms in the near future;

3. Further welcomes the agreement between the Union of Soviet Socialist Republics and the United States of America to pursue new negotiations on nuclear and space arms and on further enhancing strategic stability, following the signature of the Treaty on the Reduction and Limitation of Strategic Offensive Arms;

4. 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, in accordance with the security interests of all States and the universal desire for progress towards disarmament, the attainment of all the agreed objectives in the negotiations;

5. Invites the two Governments concerned to keep other States Members of the United Nations duly informed of progress in their negotiations, in accordance with paragraph 114 of the Final Document of the Tenth Special Session of the General Assembly;

6. Expresses its firmest possible encouragement and support for the bilateral negotiations and their successful conclusion.

General Assembly resolution 45/58 H

4 December 1990 Meeting 54 99-0-50 (recorded vote)

Approved by First Committee (A/45/778 & Corr.1) by recorded vote (70-0-55), 16 November (meeting 38); 20-nation draft (A/C.1/45/L.35); agenda item 56.

Meeting numbers. GA 45th session: 1st Committee 3-23, 38; plenary 54.

Recorded vote in Assembly as follows:

In favour: Antigua and Barbuda, Australia, Austria, Bahamas, Bahrain, Barbados, Belgium, Belize, Benin,* Bhutan, Bolivia, Botswana, Brunei Darussalam, Bulgaria, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, China, Comoros, Costa Rica, Côte d'Ivoire, Cyprus, Czechoslovakia, Denmark, Djibouti, Dominica, El Salvador, Fiji, Finland, France, Gabon, Gambia, Germany, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya,* Liechtenstein, Luxembourg, Malawi, Mali, Malta, Mauritius, Mongolia, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Oman, Papua New Guinea, Paraguay, Poland, Portugal, Qatar, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Singapore, Solomon Islands, Spain, Sri Lanka, Swaziland, Sweden, Thailand, Togo, Trinidad and Tobago, Turkey, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United States, Uruguay, Venezuela, Viet Nam, Zaire.

Against None.

Abstaining: Afghanistan, Algeria, Angola, Argentina, Bangladesh, Brazil, Burkina Faso, Burundi, Chile, Colombia, Congo, Cuba, Dominican Republic, Ecuador, Egypt, Ethiopia, Ghana, Guyana, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Madagascar, Malaysia, Maldives, Mauritania, Mexico, Morocco, Mozambique, Namibia, Niger, Nigeria, Pakistan, Peru, Philippines, Sierra Leone, Somalia, Sudan, Suriname, Syrian Arab Republic, Tunisia, Uganda, United Republic of Tanzania, Yemen, Yugoslavia, Zambia, Zimbabwe.

*Later advised the Secretariat that it had intended to abstain.

Cessation of nuclear-arms race

The Conference on Disarmament considered the prevention of nuclear war, including all related matters, from 12 to 16 March and from 9 to 13 July. It also held five informal meetings between 17 April and 31 July. The Group of 21 expressed regret at the inability of the Conference to set up an ad hoc committee on the item.

GENERAL ASSEMBLY ACTION

On 4 December, the General Assembly adopted resolution 45/62 C.

Cessation of the nuclear-arms race and nuclear disarmament and prevention of nuclear war

The General Assembly,

Believing that all nations have a vital interest in negotiations on nuclear disarmament because the existence of nuclear weapons jeopardizes the vital security interests of both nuclear- and non-nuclear-weapon States alike,

Recalling its resolution 44/119 E of 15 December 1989,

Recalling also that the international community, through the Final Document of the Tenth Special Session of the General Assembly, the first special session devoted to disarmament, has agreed that the nuclear-arms race, far from contributing to the strengthening of the security of all States, increases the danger of the outbreak of a nuclear war,

Noting the reaffirmation by the Ninth Conference of Heads of State or Government of Non-Aligned Countries, held at Belgrade from 4 to 7 September 1989, that nuclear disarmament is a process in which all nations should participate, and its view that the ongoing process of disarmament could be accelerated and its coverage widened through the common endeavour of the entire international community,

Taking into account that all nuclear-weapon States, in particular those with the most important nuclear arsenals, bear a special responsibility for the fulfilment of the task of achieving the goals of nuclear disarmament,

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 people of the world,

Encouraged by the continued recognition by the Union of Soviet Socialist Republics and the United States of America that a nuclear war cannot be won and must never be fought,

Aware of the fact that the prevention of nuclear war and the reduction of the risk of nuclear war are inextricably linked with the cessation of the nuclear-arms race and nuclear disarmament, and that consequently they should be viewed in their interrelationship as essential elements of a process of general and complete disarmament,

Convinced also that all avenues should be explored to ensure that progress is made in these two vital fields, and convinced further of the imperative need to take constructive multilateral action to complement and reinforce the bilateral process under way,

1. Reaffirms that multilateral and bilateral negotiations on nuclear questions should complement and facilitate each other;

2. Believes that efforts should be intensified in order to initiate multilateral negotiations in accordance with the provisions of paragraph 50 of the Final Document of the Tenth Special Session of the General Assembly;

3. Reiterates that, in view of the importance of the matter, it is equally necessary to devise suitable steps to expedite effective action for the prevention of nuclear war;

4. Requests the Conference on Disarmament to establish ad hoc committees at the beginning of its 1991 session on both the cessation of the nuclear-arms race and nuclear disarmament and the prevention of nuclear war with adequate mandates in order to allow a structured and practical analysis of how the Conference can best contribute to progress on these two urgent matters;

5. Also requests the Conference on Disarmament to report to the General Assembly at its forty-sixth session on its consideration of those subjects;

6. Decides to include in the provisional agenda of its forty-sixth session the items entitled "Cessation of the

nuclear-arms race and nuclear disarmament” and “Prevention of nuclear war”.

General Assembly resolution 45/62 C

4 December 1990 Meeting 54 132-12-9 (recorded vote)

Approved by First Committee (A/45/782) by recorded vote (112-12-9), 12 November (meeting 34); 19-nation draft (A/C.1/45/L.23); agenda items 60 (i) & (j).

Meeting numbers. GA 45th session: 1st Committee 3-23, 33, 34; plenary 54.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran, Iraq, Ireland, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago; Tunisia, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Belgium, Canada, France, Germany, Italy, Luxembourg, Netherlands, Portugal, Spain, Turkey, United Kingdom, United States.

Abstaining: Czechoslovakia, Denmark, Greece, Iceland, Israel, Japan, Norway, Poland, Romania.

Non-proliferation Treaty

New parties to the Treaty

In 1990, Albania and Mozambique became parties to the 1968 Treaty on the Non-proliferation of Nuclear Weapons (NPT) [YUN 1968, p. 17], bringing the number of States parties to 141 at year's end. The Treaty entered into force on 5 March 1970.

Fourth NPT Review Conference

The fourth quinquennial Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons was held from 20 August to 14 September at Geneva to review the operation of the Treaty [NPT/Conf.IV/45/I]. Previous review conferences were held in 1975 [YUN 1975, p. 27], 1980 [YUN 1980, 51] and 1985 [YUN 1985, p. 56].

The Preparatory Committee to the Conference held its third and final session (Geneva, 23 April-2 May) in 1990 to discuss substantive and organizational matters. Previous sessions were held in 1989 [YUN 1989, p. 66].

Eighty-four States parties participated in the Conference. Representatives of the United Nations and IAEA also participated, as well as a number of States non-parties, intergovernmental

organizations and agencies, research institutes and non-governmental organizations (NGOs).

The Conference established three Main Committees, a General Committee and a Drafting Committee. The Main Committees reviewed the operation of the provisions of the Treaty allocated to them, with Main Committee I focusing on the implementation of Treaty provisions relating to non-proliferation of nuclear weapons, disarmament and international peace and security and to security assurances; Main Committee II, on provisions relating to the non-proliferation of nuclear weapons, safeguards and nuclear-weapon-free zones; and Main Committee III, on provisions relating to the peaceful application of nuclear energy, as it related to acceptance of the Treaty, and on other provisions of the Treaty. The Conference took note of the reports of the three Main Committees and its Drafting Committee.

The Conference, notwithstanding extensive consultations, was unable to adopt a final declaration because of differences regarding convening a separate conference to negotiate legally binding assurances, the question of the extension of the Treaty and the controversy over the degree to which the Treaty's provisions regarding disarmament, particularly nuclear disarmament, were being implemented.

Non-use of nuclear weapons

On 4 December, the General Assembly adopted resolution 45/59 B.

Convention on the Prohibition of the Use of Nuclear Weapons

The General Assembly,

Convinced that the existence and use of nuclear weapons pose the greatest threat to the survival of mankind, Conscious that the nuclear-arms race increases the danger of the use of nuclear weapons,

Convinced also that nuclear disarmament is the only ultimate guarantee against the use of nuclear weapons,

Convinced further that a multilateral agreement prohibiting the use or threat of use of nuclear weapons should strengthen international security and help to create the climate for negotiations leading to the complete elimination of nuclear weapons,

Conscious also that the recent steps taken bilaterally by the Union of Soviet Socialist Republics and the United States of America towards a reduction of their nuclear weapons and the improvement in East-West relations and the international climate can contribute towards this goal,

Recalling that, in paragraph 58 of the Final Document of the Tenth Special Session of the General Assembly, 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 1990 session, 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 44/117 C of 15 December 1989,

1. Reiterates its request to the Conference on Disarmament to commence negotiations, as a matter of priority, in order to reach agreement on an international convention prohibiting the use or threat of use of nuclear weapons under any circumstances, taking as a basis the draft Convention on the Prohibition of the Use of Nuclear Weapons annexed to the present resolution;

2. Also requests the Conference on Disarmament to report to the General Assembly at its forty-sixth session on the results of those negotiations.

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-weapon States, in accordance with paragraph 2 of this article.

4. For States whose instruments of ratification or accession are deposited after the entry into force of the 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 Government 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 A

General Assembly resolution 45/59 B

4 December 1990 Meeting 54 125-17-10(recorded vote)

Approved by First Committee (A/45/779) by recorded vote (106-17-10), 12 November (meeting 34); 14-nation draft (A/C.1/45/L.25); agenda item 57 (b).

Meeting numbers. GA 45th session: 1st Committee 3-23, 29, 34; plenary 54.

Recorded vote in Assembly as follows:

In favour Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gabon, Gambia, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against Australia, Belgium, Canada, Denmark, France, Germany, Iceland, Italy, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Spain, Turkey, United Kingdom, United States.

Abstaining: Bulgaria, Czechoslovakia, Greece, Hungary, Ireland, Israel, Japan, Liechtenstein, Poland, Romania.

Strengthening of security of non-nuclear-weapon States

The Conference on Disarmament [A/45/27] considered effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. The Conference re-established an ad hoc committee on the subject, which held five meetings between 13 March and 2 August.

In its conclusions and recommendations [CD/1028], the Ad Hoc Committee reaffirmed the need for assurances for non-nuclear-weapon States against the use or threat of use of nuclear weapons pending effective measures of nuclear

disarmament. Agreement on a common formula of assurance could not be reached due to the persistence of specific difficulties relating to differing perceptions of security interests of nuclear-weapon States and non-nuclear-weapon States and the complex nature of the issues involved. It was agreed that the Ad Hoc Committee should be re-established in 1991 to continue to pursue ways of overcoming those difficulties.

GENERAL ASSEMBLY ACTION

On 4 December, the General Assembly adopted resolution 45/54.

Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons

The General Assembly,

Bearing in mind the need to allay the legitimate concern of the States of the world with regard to ensuring lasting security for their peoples,

Convinced that nuclear weapons pose the greatest threat to mankind and to the survival of civilization,

Deeply concerned at the arms race, in particular the nuclear-arms race, and the possibility of the use or threat of use of nuclear weapons,

Also convinced that nuclear disarmament and the complete elimination of nuclear weapons are essential to remove the danger of nuclear war,

Welcoming the progress achieved in recent years in both nuclear and conventional disarmament,

Taking into account the principle of the non-use of force or threat of force enshrined in the Charter of the United Nations,

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 and arrangements to ensure the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons from any quarter,

Recognizing also that effective measures and arrangements to assure the non-nuclear-weapon States against the use or threat of use of nuclear weapons can contribute positively to the prevention of the spread of nuclear weapons,

Bearing in mind paragraph 59 of the Final Document of the Tenth Special Session of the General Assembly, 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, and desirous of promoting the implementation of the relevant provisions of the Final Document,

Recalling the relevant parts of the special report of the Committee on Disarmament submitted to the General Assembly at its twelfth special session, the second special session devoted to disarmament, and of the special report of the Conference on Disarmament submit-

ted to the Assembly at its fifteenth special session, the third special session devoted to disarmament, as well as of the annual report of the Conference on its 1990 session,

Recalling also paragraph 12 of the Declaration of the 1980s as the Second Disarmament Decade, contained in the annex to its resolution 35/46 of 3 December 1980, which states, *inter alia*, that all efforts should be exerted by the Committee on Disarmament' urgently to negotiate with a view to reaching agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,

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, with a view to reaching agreement on this item,

Taking note of the proposals submitted under that item in the Conference on Disarmament, including the drafts of an international convention,

Taking note also of the final document on international security and disarmament adopted by the Ninth Conference of Heads of State or Government of Non-Aligned Countries, held at Belgrade from 4 to 7 September 1989, as well as the relevant recommendations of the Organization of the Islamic Conference reiterated in the Final Communique of the Nineteenth Islamic Conference of Foreign Ministers, held at Cairo from 31 July to 5 August 1990, 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,

Taking note further of the unilateral declarations on the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons made by all nuclear-weapon States,

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,

Noting also the greater willingness to overcome the difficulties encountered in previous years,

Recalling its relevant resolutions adopted in previous years,

Desirous of promoting the implementation of its resolutions 44/110 and 44/111 of 15 December 1989,

1. Reaffirms the urgent need to reach an early 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 and flexibility necessary to reach agreement on a common

approach and, in particular, on a common formula that 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 also that the Conference on Disarmament should actively continue intensive negotiations with a view to reaching early agreement and concluding effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, taking into account the widespread support for the conclusion of an international convention and giving consideration to any other proposals designed to secure the same objective;

6. Decides to include in the provisional agenda of its forty-sixth 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".

*Redesignated the Conference on Disarmament as from 7 February 1984.

General Assembly resolution 45/54

4 December 1990 Meeting 54 145-0-3 (recorded vote)

Approved by First Committee (A/45/774) by recorded vote (130-0-3). 14 November (meeting 36); 10-nation draft (A/C.1/45/L.56/Rev.1); agenda item 52.

Sponsors: Australia, Bangladesh, Bulgaria, Iran, Madagascar, Nepal, New Zealand, Pakistan, Samoa, Sri Lanka.

Meeting numbers. GA 45th session: 1st Committee 3-23, 33, 34, 36; plenary 54.

Recorded vote in Assembly as follows:

In favour Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gabon, Gambia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zimbabwe.

Against: None.

Abstaining: France, United Kingdom, United States.

Also on 4 December, the Assembly, by decision 45/414, took note of the report of the First Committee [A/45/773] containing a draft text submitted by Bulgaria on which no action was taken.

Cessation of nuclear-weapon tests

At its 1990 session, the Conference on Disarmament [A/45/27] considered the topic of a nuclear-test ban in plenary meetings. The bulk of

its work took place in the Ad Hoc Committee on the item, which was re-established on 6 February.

The Ad Hoc Committee agreed that it had carried out a preliminary examination of specific and interrelated test-ban issues and prepared the ground for further consideration of the issue. It noted the work of the Ad Hoc Group of Scientific Experts to Consider International Co-operative Measures to Detect and Identify Seismic Events on the seismic verification of a comprehensive test ban (see below). The Group of Scientific Experts, Technical Test Two (GSETT-2) was considered to be of particular importance, and it was recommended that more States participate in the test. It was agreed that the Ad Hoc Committee be re-established.

The Ad Hoc Group of Scientific Experts to Consider International Co-operative Measures to Detect and Identify Seismic Events held two sessions at Geneva in 1990 (twenty-ninth session, 19-29 March [CD/981]; thirtieth session, 30 July-9 August [CD/1032]). The Group reviewed the initial results of experimental activities of phase 2 of GSETT-2 and confirmed that the main focus in GSETT-2 would be the exchange of seismic waveform segments and the analysis of those data at Experimental International Data Centres (EIDCs). The Group reviewed results from a meeting of EIDC co-ordinators (United States, 3-8 June) and discussed evaluation criteria for GSETT-2, based on draft guidelines worked out by a study group.

Note by Secretary-General. By a February note [A/45/129] prepared in response to General Assembly resolution 42/38 C [YUN 1987, p. 54], the Secretary-General reported that New Zealand had submitted notifications of nuclear-test explosions carried out by France at Fangataufa and Mururoa Atolls in the South Pacific in 1989. In May [A/45/359], France transmitted information on those nuclear tests, which totalled 2 at Fangataufa Atoll and 6 at Mururoa Atoll. In a later addendum to his note [A/45/129/Add.1], the Secretary-General reported the notification by Australia of presumed underground nuclear explosions detected from April 1989 to June 1990. In November [A/45/129/Add.2], the USSR reported that it had conducted a nuclear explosion on 24 October 1990.

In an October note [A/45/561], the Secretary-General submitted the annual register of the information provided on nuclear explosions from April 1989 to June 1990.

GENERAL ASSEMBLY ACTION

On 4 December, the General Assembly adopted resolution 45/49.

Cessation of all nuclear-test explosions

The General Assembly,

Bearing in mind the highest priority which, in the sphere of disarmament, it has repeatedly assigned to the attainment of the complete cessation of nuclear-weapon tests,

Recalling that for over thirty years it has been examining this question, on which it has adopted more than seventy resolutions,

Taking into account the undertakings by the three depositary States of the 1963 Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water to seek to achieve the early discontinuance of all test explosions of nuclear weapons for all time, as well as the reiteration of this commitment in the Treaty on Non-Proliferation of Nuclear Weapons,

Recalling that the Secretary-General, addressing a plenary meeting of the General Assembly on 12 December 1984, 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,

Recalling also that the leaders of the States associated with the Six-Nation Initiative on peace and disarmament affirmed in the Stockholm Declaration, adopted on 21 January 1988, that "Any agreement that leaves room for continued testing would not be acceptable",

Recalling further the final document on international security and disarmament adopted by the Ninth Conference of Heads of State or Government of Non-Aligned Countries, held at Belgrade from 4 to 7 September 1989, which underlined that the immediate suspension of and comprehensive ban on nuclear tests remained one of the highest priorities of nuclear disarmament,

Taking note with satisfaction of the continuing progress made in the Conference on Disarmament by the Ad Hoc Group of Scientific Experts to Consider International Co-operative Measures to Detect and Identify Seismic Events on the seismic verification of a comprehensive test ban,

Taking note of the re-establishment, without a negotiating mandate, of the Ad Hoc Committee on a Nuclear Test Ban by the Conference on Disarmament at its summer session in 1990,

1. Reiterates once again its grave concern that nuclear testing continues unabated, against the wishes of the overwhelming majority of Member States;

2. Reaffirms its conviction that a treaty to achieve the prohibition of all nuclear-test explosions by all States for all time is a matter of the highest priority;

3. Reaffirms also its conviction that such a treaty would constitute a contribution of the utmost importance to the cessation of the nuclear-arms race;

4. Urges once more all nuclear-weapon States, in particular the three depositary States of the Treaty Banning Nuclear Weapons Tests in the Atmosphere, in Outer Space and under Water and of the Treaty on the Non-Proliferation of Nuclear Weapons, 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 to promote the re-establishment by the Conference at the beginning of its 1991 session of the Ad Hoc Committee on a Nuclear Test Ban with the objective of carrying out the multilateral negotiation of a treaty on the complete cessation of nuclear-test explosions;

6. Recommends to the Conference on Disarmament that the Ad Hoc Committee should comprise two working groups dealing, respectively, with the following interrelated questions: contents and scope of the treaty, and compliance and verification;

7. Decides to include in the provisional agenda of its forty-sixth session the item entitled "Cessation of all nuclear-test explosions".

General Assembly resolution 45/49

4 December 1990 Meeting 54 127-3-17 (recorded vote)

Approved by First Committee (A/45/768) by recorded vote (10-3-18), 16 November (meeting 39); 14-nation draft (A/C.1/45/L.30), orally revised; agenda item 46.

Meeting numbers. GA 45th session: 1st Committee 3-23, 38, 39; plenary 54.

Recorded vote in Assembly as follows:

/n favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Byelorussian SSR, Cameroon, Cape Verde, Central African Republic, Chad, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gabon, Gambia, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran, Iraq, Ireland, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zimbabwe.

Against: France, United Kingdom, United States.

Abstaining: Belgium, Canada, China, Czechoslovakia, Germany, Greece, Iceland, Israel, Italy, Japan, Luxembourg, Netherlands, Poland, Portugal, Romania, Spain, Turkey.

On the same date, the Assembly adopted resolution 45/51.

Urgent need for a comprehensive nuclear-test-ban treaty

The General Assembly,

Convinced that a nuclear war cannot be won and must never be fought,

Convinced also of the consequent urgent need for an end to the nuclear-arms race and the immediate and verifiable reduction and ultimate elimination of nuclear weapons,

Convinced further that an end to nuclear testing by all States in all environments for all time is an essential step in order to prevent the qualitative improvement and development of nuclear weapons and their further proliferation and to contribute, along with other concurrent efforts to reduce nuclear arms, to the eventual elimination of nuclear weapons,

Noting concerns expressed about the environmental and health risks associated with underground nuclear testing,

Recognizing the agreement on and signature of, in Washington on 1 June 1990, the verification protocols to the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Underground Nuclear Weapon Tests, signed on 3 July 1974, and to the Treaty between the United States of America and the Union of Soviet Socialist Republics on Underground Nuclear Explosions for Peaceful Purposes, signed on 28 May 1976, and looking forward to the conclusion of all ratification processes,

Welcoming the ongoing implementation of the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles and the agreement in principle on and further progress made towards a first treaty on significant reductions in their strategic nuclear forces, and urging the earliest possible conclusion of such a treaty,

Recalling the final document on international security and disarmament adopted by the Ninth Conference of Heads of State or Government of Non-Aligned Countries, held at Belgrade from 4 to 7 September 1989,

Recalling also the proposals by the leaders of the Six-Nation Initiative to promote an end to nuclear testing,

Convinced that the most effective way to achieve the discontinuance of all nuclear tests by all States in all environments for all time is through the conclusion, at an early date, of a verifiable, comprehensive nuclear-test-ban treaty that will attract the adherence of all States,

Reaffirming the particular responsibilities of the Conference on Disarmament in the negotiation of a comprehensive nuclear-test-ban treaty, and in this context welcoming the re-establishment of the Ad Hoc Committee on a Nuclear Test Ban in the Conference on Disarmament,

Taking note of the work being undertaken within the Conference on Disarmament by the Ad Hoc Group of Scientific Experts to Consider International Co-operative Measures to Detect and Identify Seismic Events and the conduct of the second technical test concerning the global exchange and analysis of seismic data,

Noting that the Amendment Conference of States Parties to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water will be held in January 1991 to consider an amendment to extend the scope of the Treaty to include underground nuclear testing,

1. 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 fundamental importance;

2. Urges the Conference on Disarmament, in order that a comprehensive nuclear-test-ban treaty may be concluded at an early date, to re-establish the Ad Hoc Committee on a Nuclear Test Ban at the beginning of its 1991 session to carry forward the work begun in the Conference in 1990, focusing on substantive work on specific and interrelated test-ban issues, including structure and scope as well as verification and compliance;

3. Also urges the Conference on Disarmament:

(a) To take into account, in this context, the progress achieved by the Ad Hoc Group of Scientific Experts to Consider International Co-operative Measures to De-

tect and Identify Seismic Events, including work on the routine exchange and use of wave-form data, and other relevant initiatives or experiments by individual States and groups of States;

(b) To encourage the widest possible participation by States in the technical test that is now under way concerning the global exchange and analysis of seismic data;

(c) To take immediate steps for the establishment, with the widest possible participation, of an international seismic monitoring network with a view to developing further a system for the effective monitoring and verification of compliance with a comprehensive nuclear-test-ban treaty;

(d) To initiate detailed investigation of other measures to monitor and verify compliance with such a treaty, including on-site inspections and an international network to monitor atmospheric radioactivity;

4. Urges:

(a) The nuclear-weapon States, especially those which possess the most important nuclear arsenals, to agree promptly to appropriate verifiable and militarily significant interim measures, with a view to concluding a comprehensive nuclear-test-ban treaty;

(b) Those nuclear-weapon States which have not yet done so to adhere to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water;

5. Culls upon the Conference on Disarmament to report to the General Assembly at its forty-sixth session on progress made;

6. Decides to include in the provisional agenda of its forty-sixth session the item entitled "Urgent need for a comprehensive nuclear-test-ban treaty".

General Assembly resolution 45/51

4 December 1990 Meeting 54 140-2-6 (recorded vote)

Approved by First Committee (A/45/770) by recorded vote (122-2-6), 16 November (meeting 39); 31-nation draft (A/C.1/45/L.41); agenda item 48.

Meeting numbers. GA 45th session: 1st Committee 3-23, 38, 39; plenary 54.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Bhutan, Bolivia, Botswana, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland; Gabon, Gambia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain; Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zimbabwe.

Against: France, United States.

Abstaining: Argentina, Brazil, China, India, Israel, United Kingdom.

Amendment Conference of States parties to the partial test-ban Treaty

Meeting of States parties. A meeting of States parties to the 1963 Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water (also known as the partial test-ban Treaty) [YUN 1963, p. 137] was convened (New York, 29 May-8 June) to make arrangements for an amendment conference to be held in New York from 7 to 18 January 1991. The amendment to the Treaty, proposed by Indonesia, Mexico, Peru, Sri Lanka, Venezuela and Yugoslavia, comprised an additional article to the Treaty and two protocols: the first, prohibiting nuclear explosions underground, and the second, dealing with verification.

Attended by 74 States parties, the Meeting for the Organization of the Amendment Conference decided to transmit to the Conference the provisional agenda, draft rules of procedure and background documentation. It invited States parties to the Treaty, in particular the nuclear-weapon States, to submit their views regarding the verification of a comprehensive nuclear-test ban. The report [PTBT/CONF/1] of the meeting was transmitted to the Conference.

GENERAL ASSEMBLY ACTION

On 4 December, the General Assembly adopted resolution 45/50.

Amendment of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water

The General Assembly,

Recalling its resolution 44/106 of 15 December 1989,

Reiterating its conviction that a comprehensive nuclear-test-ban treaty is the highest-priority measure for the cessation of the nuclear arms race and for the achievement of the objective of nuclear disarmament,

Recalling also its resolution 1910(XVIII) of 27 November 1963, in which it noted with approval the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water, signed on 5 August 1963, and requested the Conference of the Eighteen-Nation Committee on Disarmament to continue with a sense of urgency its negotiations to achieve the objectives set forth in the preamble to the Treaty,

Recalling further that more than one third of the parties to the Treaty have requested the Depositary Governments to convene a conference to consider an amendment that would convert the Treaty into a comprehensive test-ban treaty,

Reiterating also its conviction that such a conference will facilitate the attainment of the objectives set forth in the Treaty and thus serve to strengthen it,

Noting with satisfaction that the meeting for the organization of the Amendment Conference of the States Parties to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water was held in New York from 29 May to 8 June 1990, and taking note of the report of that meeting,

1. Notes with satisfaction that the Amendment Conference of the States Parties to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water will be held in New York from 7 to 18 January 1991;

2. Calls upon all parties to the Treaty to participate in, and to contribute to the success of, the Amendment Conference for the achievement of a comprehensive nuclear-test ban at an early date, as an indispensable measure towards implementation of their undertakings in the preamble to the Treaty;

3. Reiterates its conviction that, pending the conclusion of a comprehensive nuclear-test-ban treaty, the nuclear-weapon States should suspend all nuclear-test explosions through an agreed moratorium or unilateral moratoria;

4. Recommends that arrangements be made to ensure that intensive efforts continue, under the auspices of the Amendment Conference, until a comprehensive nuclear-test-ban treaty is achieved;

5. Recommends also that the Amendment Conference establish a working group, or other means it deems appropriate, to study, inter alia, the organization of control, institutional mechanisms and legal aspects of a comprehensive nuclear-test-ban treaty and to report its conclusions to the Conference;

6. Stresses the importance of ensuring adequate coordination among the various negotiating forums dealing with a comprehensive nuclear-test-ban treaty;

7. Decides to include in the provisional agenda of its forty-sixth session the item entitled "Amendment of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water".

General Assembly resolution 45/50

4 December 1990 Meeting 54 116-2-28 (recorded vote)

Approved by First Committee (A/45/769) by recorded vote (98-2-28), 16 November (meeting 39); 50-nation draft (A/C.1/45/L.31); agenda item 47.

Meeting numbers. GA 45th session: 1st Committee 3-23, 35, 39; plenary 54.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Central African Republic, Chad, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zimbabwe.

Against: United Kingdom, United States.

Abstaining: Australia, Austria, Belgium, Bulgaria, Canada, Czechoslovakia, Denmark, Finland, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Liechtenstein, Luxembourg, Malta, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Spain, Sweden, Turkey.

France indicated that it did not participate in the vote because it was not a party to the 1963 Treaty. It wished that action to be reflected in the record.

Nuclear-arms freeze

Since 1982, the General Assembly had annually called for a freeze on nuclear arms but no action had been taken by the nuclear-weapon States. In 1990, the Assembly again considered the issue of a nuclear-arms freeze.

GENERAL ASSEMBLY ACTION

On 4 December, the General Assembly adopted resolution 45/59 D.

Nuclear-arms freeze

The General Assembly,

Recalling that, in the Final Document of the Tenth Special Session of the General Assembly, 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, 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,

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,

Welcoming the new trends that have led to an improvement in the international security environment,

Convinced also of the urgency further to pursue negotiations for the substantial reduction and qualitative limitation of existing nuclear arms,

Considering that a nuclear-arms freeze, while not an end in itself, would constitute an effective step to prevent the continued increase and qualitative improvement of existing nuclear weaponry during the period when the negotiations take place, and that at the same time it would provide a favourable environment for the conduct of negotiations to reduce and eventually eliminate nuclear weapons,

Convinced further that the undertakings derived from the freeze can be effectively verified,

Welcoming the cessation by the Union of Soviet Socialist Republics of the production of highly enriched uranium for nuclear weapons and the beginning of the process of shutting down its reactors producing weapons-grade plutonium,

Noting with deep concern that all nuclear-weapon States have not so far taken any collective action in response to the call made in the relevant resolutions on the question of a nuclear-arms freeze,

1. Urges once more both the Union of Soviet Socialist Republics and the United States of America, as the two major nuclear-weapon States, to reach agreement on an immediate nuclear-arms freeze, 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. Calls upon all nuclear-weapon States to agree, through a joint declaration, to a comprehensive nuclear-arms freeze, whose structure and scope would be the following:

(a) It would embrace:

- (i) A comprehensive test ban on nuclear weapons and on 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 and effective measures and procedures of verification;

3. Requests once again the nuclear-weapon States to submit a joint report, or separate reports, to the General Assembly, prior to the opening of its forty-sixth session, on the implementation of the present resolution;

4. Decides to include in the provisional agenda of its forty-sixth session the item entitled "Nuclear-arms freeze".

General Assembly resolution 45/59 D

4 December 1990 - Meeting 54 126-14-12 (recorded vote)

Approved by First Committee (A/45/779) by recorded vote (107-14-12), 12 November (meeting 34); 7-nation draft (A/C.1/45/L.33); agenda item 57 (c).

Sponsors: Bolivia, India, Indonesia, Mexico, Myanmar, Peru, Sudan.
Meeting numbers. GA 45th session: 1st Committee 3-23, 25, 34; plenary 54.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Central African Republic, Chad, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Ireland, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Belgium, Canada, France, Germany, Israel, Italy, Japan, Luxembourg, Netherlands, Portugal, Spain, Turkey, United Kingdom, United States.

Abstaining: Bulgaria, China, Czechoslovakia, Denmark, Finland, Greece, Hungary, Iceland, Liechtenstein, Norway, Poland, Romania.

Prohibition of fissionable materials

GENERAL ASSEMBLY ACTION

On 4 December, the General Assembly adopted resolution 45/58 L.

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, 39/151 H of 17 December 1984, 40/94 G of 12 December 1985, 41/59 L of 3 December 1986, 42/38 L of 30 November 1987, 43/75 K of 7 December 1988 and 44/116 H of 15 December 1989, in which it requested

the Conference on Disarmament, at an appropriate stage of the implementation of the Programme of Action set forth in section III of the Final Document of the Tenth Special Session of the General Assembly 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 1990 included the item entitled "Nuclear weapons in all aspects" and that the programme of work of the Conference for both parts of its 1990 session contained the item entitled "Cessation of the nuclear-arms race and nuclear disarmament",

Recalling the proposals and statements made in the Conference on Disarmament on those items,

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 also that the prohibition of the production of fissionable material for nuclear weapons and other explosive devices 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.

General Assembly resolution 45/58 L

4 December 1990 Meeting 54 146-1-6 (recorded vote)

Approved by First Committee (A/45/778 & Corr.1) by recorded vote (125-1-5), 14 November (meeting 36); 25-nation draft (A/C.1/45/L.43); agenda item 56 (g).

Meeting numbers. GA 45th session: 1st Committee 3-23.36; plenary 54.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Canada, Cape Verde, Central African Republic, Chad, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gabon, Gambia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: France.

Abstaining: Argentina, Cameroon, China, India, United Kingdom, United States.

Nuclear-weapon-free zones
and zones of peace

In 1990, the international community continued to discuss the establishment of nuclear-weapon-free zones and zones of peace in various regions of the world. The General Assembly considered the implementation of the Declaration on the Denuclearization of Africa, in particular a study on the nuclear capability of South Africa; the existing nuclear-weapon-free zone in Latin America; and the desirability of establishing nuclear-weapon-free zones in the Middle East and South Asia. Preparations continued for the convening of the United Nations Conference on the Indian Ocean.

Africa

Since 1964, when the Declaration on the Denuclearization of Africa was adopted by the Organization of African Unity (OAU) [YUN 1964, p. 69], the General Assembly had annually called for its implementation. In 1990, as in previous years, the Assembly adopted two resolutions—one on the implementation of the Declaration and the other on the nuclear capability of South Africa.

The Disarmament Commission [A/45/42] continued consideration in 1990 of South Africa's nuclear capability, as requested by the General Assembly in resolution 42/34 B [YUN 1987, p. 61]. The Commission established Working Group I, which had before it, among other documents, a preliminary May report of the Secretary-General [A/CN.10/138] in response to a 1989 Assembly request [YUN 1989, p. 58] that he investigate reports that collaboration between Israel and South Africa had resulted in the development by South Africa of a nuclear-tipped ballistic missile. He reported that he had appointed three experts to assist him in carrying out the mandate.

Included in the Group's conclusions and recommendations on the nuclear capability of South Africa were: that the Commission recommend that the General Assembly bring to the Security Council's attention the grave consequences of the development of any sort of nuclear-weapons capability by South Africa and its implications for the security of African States, the proliferation of nuclear weapons, and the denuclearization of Africa; that States should cease all military and nuclear collaboration with South Africa that might contribute to the development of that country's nuclear-weapons capability, and the Assembly should urge States to observe their obligations concerning the arms embargo against South Africa; that States should consider and respect Africa as a nuclear-weapon-free zone, and the Secretary-General should assist OAU in advancing the realization of those ob-

jectives; that the Commission should call upon South Africa to place its nuclear facilities and installations under IAEA safeguards and allow for full assessment of its activities in the military and nuclear fields by the international community and in particular by its neighbouring States; and that the Secretary-General should follow closely South Africa's evolution in the nuclear field and report to the General Assembly. The Commission adopted the report of the Group for submission to the General Assembly.

Reports of Secretary-General. In an 18 October report [A/45/569] on the nuclear capability of South Africa, the Secretary-General informed the Assembly that he had continued to follow nuclear developments in South Africa and had obtained information for his report from IAEA and OAU. The Director General of IAEA had informed him that the General Conference of the Agency, in September, had adopted a resolution concerning South Africa's nuclear capability, which was annexed to the Secretary-General's report.

In response to General Assembly resolution 44/113 B [YUN 1989, p. 58], the Secretary-General transmitted to the Assembly on 29 October the report of the group of qualified experts [A/45/57] & corr.1] on South Africa's nuclear-tipped ballistic missile capability.

In his introduction to the report, the Secretary-General stated that in the light of developments in South Africa (see PART TWO, Chapter I), the country might no longer wish to pursue vigorously its programme of nuclear-weapon capability or ballistic missiles but to gear its efforts towards the peaceful application of nuclear energy. In that context, its long-standing co-operation with Israel, particularly in the military field, might no longer have the same significance as it had in the past. A tangible proof of South Africa's determination to abandon the policy of military intimidation would be its expeditious accession to NPT and the opening of all nuclear facilities to international inspection.

The report reviewed South Africa's nuclear capability, its long-range missile programme, and the possible prospects of South Africa's current and future policies and their implications for peace in the region. It concluded that South Africa had a long-range rocket programme, and its missile programme relied on foreign technology from various sources, much of which was acquired clandestinely and illegally. Although the number of long-range rockets and the amount of relevant technology it possessed were not known, South Africa could possibly build a ballistic missile within 10 to 15 years, or sooner with foreign assistance. The country could encounter a long

and difficult development effort in adapting nuclear weapons for long-range missile delivery. However, the country would rely on manned aircraft for long-range attack, including possible delivery of weapons of mass destruction. Current negotiations regarding majority rule in South Africa might change many dimensions of the definition of security in South Africa (see PART TWO, Chapter I). Those changes provided an opportunity for a foreign policy that complemented domestic changes and could greatly inhibit the possible acquisition of nuclear warheads for missile delivery. At the same time, it would provide reassurance about the management, techniques and safety of the civil programme as well as serve as an earnest of peaceful intentions. South Africa in time could become the regional centre for technology and research and benefit from its infrastructure and expertise in nuclear energy as well as in propulsion and missile technology.

Communications. In a 30 October letter [A/C.1/45/9] to the Secretary-General, South Africa, referring to the Secretary-General's 18 October report, stated that the report contained no reference to any formal statement made by the South African authorities nor any indication that they might have been approached. In addition, it was not clear how information provided by OAU on the subject could be considered authoritative. As to the Secretary-General's report of 29 October, South Africa stated that the report did not quote remarks made by the authorities in respect of the country's intended accession to NPT. South Africa added that its efforts in the nuclear field had always been aimed at the peaceful application of nuclear energy. Annexed to the letter was a statement of 18 September 1990 from the South African Minister for Foreign Affairs indicating South Africa's willingness to accede to NPT.

On 19 November [A/C.1/45/11], Argentina, referring to the mention in the Secretary-General's 29 October report on South Africa's nuclear-tipped ballistic missile capability of the possible acquisition of Exocet missiles by South Africa from Argentina, stated that it had implemented and continued to implement scrupulously Security Council resolutions 418(1977) [YUN 1977, p. 161] and 558(1984) [YUN 1984, p. 143] imposing embargoes on South Africa.

GENERAL ASSEMBLY ACTION

On 4 December, the General Assembly adopted resolution 45/56 A.

Implementation of the Declaration

The General Assembly,

Bearing in mind the Declaration on the Denuclearization of Africa 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, in which they solemnly declare their readiness to undertake, through an international agreement to be concluded under United Nations auspices, not to manufacture or acquire control of atomic weapons.

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, 39/61 A of 12 December 1984, 40/89 A of 12 December 1985, 41/55 A of 3 December 1986, 42/34 A of 30 November 1987, 43/71 A of 7 December 1988 and 44/113 A of 15 December 1989, 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 also 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,

Bearing in mind also the provisions of resolution CM/Res.1101(XLVI)/Rev.1 on the denuclearization of Africa adopted by the Council of Ministers of the Organization of African Unity at its forty-sixth ordinary session, held at Addis Ababa from 20 to 25 July 1987,

Having taken note of the report of the United Nations Institute for Disarmament Research entitled "South Africa's nuclear capability", 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 of the report of the Disarmament Commission,

Noting the actions taken by those Governments which have taken measures to restrict co-operation with South Africa in nuclear and other fields,

Noting with satisfaction that the Disarmament Commission at its 1990 substantive session concluded its deliberations and adopted by consensus the recommendations on the question of South Africa's nuclear capability,

Recognizing the threat that 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,

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 regime that enable it to frustrate the ob-

jective 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 regime that may enable it to frustrate the objective of the Declaration on the Denuclearization of Africa;

6. Demands once again that the racist regime of South Africa refrain from manufacturing, testing, deploying, transporting, storing, using or threatening to use nuclear weapons;

7. Appeals to all States and organizations 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 provide all necessary assistance that the Organization of African Unity may seek regarding the convening, at Addis Ababa during 1991, of a meeting of experts to examine the modalities and elements for the preparation and implementation of a convention or treaty on the denuclearization of Africa;

10. Decides to include in the provisional agenda of its forty-sixth session the item entitled "Implementation of the Declaration on the Denuclearization of Africa".

General Assembly resolution 45/56 A

4 December 1990 Meeting 54 145-0-4 (recorded vote)

Approved by First Committee (A/45/776) by recorded vote (124-0-5), 16 November (meeting 38); draft by Sierra Leone for African Group (A/C.1/45/L.39); agenda item 54.

Financial implications: 5th Committee, A/45/812; S-G, A/C.1/45/L.58, A/C.5/45/49.

Meeting numbers. GA 45th session: 1st Committee 3-23, 27, 38; Fifth Committee 39; plenary 54.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gabon, Gambia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: None.

Abstaining: France, Israel, United Kingdom, United States.

In the First Committee, preambular paragraph eight was approved by a recorded vote of 109 to 3, with 17 abstentions. A separate vote was also requested in the Assembly, which adopted

the paragraph by a recorded vote of 128 to 3, with 17 abstentions.

On the same date, the Assembly adopted resolution 45/56 B.

Nuclear capability of South Africa

The General Assembly,

Having considered the report of the Secretary-General on South Africa's nuclear capability,

Having also considered the Secretary-General's report on South Africa's nuclear-tipped ballistic missile capability,

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, 39/61 B of 12 December 1984, 40/89 B of 12 December 1985, 41/55 B of 3 December 1986, 42/34 B of 30 November 1987, 43/71 B of 7 December 1988 and 44/113 B of 15 December 1989,

Bearing in mind the Declaration on the Denuclearization of Africa 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, it noted that the massive accumulation of armaments and the acquisition of armaments technology by racist regimes, as well as their possible acquisition of nuclear weapons, presented a challenging and increasingly dangerous obstacle to a world community faced with the urgent need to disarm,

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,

Bearing in mind also the provisions of resolution CM/Res.1101(XLVI)/Rev.I on the denuclearization of Africa adopted by the Council of Ministers of the Organization of African Unity at its forty-sixth ordinary session, held at Addis Ababa from 20 to 25 July 1987,

Noting with regret once again the non-implementation by apartheid South Africa of resolution GC(XXX)/RES/468 adopted on 3 October 1986 by the General Conference of the International Atomic Energy Agency during its thirtieth regular session,

Having taken note of the report of the United Nations Institute for Disarmament Research entitled "South Africa's nuclear capability", undertaken in co-operation with the Department for Disarmament Affairs of the Secretariat and in consultation with the Organization of African Unity,

Bearing in mind further the threat that 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,

Noting with satisfaction that the Disarmament Commission at its 1990 substantive session concluded its deliberations and adopted by consensus the recommendations on the question of South Africa's nuclear capability,

Alarmed that South Africa's nuclear facilities, particularly those which remain unsafeguarded, enable it

to develop and acquire the capability of producing fissionable material for nuclear weapons,

Also alarmed that, by its own public admission at Vienna on 13 August 1988, the apartheid South African regime has acquired nuclear-weapon capability,

Deeply concerned about reports of apartheid South Africa's active military collaboration with Israel in the production of nuclear-tipped medium-range missiles with completed testing facilities and the consequences for the peace and security of African States,

Gravely concerned that the South African racist régime has not renounced its policy of aggression and subversion against the sovereignty and territorial integrity of neighbouring countries,

Expressing its grave disappointment that, despite appeals by the international community, certain Western States and Israel have continued to collaborate with the racist regime of South Africa in the military and nuclear fields and that some of these States have, by a ready recourse to the use of 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,

Stressing the need to preserve peace and security in Africa by ensuring that the continent is a nuclear-weapon-free zone,

1. Takes note of the report of the Secretary-General on South Africa's nuclear capability;

2. Condemns the massive buildup 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;

3. Also condemns all forms of nuclear collaboration by any State, corporation, institution or individual with the racist regime 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;

4. Takes note with great concern of recent reports that collaboration between Israel and South Africa has resulted in the development by South Africa of a nuclear-tipped missile;

5. Welcomes the report of the Secretary-General on South Africa's nuclear-tipped ballistic missile capability, submitted in accordance with paragraph 6 of its resolution 44/113 B;

6. Requests all Member States to submit to the Secretary-General their views and suggestions with respect to the above-mentioned report, and further requests the Secretary-General to submit a report thereon to the General Assembly at its forty-sixth session;

7. 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;

8. Expresses its full support for the African States faced with the danger of South Africa's nuclear capability;

9. Commends the actions taken by those Governments which have taken measures to restrict co-operation with South Africa in nuclear and other fields;

10. Calls upon all States, corporations, institutions and individuals to terminate forthwith all forms of military and nuclear collaboration with the racist régime;

11. Requests the Secretary-General to provide all necessary assistance that the Organization of African Unity may seek regarding the modalities and elements for the preparation and implementation of the relevant convention or treaty on the denuclearization of Africa;

12. Commends the adoption by the Security Council of resolutions 558(1984) of 13 December 1984 and 591(1986) of 28 November 1986 on the question of South Africa, with a view to blocking the existing loopholes in the arms embargo so as to render it more effective and to prohibiting, in particular, all forms of co-operation and collaboration with the racist regime of South Africa in the nuclear field;

13. Demands once again that South Africa submit forthwith all its nuclear installations and facilities to inspection by the International Atomic Energy Agency;

14. Also 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-sixth session;

15. Further requests the Secretary-General to report to the General Assembly at its forty-sixth session on the military assistance that apartheid South Africa is receiving from Israel and any other sources in advanced missile technology as well as the supporting technical facilities.

General Assembly resolution 45/56 B

4 December 1990 Meeting 54 118-4-27 (recorded vote)

Approved by First Committee (A/45/776) by recorded vote (98-4-27), 16 November (meeting 38); draft by Sierra Leone for African Group (A/C.1/45/L.39); agenda item 54.

Meeting numbers. GA 45th session: 1st Committee 3-23, 27, 38; plenary 54.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against France, Israel, United Kingdom, United States,

Abstaining: Australia, Austria, Belgium, Bulgaria, Canada, Czechoslovakia, Denmark, Finland, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Liechtenstein, Luxembourg, Malta, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Spain, Sweden, Turkey.

Latin America

The General Assembly considered the item on the signature and ratification of Additional Protocol I of the 1967 Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco), which concerned the application of the Treaty to territories in the region of which outside States had de jure or de facto responsibility. Three of the four States (Netherlands, United Kingdom, United States) to which the Protocol was open were already parties to it. France, the fourth State, had signed Additional Protocol I but had not yet ratified it.

On 28 November, President Carlos Saúl Menem of Argentina and President Fernando Collor of Brazil signed at Foz do Iguaçu, Brazil, the Argentina-Brazil Joint Declaration on Nuclear Policy [A/45/809], by which they decided, among other things, to take action to permit the full entry into force for the two countries of the Treaty of Tlatelolco, including action to update and improve its wording.

GENERAL ASSEMBLY ACTION

On 4 December, the General Assembly adopted resolution 45/48.

Implementation of General Assembly resolution 44/104 concerning the signature and ratification of Additional Protocol I of the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)

The General Assembly,

Recalling that in its resolution 2286(XXII) of 5 December 1967 it welcomed with special satisfaction the Treaty for the Prohibition of Nuclear Weapons in Latin America as an event of historic significance in the efforts to prevent the proliferation of nuclear weapons and to promote international peace and security,

Recalling also its various resolutions concerning the signature and ratification of Additional Protocol I of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco),

Taking into account that within the zone of application of the Treaty, to which twenty-three sovereign States are already parties, there are some territories that, 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 is not fair that the peoples of some of those territories are deprived of such benefits without being given the opportunity to express their opinion in this connection,

Recalling further that three of the States to which Additional Protocol I is open—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 once again 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 elapsed and the pressing invitations that 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 France 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-sixth session an item entitled "Implementation of General Assembly resolution 45/48 concerning the signature and ratification of Additional Protocol I of the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)".

General Assembly resolution 45/48

4 December 1990 Meeting 54 141-0-3 (recorded vote)

Approved by First Committee (A/45/767) by recorded vote (126-0-4), 13 November (meeting 35); 19-nation draft (A/C.1/45/L.28); agenda item 45.

Meeting numbers. GA 45th session: 1st Committee 3-23, 27, 35; plenary 54.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cyprus, Czechoslovakia, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gabon, Gambia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zimbabwe.

Against: None.

Abstaining: Argentina, Cuba, France.

Middle East

Reports of Secretary-General. In August, in response to General Assembly resolution 44/108 [YUN 1989, p. 60], the Secretary-General submitted a report [A/45/388] containing the views of Member States on the establishment of a nuclear-weapon-free zone in the Middle East.

In response to General Assembly resolution 43/65 [YUN 1988, p. 70], the Secretary-General transmitted in October the study [A/45/435] on effective and verifiable measures that would facilitate the establishment of a nuclear-weapon-free zone in the Middle East. The report examined the concept of nuclear-weapon-free zones, a nuclear-weapon-free zone in the Middle East and measures facilitating the establishment of such a zone. The study proposed measures to build mutual confidence and prepare the way for the es-

tablishment of a nuclear-weapon-free zone. It suggested that to get the process moving forward, Governments could unilaterally or jointly initiate action on those measures they considered most useful and establish a regional understanding that there would be no test explosion of a nuclear device, nor any moves towards such a test. Annexed to the report were the elements of a possible agreement on a nuclear-weapon-free zone in the Middle East.

Communication. In April [A/45/219-S/21252], Egypt had submitted its views to the Secretary-General on the subject, stating that it would continue to work with States in the region, and beyond, towards declaring the Middle East a zone free from all weapons of mass destruction, and towards the establishment of requisite international verification measures.

GENERAL ASSEMBLY ACTION

On 4 December, the General Assembly adopted resolution 45/52.

Establishment of a nuclear-weapon-free zone in the region of the Middle East

The General Assembly,

Recalling its resolutions 3263(XXIX) of 9 December 1974, 3474 XXX of 11 December 1975, 31/71 of 10 December 1976, 32/82 of 12 December 1977, 33/64 of 14 December 1978, 34/77 of 11 December 1979, 35/147 of 12 December 1980, 36/87 of 9 December 1981, 37/75 of 9 December 1982, 38/64 of 15 December 1983, 39/54 of 12 December 1984, 40/82 of 12 December 1985, 41/48 of 3 December 1986, 42/28 of 30 November 1987, 43/65 of 7 December 1988 and 44/108 of 15 December 1989 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,

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 to 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 also 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 of building 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 further 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 which contains the study on effective and verifiable measures which would facilitate the establishment of a nuclear-weapon-free zone in the Middle East,

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;

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. Takes note of the report of the Director General of the International Atomic Energy Agency on the implementation of paragraph 2 of resolution GC(XXXIII)/RES/506, which is contained in document GC(XXXIV)/926;

4. Also takes note of the request made by the General Conference of the International Atomic Energy Agency to the Director General in paragraph 2 of resolution GC(XXXIV)/RES/526 "to deploy further efforts in continuing the consultation with the States concerned in the Middle East area with a view to applying Agency safeguards to all nuclear installations in the area, keeping in mind the relevant recommendations contained in paragraph 75 of the report attached to document GC(XXXIII)/887, as well as various proposals and opinions referred to in the Governments' replies contained in document GC(XXXIV)/926 and the situation in the area of the Middle East";

5. Invites all countries of the region, 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 paragraph 63 (d) of the Final Document of the Tenth Special Session of the General Assembly, and to deposit those declarations with the Security Council;

6. Also 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;

7. Invites the nuclear-weapon States and all other States to render their assistance in the establishment of the zone and at the same time to refrain from any action

that runs counter to both the letter and the spirit of the present resolution;

8. Welcomes the completion of the study undertaken by the Secretary-General, in accordance with paragraph 8 of resolution 43/65 and contained in his report, on effective and verifiable measures which would facilitate the establishment of a nuclear-weapon-free zone in the Middle East;

9. Requests all parties of the region and other parties concerned, in particular the nuclear-weapon States, to submit to the Secretary-General their views and suggestions with respect to the above-mentioned study, as well as on follow-up measures which would facilitate the establishment of a nuclear-weapon-free zone in the Middle East;

10. Requests the Secretary-General to submit to the General Assembly at its forty-sixth session a report on the implementation of the present resolution;

11. Decides to include in the provisional agenda of its forty-sixth session the item entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East".

General Assembly resolution 45/52

4 December 1990 Meeting 54 Adopted without vote
Approved by First Committee (A/45/771) without vote, 13 November (meeting 35); draft by Egypt (A/C.1/45/L.1); agenda item 49.
Meeting numbers. GA 45th session: 1st Committee 3-23, 33, 35; plenary 54.

Israeli nuclear armament

In accordance with General Assembly resolution 44/121 [YUN 1989, p. 61], the Secretary-General reported in October 1990 [A/45/574] that he had followed closely Israeli nuclear activities. Other than the text of a resolution of 21 September 1990 adopted by the IAEA General Conference on Israel's nuclear capabilities and nuclear threat, which was annexed to his report, no information had been transmitted to him.

GENERAL ASSEMBLY ACTION

On 4 December, the General Assembly adopted resolution 45/63.

Israeli nuclear armament

The General Assembly,

Bearing in mind its previous resolutions on Israeli nuclear armament, the latest of which is resolution 44/121 of 15 December 1989,

Recalling its resolution 44/108 of 15 December 1989, in which, inter alia, it called for placing all nuclear facilities in the region under International Atomic Energy Agency safeguards, pending the establishment of a nuclear-weapon-free zone in the Middle East,

Recalling also Security Council resolution 487(1981) of 19 June 1981, in which, inter alia, the Council called upon Israel urgently to place all its nuclear facilities under Agency safeguards,

Noting that only Israel has been specifically called upon by the Security Council to place its nuclear facilities under 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 Assem-

bly, the Security Council and the International Atomic Energy Agency.

Taking note of resolution GC(XXXIV)/RES/526, adopted on 21 September 1990 by the General Conference of the International Atomic Energy Agency,

Taking into consideration the final document on international security and disarmament adopted by the Ninth Conference of Heads of State or Government of Non-Aligned Countries, held at Belgrade from 4 to 7 September 1989, in paragraph 12 of which Israel was condemned for continuing to develop its nuclear military programmes and weapons of mass destruction and for its refusal to implement the resolutions of the United Nations and the International Atomic Energy Agency in this regard,

Deeply alarmed by the information with regard to the continuing production, development and acquisition of nuclear weapons by Israel and its testing of their delivery systems in the Mediterranean, thus threatening the peace and security of the region,

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,

Deeply concerned that Israel has not committed itself to refrain from attacking or threatening to attack safeguarded nuclear facilities,

1. Reiterates its condemnation of Israel's refusal to renounce any possession of nuclear weapons;
2. Reiterates also its condemnation of the co-operation between Israel and South Africa in the military field;
3. Expresses its deep concern regarding the information on Israel's continuing production, development and acquisition of nuclear weapons and testing of their delivery systems;
4. Reaffirms that Israel should promptly apply Security Council resolution 487(1981), in which the Council, inter alia, requested it to place all nuclear facilities under International Atomic Energy Agency safeguards and to refrain from attacking or threatening to attack nuclear facilities;
5. Calls upon all States and organizations that have not yet done so not to co-operate with or give assistance to Israel that could enhance its nuclear-weapons capability;
6. Requests the International Atomic Energy Agency to inform the Secretary-General of any steps Israel may take to place its nuclear facilities under Agency safeguards;
7. Requests the Secretary-General to follow closely Israeli nuclear activities and to report thereon to the General Assembly at its forty-sixth session;
8. Decides to include in the provisional agenda of its forty-sixth session the item entitled "Israeli nuclear armament".

General Assembly resolution 45/63

4 December 1990 Meeting 54 98-2-50 (recorded vote)

Approved by First Committee (A/45/784) by recorded vote (84-2-38), 16 November (meeting 38); 19-nation draft (A/C.1/45/L.45/Rev.1); agenda item 62.

Meeting numbers. GA 45th session: 1st Committee 3-23,38; plenary 54.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil,

Brunei Darussalam, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Chad, China, Colombia, Comoros, Congo, Cuba, Cyprus, Djibouti, Ecuador, Egypt, Ethiopia, Gabon, Gambia, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran, Iraq, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Namibia, Nicaragua, Niger, Nigeria, Oman, Pakistan, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Lucia, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Israel, United States.

Abstaining: Antigua and Barbuda, Australia, Austria, Bahamas, Belgium, Bulgaria, Canada, Central African Republic, Chile, Costa Rica, Czechoslovakia, Denmark, Dominica, Dominican Republic, El Salvador, Fiji, Finland, France, Germany, Grenada, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Kenya, Liechtenstein, Luxembourg, Malawi, Malta, Netherlands, New Zealand, Norway, Papua New Guinea, Poland, Portugal, Romania; Saint Kitts and Nevis, Saint Vincent and the Grenadines, Samoa, Singapore, Solomon Islands, Spain, Sweden, United Kingdom, Uruguay, Zaire.

South Asia

Pursuant to General Assembly resolution 44/109 [YUN 1989, p. 63], the Secretary-General submitted a September report [A/45/462] summarizing the views of Governments on the establishment of a nuclear-weapon-free zone in South Asia.

GENERAL ASSEMBLY ACTION

On 4 December, the General Assembly adopted resolution 45/53

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, 39/55 of 12 December 1984, 40/83 of 12 December 1985, 41/49 of 3 December 1986, 42/29 of 30 November 1987, 43/66 of 7 December 1988 and 44/109 of 15 December 1989 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 that can contribute 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 assist in the strengthening of the security of the States of the region against the use or threat of use of nuclear weapons,

Taking note with appreciation of the declarations issued at the highest level by Governments of South Asian States that are developing their peaceful nuclear programmes, 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,

Welcoming the recent proposal for the conclusion of a bilateral or regional nuclear-test-ban agreement in South Asia,

Taking note of the proposal to convene, under the auspices of the United Nations, a conference on nuclear non-proliferation in South Asia as soon as possible, with the participation of the regional and other concerned States,

Bearing in mind the provisions of paragraphs 60 to 63 of the Final Document of the Tenth Special Session of the General Assembly regarding the establishment of nuclear-weapon-free zones, including in the region of South Asia,

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

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 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 that 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 communicate with the States of the region and other concerned States in order to ascertain their views on the issue and to promote consultations among them with a view to exploring the best possibilities of furthering the efforts for the establishment of a nuclear-weapon-free zone in South Asia;

5. Also requests the Secretary-General to report on the subject to the General Assembly at its forty-sixth session;

6. Decides to include in the provisional agenda of its forty-sixth session the item entitled "Establishment of a nuclear-weapon-free zone in South Asia".

General Assembly resolution 45/53

4 December 1990 Meeting 54 114-3-28 (recorded vote)

Approved by First Committee (A/45/772) by recorded vote (98-3-26), 13 November (meeting 35); 2-nation draft (A/C.1/45/L.18); agenda item 50.

Sponsors: Bangladesh, Pakistan.

Meeting numbers. GA 45th session: 1st Committee 3-23, 30, 35; plenary 54.

Recorded vote in Assembly as follows:

In favour: Albania, Antigua and Barbuda, Australia, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Bolivia, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Czechoslovakia, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Fiji, Finland, Gabon, Gambia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Iran, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Libyan Arab Jamahiriya, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States, Uruguay, Vanuatu, Venezuela, Zaire, Zimbabwe.

Against: Bhutan, India, Mauritius.

Abstaining: Afghanistan, Algeria, Angola, Argentina, Austria, Brazil, Bulgaria, Byelorussian SSR, Cuba, Cyprus, Denmark, Ethiopia, France, Iceland, Indonesia, Lao People's Democratic Republic, Liechtenstein, Madagascar, Mongolia, Myanmar, Norway, Seychelles, Sweden, Ukrainian SSR, USSR, Viet Nam, Yemen, Yugoslavia.

Declaration of the Indian Ocean as a Zone of Peace

The Ad Hoc Committee on the Indian Ocean held two sessions in 1990 (New York, 16-21 April and 2-13 July) [A/45/29] as it continued consideration of practical measures for achieving the implementation of the 1971 Declaration of the Indian Ocean as a Zone of Peace [YUN 1971, p. 34, GA res. 2832(XXVI)].

During its 1990 sessions, the Ad Hoc Committee, acting as the preparatory body for the United Nations Conference on the Indian Ocean, considered the programme of work of the Conference and decided, on 20 April, that members of the Committee should submit to the Chairman their views on the holding of the Conference. Pursuant to that decision, replies were received from India, Maldives, Pakistan, Panama and the USSR [A/AC.159/L.103]. The Ad Hoc Committee also considered draft provisional rules of procedure and adopted a provisional agenda for the Conference. It considered a draft resolution for adoption by the General Assembly, which was submitted by Sri Lanka on behalf of the States members of the Committee that were members of the Movement of Non-Aligned Countries, and decided to annex the draft resolution to its report for further consideration.

In April, France [A/45/213], the United Kingdom [A/45/215] and the United States [A/45/214] informed the Secretary-General of their withdrawal from the Ad Hoc Committee. Sri Lanka, on behalf of the States members of the Committee that were members of the Non-Aligned Movement, issued a statement regretting that action [A/AC.159/L.102].

GENERAL ASSEMBLY ACTION

On 12 December, the General Assembly adopted resolution 45/77.

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, 39/149 of 17 December 1984, 40/153 of 16 December 1985, 41/87 of 4 December 1986, 42/43 of 30 November 1987, 43/79 of 7 December 1988, 44/120 of 15 December 1989 and other relevant resolutions,

Reaffirming that the establishment of zones of peace in various regions of the world under appropri-

ate conditions, to be clearly defined and determined freely by the States concerned in the zone, taking into account the characteristics of the zone and the principles of the Charter of the United Nations and in conformity with international law, can contribute to strengthening the security of States within such zones and to international peace and security as a whole,

Recalling also the report of the Meeting of the Littoral and Hinterland States of the Indian Ocean,

Noting that the Ad Hoc Committee on the Indian Ocean, during its preparatory session in July 1989, commemorated the tenth anniversary of the Meeting of the Littoral and Hinterland States of the Indian Ocean, which took place on 13 July 1979,

Recalling further paragraph 22 of the final document on international security and disarmament adopted by the Ninth Conference of Heads of State or Government of Non-Aligned Countries, held at Belgrade from 4 to 7 September 1989,

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, as well as to the independence, sovereignty, territorial integrity and peaceful development of the States of the region,

Convinced that agreement on such action should be facilitated by encouraging developments in international relations that could have beneficial effects on the region,

Also 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,

Considering that the creation of the 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,

Noting with appreciation the offer made by the Government of Sri Lanka to host the Conference on the Indian Ocean at Colombo, in 1192,

Regretting the decision of some members to withdraw from the Ad Hoc Committee, and expressing the hope that they would reconsider their position,

1. Takes note of the report of the Ad Hoc Committee on the Indian Ocean;

2. Reaffirms full support for the achievement of the objectives of the Declaration of the Indian Ocean as a Zone of Peace;

3. Reiterates and 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;

4. 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;

5. Notes with satisfaction that, in the implementation of the mandate of the Ad Hoc Committee, including the preparatory work for the convening of the Conference, as called for in the relevant resolutions recommended by the Committee and adopted by the General Assembly by consensus, significant progress has been made in

the preparatory work, in particular in the preparation of the draft agenda and the draft rules of procedure of the Conference;

6. Also notes with satisfaction that the Working Group of the Ad Hoc Committee has made considerable progress in identifying substantive elements at the 1989 session of the Committee, and urges the Ad Hoc Committee to intensify its discussions on substantive issues and principles, with the aim of elaborating elements that might be taken into consideration during the subsequent preparation of a draft final document of the Conference;

7. Requests the Ad Hoc Committee to hold two preparatory sessions during 1991, the first with a duration of one week and the second with a duration of two weeks, for completion of the remaining preparatory work relating to the Conference on the Indian Ocean to enable the convening of the Conference at Colombo in 1992 in consultation with the host country;

8. 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;

9. Requests the Ad Hoc Committee to submit to the General Assembly at its forty-sixth session a full report on the implementation of the present resolution;

10. 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 functions.

General Assembly resolution 45/77

12 December 1990 Meeting 66 128-4-17 (recorded vote)

Approved by First Committee (A/45/783) by recorded vote (107-4-17), 16 November (meeting 39); draft by Yugoslavia for non-aligned movement (A/C.1/45/L.10); agenda item 61.

Financial implications: 5th Committee, A/45/820; S-G, A/C.1/45/L.55, A/C.5/45/48.

Meeting numbers. GA 45th session: 1st Committee 3-23.26.39; 5th Committee 39; plenary 66.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Ireland, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: France, Japan, United Kingdom, United States.

Abstaining: Belgium, Canada, Czechoslovakia, Denmark, Germany, Greece, Iceland, Israel, Italy, Luxembourg, Netherlands, Norway, Poland, Portugal, Romania, Spain, Turkey.

Other issues

Prohibition of attacks on nuclear facilities

On 4 December, the General Assembly adopted resolution 45/58 J.

Prohibition of attacks on nuclear facilities

The General Assembly,

Considering that attacks or threats of attack on nuclear facilities devoted to peaceful purposes could jeopardize the development of nuclear energy,

Recalling resolution GC(XXIX)/RES/444 adopted by the General Conference of the International Atomic Energy Agency on 27 September 1985,

Recalling also resolution GC(XXXI)/RES/475 of 25 September 1987, in which the General Conference states, *inter alia*, that it is:

“Aware of the fact that an armed attack on a nuclear installation could result in radioactive releases with grave consequences within and beyond the boundaries of the State which has been attacked, and

“Convinced of the need to prohibit armed attacks on nuclear installations from which such releases could occur and of the urgency of concluding an international agreement in this regard”,

1. Recognizes that an armed attack or a threat of armed attack on a safeguarded nuclear facility, operational or under construction, would create a situation in which the Security Council would have to act immediately in accordance with the provisions of the Charter of the United Nations, including measures under Chapter VII;

2. Encourages all States to be ready to provide immediate peaceful assistance in accordance with international law to any State, if it so requests, whose safeguarded nuclear facilities have been subjected to an armed attack, and calls upon all States to abide by any decisions taken by the Security Council in accordance with the Charter in relation to the attacking State;

3. Appeals to States that participate in the Conference on Disarmament to overcome their differences, and urges the co-operation of all States for the successful resolution of this issue in the near future;

4. Calls upon all States that have not done so to become parties to Additional Protocol I of 1977 to the Geneva Conventions of 12 August 1949 and upon all States parties to that Protocol to consider, in the context of a possible diplomatic conference, how to improve the present regime with regard to the protection of nuclear facilities;

5. Notes that States, in their mutual interest, have adopted confidence-building measures, in a bilateral or regional framework, designed to promote the aim of protecting nuclear facilities, taking into account the specific characteristics of each region, and recognizes that other States may adopt similar measures, where appropriate;

6. Appeals to all States to take into account, when reviewing their military policies, the danger of radioactive releases potentially resulting from an attack on a nuclear facility;

7. Requests the Secretary-General to report on the subject to the General Assembly at its forty-sixth session.

General Assembly resolution 45/58 J

4 December 1990 Meeting 54 141-1-11 (recorded vote)

Approved by First Committee (A/45/778 & Corr.1) by recorded vote (121-1-10), 15 November (meeting 37); 11-nation draft (A/C.1/45/L.38); agenda item 56.

Meeting numbers. GA 45th session: 1st Committee 3-23, 31, 37; plenary 54.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Algeria, Algeria, Angola, Antigua and Barbuda, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cyprus, Czechoslovakia, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gabon, Gambia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire.

Against: United States.

Abstaining: Argentina, Brazil, Cuba, France, India, Namibia, Pakistan, Uganda, United Kingdom, Zambia, Zimbabwe.

In the Committee, paragraph 1 was adopted by a recorded vote of 115 to 6, with 9 abstentions; paragraph 2 by a recorded vote of 115 to 4, with 12 abstentions; and paragraph 4 by a recorded vote of 126 to 3, with 1 abstention. A separate vote was requested in the Assembly; paragraphs 1, 2 and 4 were adopted by recorded votes of 134 to 6, with 9 abstentions; 135 votes to 4, with 12 abstentions; and 144 votes to 3, with 1 abstention, respectively.

Comprehensive study on nuclear weapons

In response to General Assembly resolution 43/75 N [YUN 1988, p. 97], the Secretary-General transmitted to the Assembly an updated version [A/45/373] of the 1980 Comprehensive Study on Nuclear Weapons [Sales No. E.81.I.11]. The study, conducted by a group of 12 experts, reviewed technical data and statistics on existing nuclear weapons and examined: trends in the technological development of nuclear-weapon systems, doctrines and strategies, development, the production and testing of nuclear weapons, the effects of their use and consequences of nuclear war, nuclear weapons and international security and nuclear-arms limitation and disarmament.

In its conclusions, the group stated that the qualitative improvements of nuclear weapons had continued. Nuclear tests were still being carried out, though at a reduced rate, and the production of fissionable material for weapons purposes had been reduced. Most countries considered that an early end to nuclear testing by

all States would be a step towards preventing qualitative improvements and the development of new nuclear weapons and would contribute to the goal of non-proliferation. However, most nuclear-weapon States did not agree that a comprehensive test ban was an urgent necessity. To strengthen the international non-proliferation regime and achieve wider participation in it, further efforts were necessary to prevent the acquisition or manufacture of nuclear weapons by additional States. The regime would also be strengthened if parties to the 1968 Treaty on the Non-Proliferation of Nuclear Weapons that had not already done so concluded the requisite safeguard agreements with the International Atomic Energy Agency (IAEA). The right of States to develop nuclear technology for economic benefit had to be reconciled with the need to ensure against the further spread of nuclear weapons. To achieve the objectives of non-proliferation, global and regional efforts were needed, including further strengthening the non-proliferation regime in all its aspects.

GENERAL ASSEMBLY ACTION

On 4 December, the General Assembly adopted resolution 45/58 E.

Comprehensive United Nations study on nuclear weapons

The General Assembly,

Recalling its resolution 43/75 N of 7 December 1988, by which it requested the Secretary-General to carry out, with the assistance of qualified governmental experts, a comprehensive update of the Comprehensive Study on Nuclear Weapons,

Having examined the report of the Secretary-General containing the update of the Study,

1. Takes note of the comprehensive study on nuclear weapons contained in the report of the Secretary-General;
2. Expresses its appreciation to the Secretary-General and to the group of experts who assisted him in the preparation of the study;
3. Commends the study and its conclusions to the attention of all Member States;
4. Requests the Secretary-General to arrange for the reproduction of the study as a United Nations publication and to give it the widest possible distribution;
5. Encourages interested Governments to distribute and publish the report in their respective languages.

General Assembly resolution 45/58 E

4 December 1990 Meeting 54 Adopted without vote

Approved by First Committee (A/45/778 & Corr.1) without vote, 12 November (meeting 34); draft by Sweden (A/C.1/45/L.14); agenda item 56 (b).

Meeting numbers. GA 45th session: 1st Committee 3-23, 24, 34; plenary 54.

Other aspects of disarmament

Chemical and bacteriological (biological) weapons

Chemical weapons ban

In 1990, the Conference on Disarmament [A/45/27] continued negotiations on a convention banning chemical weapons. The Ad Hoc Committee on Chemical Weapons, re-established by the Conference on 15 February, held 15 meetings between 21 February and 10 August as well as informal consultations.

The Committee was mandated to continue the process of negotiations on a multilateral convention on the complete and effective prohibition of the development, production and stockpiling of chemical weapons and on their destruction and to ensure the preparation of the convention. It set up three working groups to deal with verification, technical, and legal and institutional issues. The Chairman of the Committee held consultations on undiminished security and universal adherence to the convention; the functions, composition and decision-making of the Executive Council; and economic and technological development. Three Friends of the Chair were appointed to deal with assistance and protection against chemical weapons; old chemical weapons; and jurisdiction and control. The Ad Hoc Committee re-established the Technical Group on Instrumentation to deal with the issue of verification by instruments and other technical means in the absence of a facility agreement, with special emphasis on detection devices, sampling equipment, types of samples, transport of samples to an off-site laboratory, on-site analyses, use of a mobile laboratory, novel agents, non-destructive measurement technology and instrumental data bases. The Committee continued the practice of convening meetings with representatives of the chemical industry on subjects related to the convention. Among the new documents presented in 1990 were a report [CD/1026] by the Federal Republic of Germany on a chemical weapons workshop (Münster, 14-15 June) and a discussion paper on the ad hoc verification arrangements by examining the issue of national registers [CD/984]. Research papers on verification methods in relation to the use of chemical weapons were submitted by Canada [CD/99], Finland [CD/100] and Norway [CD/1008 & CD/1019]. Canada submitted a document on the role and function of a national authority in the implementation of the convention [CD/994], and Austria elaborated its offer to host the future organi-

zation for the prohibition of chemical weapons [CD/972]. Peru submitted two proposals, one suggesting a new article relating to the environment [CD/1024] and another dealing with the duration of the convention [CD/1025].

The report of the Committee, with its two appendices, was adopted by the Conference on 24 August. Appendix I, the rolling text, represented the present stage of development of the provisions of the draft convention, appendix II contained papers reflecting the results of work undertaken so far on various issues; and both were included as a basis for future work. The Committee recommended that its work on the convention should continue in a session of limited duration from 8 to 18 January 1991 and that, in preparation for the resumed session, consultations should be held between 26 November and 21 December 1990. It also recommended that it be re-established at the outset of the 1991 session, at which time a decision would be made on its mandate.

In April [A/44/561/Add.3], the Secretary-General submitted the replies received from Member States in response to his request for the names of qualified experts and laboratories that might be in a position to assist him in the investigation of reports on the possible use of chemical and bacteriological (biological) weapons, as requested in General Assembly resolution 42/37 C [YUN 1987, p. 70].

USSR-United States chemical weapons agreement

On 10 February [CD/973 & 974], the USSR and the United States issued a joint statement indicating their determination to conclude a multilateral chemical weapons convention and, towards that end, they undertook to expedite negotiations in Geneva to resolve outstanding issues and to finalize the draft convention. In the meantime, they would work out a bilateral agreement to be signed at the June summit meeting between the two countries. The two sides also agreed to further reduce their chemical weapons stock when the international convention entered into force.

At their summit meeting in Washington on 1 June [CD/100], Presidents Bush of the United States and Gorbachev of the USSR signed the Agreement between the United States of America and the Union of Soviet Socialist Republics on Destruction and Non-Production of Chemical Weapons and on Measures to Facilitate the Multilateral Convention on Banning Chemical Weapons. By that Agreement, the two countries undertook to co-operate regarding technologies for the safe and efficient destruction of chemical weapons. They agreed not to produce chemical weapons,

to reduce their chemical weapons stockpiles, to co-operate in developing, testing and carrying out inspections and procedures, and to encourage all chemical weapons-capable States to become parties to the multilateral convention. In addition, the Agreement provided for the destruction of chemical weapons to begin no later than 31 December 1992, for 50 per cent of stocks to be destroyed by no later than 31 December 1999, and for reduction to the level of 5,000 agent tons by the year 2003.

In a joint statement [CD/100] issued at the Washington summit, the two countries reaffirmed their commitment to a global, verifiable ban as the best long-term solution to the threat to security posed by chemical weapons proliferation and undertook to expedite the multilateral negotiations with a view to finalizing the draft convention at the earliest date.

GENERAL ASSEMBLY ACTION

On 4 December, the General Assembly adopted resolution 45/57 A.

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, particularly in the light of the past use of and recent threats to use chemical weapons, 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,

Welcoming again in this regard the reaffirmation in the Final Declaration of the Conference of States Parties to the 1925 Geneva Protocol and Other Interested States, held in Paris from 7 to 11 January 1989, of the importance and continuing validity of the 1925 Protocol,

Reaffirming also the urgent necessity 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,

Having considered the report of the Conference on Disarmament, which incorporates, inter alia, the report of its Ad Hoc Committee on Chemical Weapons, and expressing the hope that the consultations scheduled for the inter-sessional period will move the negotiations forward,

Convinced of the necessity that every effort be exerted for the successful conclusion of negotiations on the prohibition of the development, production, stockpiling and use of all chemical weapons and on their destruction,

Emphasizing the importance of the widest possible participation of States in the negotiations on the draft convention in order to ensure universal adherence on

its conclusion, and, in this regard, commending the ever growing number of States participating in those negotiations,

Conscious of the need to share data relevant to the negotiations on a future convention banning all chemical weapons on a global basis and of the fact that the provision of such data would be an important confidence-building measure,

Noting the bilateral and other discussions, including the on going exchange of views between the Union of Soviet Socialist Republics and the United States of America in the framework of the multilateral negotiations, on issues related to the prohibition of chemical weapons.

Welcoming, in this regard, the fact that the Union of Soviet Socialist Republics and the United States of America have agreed to cease the production of chemical weapons and to begin destroying their chemical weapons stockpiles,

Welcoming also the efforts made at all levels by States to facilitate the earliest conclusion of a convention for the prohibition of the development, production, stockpiling and use of chemical weapons and on their destruction and, in particular, the concrete steps designed to promote confidence and to contribute directly to that goal,

Noting with appreciation the increasing number of States that have declared their intention to be among the original signatories to the convention,

Recognizing that the effectiveness of such a convention will benefit from the support and co-operation of the chemical industry,

1. Renews its call to all States to observe strictly 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, and to abide by the commitments undertaken in the Final Declaration of the Conference of States Parties to the 1925 Geneva Protocol and Other Interested States, held in Paris in January 1989;

2. Notes the progress made in the work of the Ad Hoc Committee on Chemical Weapons of the Conference on Disarmament during its 1990 session, and the results recorded in the Committee's report;

3. Expresses its regret and concern that a convention on the prohibition of the development, production, stockpiling and use of chemical weapons and on their destruction has not yet been concluded;

4. Strongly urges the Conference on Disarmament, as a matter of highest priority, to intensify during its 1991 session its efforts to resolve outstanding issues, and to conclude its negotiations on a convention, taking into account all existing proposals and future initiatives, and to re-establish its Ad Hoc Committee on Chemical Weapons for that purpose;

5. Requests the Conference on Disarmament to report to the General Assembly at its forty-sixth session on the results of its negotiations;

6. Stresses the particular significance and importance of declarations made by States on whether or not they possess chemical weapons and of further international exchanges of data and other relevant information in connection with the negotiations on such a convention;

7. Encourages all States to take further initiatives, measures and steps to promote confidence and open-

ness in order to contribute to an early agreement on, and universal adherence to, such a convention;

8. invites all States to make every effort to ensure its early entry into force and its effective implementation;

9. Decides to include in the provisional agenda of its forty-sixth session the item entitled "Chemical and bacteriological (biological) weapons".

General Assembly resolution 45/57 A

4 December 1990 Meeting 54 Adopted without vote

Approved by First Committee (A/45/777) without vote, 14 November (meeting 36); 44-nation draft (A/C.1/45/L.21/Rev.1); agenda item 55. Meeting numbers. GA 45th session: 1st Committee 3-23, 34, 36; plenary 54.

Also on 4 December, the Assembly adopted resolution 45/57 C.

Chemical and bacteriological (biological) weapons:
measures to uphold the authority of the
1925 Geneva Protocol

The General Assembly,

Recalling its previous resolutions, and those adopted by the Security Council, on the use of chemical weapons,

Reaffirming its resolution 44/125 B of 15 December 1989 on measures to uphold the authority of the 1925 Geneva Protocol and to support the conclusion of a chemical weapons convention,

Bearing in mind the reaffirmation in the Final Declaration of the Conference of States Parties to the 1925 Geneva Protocol and Other Interested States, held in Paris from 7 to 11 January 1989, of the importance and the continuing validity of the 1925 Protocol,

Deploping the use and threat of use of chemical weapons,

1. Condemns vigorously all actions that violate or threaten to violate the obligations assumed under 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, and other relevant provisions of international law;

2. Renews its call to all States to observe strictly the principles and objectives of the 1925 Geneva Protocol, and reaffirms the vital necessity of upholding its provisions;

3. Endorses the proposals of the group of qualified experts established in pursuance of its resolution 42/37 C of 30 November 1987 concerning technical guidelines and procedures to guide the Secretary-General in the conduct of timely and efficient investigation of the reports of use of chemical and bacteriological (biological) or toxin weapons;

4. Notes the continuing significance of the Security Council decision to consider immediately, taking into account the investigations of the Secretary-General, appropriate and effective measures in accordance with the Charter of the United Nations, should there be any future use of chemical weapons in violation of international law.

General Assembly resolution 45/57 C

4 December 1990 Meeting 54 Adopted without vote

Approved by First Committee (A/45/777) without vote, 14 November (meeting 36); 45-nation draft (A/C.1/45/L.52); agenda item 55. Meeting numbers. GA 45th session: 1st Committee 3-23, 34, 36; plenary 54.

Convention on biological weapons

The Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (1971) [GA res. 2826(XXVI), annex, 16 Dec. 1971] opened for signature on 10 April 1972 and entered into force on 26 March 1975. At the end of 1990, there were 111 States parties to the Convention.

The first review conference was held in 1980 [YUN 1980, p. 70] and the second in 1986 [YUN 1986, p. 64]. States parties requested that a third conference be held in 1991 and that a preparatory committee for that purpose be formed, which would meet in April 1991.

GENERAL ASSEMBLY ACTION

On 4 December, the General Assembly adopted resolution 45/57 B.

Implementation of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction and preparations for the Third Review Conference of the Parties to the Convention

The General Assembly,

Recalling its resolution 2826(XXVI) of 16 December 1971, in which it commended the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction,

Bearing in mind the confidence-building measures agreed upon by the Second Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, held at Geneva from 8 to 26 September 1986, for further strengthening the authority of the Convention and for enhancing confidence among States,

Acknowledging that the Final Declaration of the Second Review Conference expressed the need to give further consideration to, inter alia, the implementation of the Convention in all its aspects,

Confirming the common interest in strengthening the authority and the effectiveness of the Convention to promote confidence and co-operation among Member States as well as the necessity to comply with the obligations set forth in the Convention,

1. Notes that, at the request of the States parties, a Third Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction will be held at Geneva in 1991, that, following appropriate consultations, a preparatory committee for that Conference has been formed, open to all parties to the Convention, and that the committee will meet at Geneva from 8 to 12 April 1991;

2. Requests the Secretary-General to render the necessary assistance and to provide such services as may be required for the Third Review Conference and its preparation;

3. Recalls in that regard the decision taken at the Second Review Conference that the Third Review Conference should consider, inter alia, the issues set out in article XII of the Final Declaration of the Second Review Conference;

4. Reiterates its call upon all States parties to the Convention to participate in the exchange of information and data agreed to in the Final Declaration of the Second Review Conference and to provide such information and data in conformity with the standardized procedure to the Secretary-General on an annual basis and not later than 15 April;

5. Also recalls its request in resolution 44/115 C of 15 December 1989 that the Secretary-General should render the necessary assistance and should provide such services as may be required for the implementation of the relevant parts of the Final Declaration of the Second Review Conference;

6. Further recalls its request in resolution 44/115 C that the Secretary-General should circulate to the States parties to the Convention not later than four months prior to the convening of the Third Review Conference a report on the implementation of these confidence-building measures;

7. Calls upon all States that have not ratified or acceded to the Convention to do so without delay, thus contributing to the achievement of universal adherence to the Convention and to the strengthening of international confidence.

General Assembly resolution 45/57 B

4 December 1990 Meeting 54 Adopted without vote

Approved by First Committee (A/45/777) without vote, 14 November (meeting 36); 61-nation draft (A/C.1/45/L.46); agenda item 55.

Meeting numbers. GA 45th session: 1st Committee 3-23, 25, 36; plenary 54.

New weapons of mass destruction, including radiological weapons

In 1990, the Conference on Disarmament continued consideration of new types of weapons of mass destruction and new systems of such weapons. Some progress was made concerning the prohibition of radiological weapons, with the relevant Ad Hoc Committee reviewing draft articles for a convention on the prohibition of radiological weapons.

The Conference on Disarmament [A/45/27] considered the item "New types of weapons of mass destruction and new systems of such weapons; radiological weapons". It re-established the Ad Hoc Committee on Radiological Weapons on 6 February with a view to reaching agreement on a convention prohibiting the development, production, stockpiling and use of radiological weapons. The Ad Hoc Committee held four meetings between 1 March and 3 August; a number of informal consultations also took place.

The Ad Hoc Committee re-established contact group A to continue considering the prohibition of radiological weapons in the "traditional" sense and contact group B, the prohibition of attacks

against nuclear facilities. The reports of the two groups were annexed to the Committee's report [CD/1027]. The Committee concluded that its work had contributed further to clarifying the different approaches to the two subjects under consideration.

The Conference on Disarmament recommended that the Ad Hoc Committee be re-established at the beginning of its 1991 session.

GENERAL ASSEMBLY ACTION

On 4 December, the General Assembly adopted resolution 45/58 F.

Prohibition of the development, production, stockpiling and use of radiological weapons

The General Assembly,

Recalling its resolution 44/116 T of 15 December 1989,

1. Takes note of the part of the report of the Conference on Disarmament on its 1990 session that deals with the question of radiological weapons, in particular the report of the Ad Hoc Committee on Radiological Weapons;

2. Recognizes that in 1990 the Ad Hoc Committee made a further contribution to the clarification and better understanding of different approaches that continue to exist with regard to both of the important matters under consideration;

3. 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 1991 session;

4. Requests the Conference on Disarmament to continue its substantive negotiation on the subject with a view to the prompt conclusion of its work, taking into account all proposals presented to the Conference to this end and drawing upon the annexes to the report of the Ad Hoc Committee as a basis of its future work, the result of which should be submitted to the General Assembly at its forty-sixth session;

5. Requests the Secretary-General to 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 forty-fifth session;

6. Decides to include in the provisional agenda of its forty-sixth session the item entitled "Prohibition of the development, production, stockpiling and use of radiological weapons".

General Assembly resolution 45/58 F

4 December 1990 Meeting 54 Adopted without vote

Approved by First Committee (A/45/778 & Corr.1) without vote, 12 November (meeting 34); B-nation draft (A/C.1/45/L.16); agenda item 56 (c).

Sponsors: Byelorussian SSR, Germany, Hungary, Iran, Sweden.

Meeting numbers. GA 45th session: 1st Committee 3-23, 24, 34; plenary 54.

On the same date, the Assembly adopted resolution 45/66.

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 previous resolutions on the prohibition of the development and manufacture of new types of

weapons of mass destruction and new systems of such weapons,

Taking note of paragraph 77 of the Final Document of the Tenth Special Session of the General Assembly,

Determined to prevent the emergence of new types of weapons of mass destruction that have characteristics comparable in destructive effect to those of weapons of mass destruction identified in the definition of weapons of mass destruction adopted by the United Nations in 1948,

Noting that in the course of its 1989 and 1990 sessions the Conference on Disarmament considered the item entitled "New types of weapons of mass destruction and new systems of such weapons; radiological weapons",

Taking into account the sections of the reports of the Conference on Disarmament relating to this question,

1. Reaffirms that effective measures should be undertaken to prevent the emergence of new types of weapons of mass destruction;

2. Requests the Conference on Disarmament, in the light of its existing priorities, to keep under review, with expert assistance, as appropriate, the questions 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, immediately following the recommendation of the Conference on Disarmament, to give favourable consideration to these recommendations;

4. 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 forty-fifth session;

5. Requests the Conference on Disarmament to continue the practice of reporting the results of its consideration of these questions in its annual report to the General Assembly;

6. Decides to include in the provisional agenda of its forty-eighth 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".

General Assembly resolution 45/66

4 December 1990 Meeting 54 Adopted without vote

Approved by First Committee (A/45/794) without vote, 12 November (meeting 34); 16-nation draft (A/C.1/45/L.27/Rev.1); agenda item 115.

Meeting numbers. GA 45th session: 1st Committee 3-23, 34; plenary 54.

Dumping of radioactive wastes

On 4 December, the General Assembly adopted resolution 45/58 K.

Prohibition of the dumping of radioactive wastes

The General Assembly,

Bearing in mind resolution CM/Res.1153(XLVIII) concerning the dumping of nuclear and industrial wastes in Africa, adopted on 25 May 1988 by the Council of Ministers of the Organization of African Unity at its forty-eighth ordinary session, held at Addis Ababa from 19 to 23 May 1988,

Bearing in mind also resolution CM/Res.1225(L) adopted by the Council of Ministers of the Organiza-

tion of African Unity at its fiftieth ordinary session, held at Addis Ababa from 17 to 22 July 1989,

Welcoming resolution GC (XXXIII)/RES/509 on the dumping of nuclear wastes, adopted on 29 September 1989 by the General Conference of the International Atomic Energy Agency at its thirty-third regular session,

Considering its resolution 2602 C (XXIV) of 16 December 1969, in which it requested the Conference of the Committee on Disarmament, *inter alia*, to consider effective methods of control against the use of radiological methods of warfare,

Aware of the potential hazards underlying any use of nuclear wastes that would constitute radiological warfare and its implications for regional and international security and in particular for the security of developing countries,

Desirous of promoting the implementation of paragraph 76 of the Final Document of the Tenth Special Session of the General Assembly,

Aware also of the consideration of the question of dumping of radioactive wastes in the Conference on Disarmament during its 1989 session,

Recalling its resolution 44/116 R of 15 December 1989, in which it requested the Conference on Disarmament to include in its report to the General Assembly at its forty-fifth session the developments in the ongoing negotiations on this subject,

1. Takes note of the part of the report of the Conference on Disarmament relating to the dumping of radioactive wastes;

2. Expresses grave concern regarding any use of nuclear waste that would constitute radiological warfare and have grave implications for the national security of all States;

3. Calls upon all States to take appropriate measures with a view to preventing any dumping of nuclear wastes that would infringe upon the sovereignty of States;

4. Requests the Conference on Disarmament to continue to take into account, in the ongoing negotiations for a convention on the prohibition of radiological weapons, the deliberate employment of nuclear wastes to cause destruction, damage or injury by means of radiation produced by the decay of such material;

5. Requests the International Atomic Energy Agency to continue keeping the subject under active consideration and to intensify efforts to conclude a legally binding instrument under its auspices on the effective prohibition of any dumping of radioactive or nuclear wastes to complement a multilateral convention on its prohibition in the Conference on Disarmament;

6. Also requests the Conference on Disarmament to include in its report to the General Assembly at its forty-sixth session the developments in the ongoing negotiations on this subject;

7. Decides to include in the provisional agenda of its forty-sixth session the item entitled "Prohibition of the dumping of radioactive wastes".

General Assembly resolution 45/58 K

4 December 1990 Meeting 54 144-0-9 (recorded vote)

Approved by First Committee (A/45/778 61 Corr.1) by recorded vote (117-0-9). 14 November (meeting 361; draft by Sierra Leone for African Group (A/C.1/45/L.40); agenda item 6 (m)).

Meeting numbers. GA 45th session: 1st Committee 3-23, 27, 36; plenary 54.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gabon, Gambia, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: None.

Abstaining: Belgium, France, Germany, Italy, Japan, Luxembourg, Netherlands, United Kingdom, United States.

Conventional weapons

Conventional disarmament

The Disarmament Commission continued consideration of the question of conventional disarmament to facilitate the identification of possible measures in the field of conventional arms reduction and disarmament [A/45/42]. The Commission established Working Group III, which held 16 meetings between 8 and 29 May as well as informal consultations.

The Group identified several issues and possible measures in the field of conventional arms reduction and disarmament. It concluded that conventional disarmament should continue to be actively pursued in the United Nations as a contribution of the international community towards general and complete disarmament under effective international control. The Conference on Disarmament should also address the topic of conventional disarmament.

GENERAL ASSEMBLY ACTION

On 4 December, the General Assembly adopted resolution 45/58 C.

Conventional disarmament

The General Assembly,

Reaffirming the determination to save succeeding generations from the scourge of war as expressed in the Preamble to the Charter of the United Nations,

Recalling the Final Document of the Tenth Special Session of the General Assembly, and particularly its paragraph 81, which provides that, together with negotiations on nuclear disarmament measures, the limitation and gradual reduction of armed forces and conventional weapons should be resolutely pursued within the framework of progress towards general and complete disarmament, and which stresses that States with

the largest military arsenals have a special responsibility in pursuing the process of conventional armaments reductions,

Also recalling that in the same document it is stated, *inter alia*, that priorities in disarmament negotiations shall 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 it stresses that nothing should preclude States from conducting negotiations on all priority items concurrently,

Further recalling that in the same document it is stated that effective measures of nuclear disarmament and the prevention of nuclear war have the highest priority, and that real progress in the field of nuclear disarmament could create an atmosphere conducive to progress in conventional disarmament on a world-wide basis,

Aware of the dangers to world peace and security originating from, and the loss in human life and property caused by, wars and conflicts fought with conventional weapons, as well as of their possible escalation into a nuclear war in regions with a high concentration of conventional and nuclear weapons,

Also aware that with the advance in science and technology, conventional weapons tend to become increasingly lethal and destructive and that conventional armaments consume large amounts of resources,

Believing that resources released through disarmament, including conventional disarmament, can be used for the social and economic development of people of all countries, particularly the developing countries,

Noting with satisfaction that the ongoing conventional disarmament negotiations in Europe have achieved progress,

Also noting with satisfaction that the Disarmament Commission concluded at its 1990 session its recent consideration of issues related to conventional disarmament,

Bearing in mind its resolution 36/97 A of 9 December 1981 and the Study on Conventional Disarmament conducted in accordance with that resolution, as well as its resolutions 41/59 C and 41/59 G of 3 December 1986, 42/38 E and 42/38 G of 30 November 1987, 43/75 D and 43/75 F of 7 December 1988 and 44/116 C and 44/116 F of 15 December 1989.

Bearing in mind also the efforts made to promote conventional disarmament and the related proposals and suggestions, as well as the initiatives taken by various countries in this regard,

1. Reaffirms the importance of the efforts aimed at resolutely pursuing the limitation and gradual reduction of armed forces and conventional weapons within the framework of progress towards general and complete disarmament;

2. Believes that the military forces of all countries should not be used other than for the purpose of self-defence;

3. Welcomes the continued intensive negotiation on conventional armaments and the progress achieved therein by the countries with the largest military arsenals, which bear a special responsibility in pursuing the process of conventional arms reductions, and by the States members of the two major military alliances, and

urges them to make further progress towards the early establishment of a stable and secure balance of conventional armaments and forces, the achievement of increased security at lower levels of forces and the elimination of the capability for surprise attack and large-scale offensive action in Europe, a region with the largest concentration of armaments and forces in the world;

4. Encourages and calls upon all States, while taking into account the need to protect security and maintain necessary defensive capabilities, to intensify their efforts and take, either on their own or by agreement, appropriate steps in the field of conventional disarmament to promote progress in conventional disarmament, to enhance peace and security in their regions as well as globally and to contribute to overall progress towards the goal of general and complete disarmament;

5. Endorses the conclusions and recommendations of the Disarmament Commission at its 1990 substantive session on issues related to conventional disarmament, and recommends that States take them into due consideration in their efforts to promote progress in conventional disarmament;

6. Decides to include in the provisional agenda of its forty-seventh session the item entitled "Conventional disarmament"

General Assembly resolution 45/58 C

4 December 1990 Meeting 54 Adopted without vote

Approved by First Committee (A/45/778 & Corr.1) without vote, 9 November (meeting 33); draft by China (A/C.1/45/L.6); agenda item 56 (d).

Meeting numbers. GA 45th session: 1st Committee 3-23, 31, 33; plenary 54.

On the same date, the Assembly adopted resolution 45/58 G.

Conventional disarmament

The General Assembly,

Recalling its resolution 44/116 F of 15 December 1989,

Noting with satisfaction the adoption by consensus by the Disarmament Commission of the report on the agenda item entitled "Substantive consideration of issues related to conventional disarmament",

1. Welcomes the substantive and comprehensive report of the Disarmament Commission with regard to the question of conventional disarmament;

2. Endorses the recommendations of the Disarmament Commission contained in the report;

3. Commends the report to the attention of Member States;

4. Takes note of the recommendation of the Disarmament Commission that, taking into account the priorities in disarmament set out in the Final Document of the Tenth Special Session of the General Assembly, the subject of conventional disarmament should continue to be actively pursued in the United Nations as one significant contribution to the endeavours of the international community towards general and complete disarmament under effective international control;

5. Notes that the Disarmament Commission in its report expressed the view that, in addition to its deliberations on how to facilitate the process of conventional disarmament, it would be welcome if the Conference on Disarmament were to address the issue of conventional disarmament when practicable;

6. Decides to include in the provisional agenda of its forty-sixth session the item entitled "Conventional disarmament".

General Assembly resolution 45/58 G

4 December 1990 Meeting 54 Adopted without vote

Approved by First Committee (A/45/778 & Corr.1) without vote, 9 November (meeting 33); draft by Denmark (A/C.1/45/L.20); agenda item 56 (d)

Meeting numbers. GA 45th session: 1st Committee 3-23, 24, 33; plenary 54.

International arms transfers

Report of Secretary-General. In response to General Assembly resolution 44/116 N [YUN 1989, p. 75], the Secretary-General submitted to the Assembly in August [A/45/363 & Add.1] the replies from Member States to his request for their views on international arms transfers. The Secretary-General also informed the Assembly that he had appointed a group of governmental experts to carry out a study on international arms transfers.

The General Assembly, by decision 45/415 of 4 December, taking note of the study of the group of governmental experts to consider aspects of international arms transfers, decided to include the item in the provisional agenda of its forty-sixth (1991) session.

In a letter of 13 August [A/45/413], the USSR communicated its views on the limitation of international sales and transfers of conventional weapons.

Confidence-building measures

In September [A/45/397 & Add.1], the Secretary-General, in response to General Assembly resolution 43/78 H [YUN 1988, p. 45], transmitted information received from 12 States on implementation of the guidelines for confidence-building measures adopted by the Disarmament Commission in May 1988 and endorsed later that year by the Assembly.

GENERAL ASSEMBLY ACTION

On 4 December, the General Assembly adopted resolution 45/62 F.

Implementation of the guidelines for appropriate types of confidence-building measures

The General Assembly,

Recalling its resolution 43/78 H, adopted without a vote on 7 December 1988,

Reiterating its support for the guidelines for appropriate types of confidence-building measures and for the implementation of such measures on a global or regional level, as endorsed in that resolution,

Welcoming the report of the Secretary-General on experience reported by Member States with the implementation of confidence-building measures,

Bearing in mind that confidence-building is a dynamic process over time, and an interim assessment

taking account of the experience gained may be valuable,

Noting with satisfaction the encouraging results of specific confidence-building measures agreed upon and implemented in some regions,

Bearing in mind also the particular need for confidence-building measures at times of political tension and crises as well as their potential to prevent such situations from arising,

Bearing in mind further that confidence-building measures pursued at the regional level can contribute to the development of global security,

Considering that confidence-building measures, especially when applied in a comprehensive manner, can be conducive to achieving structures of security based on co-operation and openness,

Pointing to the example of progress in the implementation of confidence- and security-building measures adopted at Stockholm in 1986 that has contributed to more stable relations and increased security, reducing the risk of military confrontation in Europe,

Aware that there are situations peculiar to specific regions that have a bearing on the nature of the confidence-building measures feasible in those regions,

1. Recommends the guidelines to all States for implementation, taking fully into account the specific political, military and other conditions prevailing in a region, on the basis of initiatives and with the agreement of the States of the region concerned;

2. Also recommends to all States that have started to implement confidence-building measures to pursue further and strengthen this process;

3. Appeals to all States to consider the widest possible use of confidence-building measures in their international relations, including¹ bilateral, regional and global negotiations, especially in times of political tension and crises;

4. Invites the Secretary-General to continue to collect relevant information from all Member States;

5. Appeals to all Member States that have not yet done so to make their contribution to the report of the Secretary-General;

6. Decides to include in the provisional agenda of its forty-seventh session the item entitled "Implementation of the guidelines for appropriate types of confidence-building measures".

General Assembly resolution 45/62 F

4 December 1990 Meeting 54 Adopted without vote

Approved by First Committee (A/45/782) without vote, 9 November (meeting 33); 40-nation draft (A/C.1/45/L.36); agenda item 60 (g).

Meeting numbers. GA 45th session: 1st Committee 3-23, 25, 33; plenary 54.

UN role in the field of verification

Pursuant to General Assembly resolution 43/81 B [YUN 1988, p. 51], the Secretary-General, by an August note [A/45/372 & Corr.1], transmitted the report of the Group of Qualified Governmental Experts to Undertake a Study on the Role of the United Nations in the Field of Verification. The Group examined the definition and functions of verification provisions; verification approaches, methods, procedures and techniques; and the ac-

tivities of the United Nations in verification, their improvement and possible additional activities.

The Group presented proposals for enhancing the UN role in verification in areas such as the UN capability for data collection; the promotion of exchanges between experts and diplomats; possible expansion of the Secretary-General's fact-finding activities; possible uses of aircraft and satellites for verification purposes; and the possible creation of an international verification system.

GENERAL ASSEMBLY ACTION

On 4 December, the General Assembly adopted resolution 45/65.

Study on the role of the United Nations
in the field of verification

The General Assembly,

Recalling its resolutions 40/152 O of 16 December 1985, 41/86 O of 4 December 1986, 42/42 F of 30 November 1987 and 43/81 B of 7 December 1988,

Underlining the important role that the United Nations, in accordance with its Charter, has to play in the sphere of disarmament,

Recalling also that all the peoples of the world have a vital interest in the success of disarmament negotiations and that, consequently, all States have the duty to contribute to efforts in the field of disarmament,

Noting that the critical importance of verification of and compliance with arms limitation and disarmament agreements is universally recognized,

Stressing that the issue of verification of and compliance with arms limitation and disarmament agreements is a matter of concern to all nations,

Recognizing that the United Nations, in accordance with its role and responsibilities established under the Charter, can make a significant contribution, in the field of verification, in particular of multilateral agreements,

Reiterating its view that:

(a) Disarmament and arms limitation agreements should provide for adequate and effective 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 interfere unduly with the internal affairs of States parties or other States or jeopardize their economic, technological and social development.

Taking note of all proposals that had been put forward in the field of verification by Member States, including those by Canada and the Netherlands, France and the countries of the Six-Nation Initiative,

Affirming its support for the sixteen principles of verification drawn up by the Disarmament Commission,

Noting that recent developments in international relations have underscored the importance of effective verification of existing and future arms limitation and disarmament agreements,

Recalling that by resolution 43/81 B it requested the Secretary-General to undertake, with the assistance of a group of qualified governmental experts, an in-depth study of the role of the United Nations in the field of verification that would:

(a) Identify and review existing activities of the United Nations in the field of verification of arms limitation and disarmament;

(b) Assess the need for improvements in existing activities as well as explore and identify possible additional activities, taking into account organizational, technical, operational, legal and financial aspects;

(c) Provide specific recommendations for future action by the United Nations in this context;

and to submit a comprehensive report on this subject to the General Assembly at its forty-fifth session,

1. Welcomes the report of the Secretary-General;

2. Notes that the report was approved by the Group of Qualified Governmental Experts to Undertake a Study on the Role of the United Nations in the Field of Verification;

3. Commends the report to the attention of Member States;

4. Requests the Secretary-General to give the report the widest possible circulation;

5. Also requests the Secretary-General to take appropriate action within available resources on the recommendations of the Group;

6. Encourages Member States to give active consideration to the recommendations contained in the concluding chapter of the report and to assist the Secretary-General in their implementation where appropriate;

7. Further requests the Secretary-General to report to the General Assembly at its forty-seventh session on actions taken by Member States and by the United Nations Secretariat to implement these recommendations;

8. Decides to include in the provisional agenda of its forty-seventh session an item entitled "Verification in all its aspects, including the role of the United Nations in the field of verification".

General Assembly resolution 45/65

4 December 1990 Meeting 54 Adopted without vote

Approved by First Committee (A/45/788) without vote. 15 November (meeting 37); 41-nation draft (A/C.1/45/L.42); agenda item 66.

Meeting numbers. GA 45th session: 1st Committee 3-23, 26, 37; plenary 54.

Information on military matters

The Disarmament Commission in 1990 continued consideration of objective information on military matters. It established a consultation group for consideration of the subject at the preliminary stage, not engaging in any negotiation of a text on the subject. The group considered working papers by the USSR [A/CN.10/142 & Add.1] and the United Kingdom [A/CN.10/140]. It adopted its report to the Commission, which formed part of the Commission's report to the General Assembly [A/45/42].

Report of Secretary-General. In response to a 1989 General Assembly request [YUN 1989, p. 85], the Secretary-General issued in 1990 a report with later addendum [A/45/354 & Add.1] containing the views of Governments on objective information on military matters.

On 12 October [A/C.1/45/4], the USSR submitted to the Secretary-General information on the categories of weapons of its armed forces as at 1 January 1990.

In an October report with later addendum [A/INF/45/5 & Add.1], the Secretary-General submitted his annual report on military expenditures in standardized form as reported by 25 States. Annexed to the report was the standard reporting instrument consisting of a matrix designed to show how much each force group (land, naval and air) spent in each resource category (personnel, procurement and operations).

Regional approach to conventional disarmament

In October [A/45/428], the Secretary-General, in response to General Assembly resolution 44/116 S [YUN 1989, p. 76], submitted the views of Member States on ways of strengthening regional and subregional disarmament and arms limitation efforts.

GENERAL ASSEMBLY ACTION

On 4 December, the General Assembly adopted resolution 45/58 p.

Regional disarmament

The General Assembly,

Believing that the efforts of the international community to move towards the ideal of general and complete disarmament are guided by the inherent human desire for genuine peace and security, the elimination of the danger of war and the release of economic, intellectual and other resources for peaceful pursuits,

Affirming the abiding commitment of all States to the purposes and principles enshrined in the Charter of the United Nations in the conduct of their international relations,

Noting that essential guidelines for progress towards general and complete disarmament were adopted at the tenth special session of the General Assembly,

Welcoming the prospects of genuine progress in the field of disarmament engendered in recent years as a result of negotiations between the two super-Powers,

Recognizing the importance of confidence-building measures for regional and international peace and security,

Convinced that endeavours by countries to promote regional disarmament, taking into account the specific characteristics of each region and in accordance with the principle of undiminished security at the lowest level of armaments, would enhance the security of smaller States and would thus contribute to international peace and security by reducing the risk of regional conflicts,

1. Stresses that sustained efforts are needed, within the framework of the Conference on Disarmament and under the umbrella of the United Nations, to make progress on the entire range of disarmament issues;

2. Affirms that global and regional approaches to disarmament complement each other and should therefore be pursued simultaneously to promote regional and international peace and security;

3. Calls upon States to conclude agreements, wherever possible, for nuclear non-proliferation, disarmament and confidence-building measures at regional and subregional levels;

4. Welcomes the initiatives towards disarmament, nuclear non-proliferation and security undertaken by some countries at the regional and subregional levels;

5. Supports and encourages efforts aimed at promoting confidence-building measures at regional and subregional levels in order to ease regional tensions and to further disarmament and non-proliferation measures at regional and subregional levels;

6. Decides to include in the provisional agenda of its forty-sixth session an item entitled "Regional disarmament".

General Assembly resolution 45/58 P

4 December 1990 Meeting 54 142-0-10 (recorded vote)

Approved by First Committee (A/45/778 & Corr.1) by recorded vote (120-0-10). 13 November (meeting 35); 38-nation draft (A/C.1/45/L.51); agenda item 56.

Meeting numbers. GA 45th session: 1st Committee 3-23, 35; plenary 54.

Recorded vote in Assembly as follows:

In favour: Albania, Algeria, Angola, Antigua and Barbuda, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bolivia, Botswana, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cyprus, Czechoslovakia, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Fiji, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States, Uruguay, Vanuatu, Venezuela, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: None.

Abstaining: Afghanistan, Argentina, Bhutan, Brazil, Cuba, Ethiopia, India, Lao People's Democratic Republic, Mauritius, Viet Nam.

The Assembly, by decision 45/418 of the same date, welcomed the Secretary-General's report on conventional disarmament on a regional scale, invited Member States that had not yet done so to convey their views on the matter to the Secretary-General and decided to include the item in the provisional agenda of its forty-sixth (1991) session.

Also on that date, the Assembly adopted resolution 45/58 M.

Regional disarmament, including
confidence-building measures

The General Assembly,

Recalling its resolutions 44/116 S, 44/116 U and 44/117 B of 15 December 1989,

Welcoming the report of the Disarmament Commission adopted at its substantive session of 1990,

Recognizing that regional disarmament measures can contribute effectively to the general process of arms reduction and disarmament,

Convinced that disarmament can be carried out only in a climate of confidence based on mutual respect and aimed at ensuring better relations founded on justice, solidarity and co-operation,

Recognizing also the importance and effectiveness of measures of regional disarmament taken at the initiative and with the participation of all States concerned and taking into account the specific characteristics of each region, in that they can contribute to universal security and stability, in accordance with the principles of the Charter of the United Nations,

Conscious of the importance of confidence-building measures to ensure the success of this process,

Noting with satisfaction the important progress made in various regions of the world through the conclusion of peace, security and co-operation agreements and following from the implementation of measures intended to enhance confidence in the fields of political, economic and military co-operation,

Noting that the consumption of resources for potentially destructive purposes is in stark contrast to the need for social and economic development but that reduction in military expenditure following, inter alia, the conclusion of regional disarmament agreements could entail benefits in both the social and economic fields,

1. Reaffirms that the regional approach to disarmament is one of the essential elements in global efforts;

2. Encourages all States to recognize the value of confidence-building measures-military or non-military-taken in the framework of initiatives of regional disarmament;

3. Invites all States to contribute, in appropriate forums, to the consideration of the question of regional disarmament, including the confidence-building measures likely to contribute thereto, taking into account the specific characteristics of the regions concerned.

General Assembly resolution 45/58 M

4 December 1990 Meeting 54 Adopted without vote

Approved by First Committee (A/45/778 & Corr.1) without vote, 12 November (meeting 34); 38-nation draft (A/C.1/45/L.44); agenda item 56 (n).

Meeting numbers. GA 45th session: 1st Committee 3-23, 34; plenary 54.

Europe

Talks within the framework of the Conference on Security and Co-operation in Europe (CSCE) regarding the adoption of a new set of confidence- and security-building measures, which had been initiated in Vienna in 1989, ended successfully in 1990 with the adoption on 17 November of the Vienna Document 1990.

Soon after, negotiations on a stable and secure balance of conventional armed forces in Europe, held within the framework of CSCE, concluded with the signing on 19 November of the Treaty on Conventional Armed Forces in Europe. Once ratified, the Treaty would commit the parties to ensuring that the numbers of conventional armaments and equipment did not exceed the agreed limits for five categories of weapons within its area of application.

The heads of State or Government of 22 CSCE States signed the Treaty and issued a Declaration in Paris expressing their conviction that the developments in Europe and the Treaty must form part of a continuing process of co-operation in building a more united document. On 21 November, they also adopted the Charter of Paris for a New Europe [A/45/859].

GENERAL ASSEMBLY ACTION

On 4 December, the General Assembly adopted resolution 45/58 I.

Confidence- and security-building measures and conventional disarmament in Europe

The General Assembly,

Determined to achieve progress in disarmament,

Recalling its resolutions 43/75 P of 7 December 1988 and 44/116 I of 15 December 1989,

Recalling also the text adopted by consensus on 29 May 1990 within the framework of the Working Group on agenda item 8 of the Disarmament Commission,

Reaffirming the need for continued efforts to build confidence, to lessen the risk of military confrontation and to enhance mutual security,

Reaffirming also the great importance of increasing security and stability in Europe through the establishment of a stable, secure and verifiable balance of conventional armed forces at lower levels, as well as through increased openness and predictability of military activities,

Considering that the negotiations in the field of confidence- and security-building measures, as well as those on conventional armaments and forces, both within the framework of the process of the Conference on Security and Co-operation in Europe, have already helped to promote confidence and to move towards improved security and co-operation in Europe, thereby contributing to international peace and security,

1. Notes with satisfaction the progress achieved so far in the process of disarmament and the strengthening of confidence and security in Europe;

2. Welcomes, as important steps towards enhanced stability and security in Europe, the signing of the

Treaty on Conventional Armed Forces in Europe by twenty-two States participating in the Conference on Security and Co-operation in Europe in Paris on 19 November 1990, as well as the adoption of a substantial new set of confidence- and security-building measures by all States participating in the Conference, which was endorsed by the heads of State or Government of those States in Paris on 21 November 1990;

3. Invites all States to consider the possibility of taking appropriate measures with a view to reducing the risk of confrontation and strengthening security, taking due account of their specific regional conditions.

General Assembly resolution 45/58 I

4 December 1990 Meeting 54 Adopted without vote

Approved by First Committee (A/45/778 & Corr.1) without vote, 9 November (meeting 33); 29-nation draft (A/C.1/45/L.37), amended by France (A/45/L.30); agenda item 56 (d).

Meeting numbers. GA 45th session: 1st Committee 3-23, 26, 33; plenary 54.

Excessively injurious conventional weapons

As of 31 December 1990, the number of parties 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 and its three Protocols (dealing with non-detectable fragments; mines, booby traps and other devices; and incendiary weapons) [YUN 1980, p. 76] stood at 31. There were no new ratifications, acceptances, approvals or accessions in 1990. The Convention and Protocols had entered into force in 1983 [YUN 1983, p. 66].

GENERAL ASSEMBLY ACTION

On 4 December, the General Assembly adopted resolution 45/64.

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, 39/56 of 12 December 1984, 40/84 of 12 December 1985, 41/50 of 3 December 1986, 42/30 of 30 November 1987 and 43/67 of 7 December 1988,

Recalling with satisfaction the adoption, ten years ago, 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),

Reaffirming its conviction that general agreement on the prohibition or restriction of use of specific conven-

tional weapons would significantly reduce the suffering of civilian populations and of combatants,

Taking note with satisfaction of the report of the Secretary-General,

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. Also 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;

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. Stresses 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-sixth 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".

General Assembly resolution 45/64

4 December 1990 Meeting 54 Adopted without vote

Approved by First Committee (A/45/786) without vote, 9 November (meeting 33); 20-nation draft (A/C.1/45/L.47); agenda item 64.

Meeting numbers. GA 45th session: 1st Committee 3-23, 29, 33; plenary 54.

Prevention of an arms race in outer space

The Conference on Disarmament considered the prevention of an arms race in outer space from 5 to 9 March and from 2 to 6 July [A/45/27].

The Ad Hoc Committee, re-established by the Conference, held 16 meetings between 13 March and 14 August to examine and identify issues relevant to the subject, existing agreements and proposals and future initiatives.

New documents submitted under the item included proposals by Argentina for strengthening the regime established by the Convention on Registration of Objects Launched into Outer

Space [CD/1015-CD/OS/WP.42]. In its report to the Conference [CD/1034], the Ad Hoc Committee concluded that its work had advanced and further developed the examination and identification of issues relevant to the prevention of an arms race in outer space. It considered that the legal regime applicable to outer space did not by itself guarantee the prevention of an arms race, and recognized the need to enhance the effectiveness of the regime and for strict compliance with existing bilateral and multilateral agreements. There was also recognition of the importance of paragraph 80 of the Final Document of the first special session (1978) devoted to disarmament [GA res. S-10/2], which called for further measures and international negotiations to be held. The Committee continued to examine existing proposals and gave preliminary consideration to new proposals and initiatives to prevent an arms race in outer space and to ensure its exploration for peaceful purposes.

The Committee recommended that it be re-established at the beginning of the Conference's 1991st session with an adequate mandate, taking into account all relevant factors, including the work of the Committee since 1985.

GENERAL ASSEMBLY ACTION

On 4 December, the General Assembly adopted resolution 45/55 A.

Prevention of an arms race in outer space

The General Assembly,

Recognizing the common interest of all mankind in the exploration and use of outer space for peaceful purposes,

Reaffirming 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, 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 also provisions of articles III and IV of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies.

Recalling the obligation of all States to observe the provisions of the Charter of the United Nations regarding the use or threat of use of force in their international relations, including in their space activities,

Reaffirming further paragraph 80 of the Final Document of the Tenth Special Session of the General Assembly, 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 previous resolutions on this issue and of the Declaration adopted by the Ninth Conference of Heads of State or Government of Non-Aligned Countries, held at Belgrade from 4 to 7 September 1989, and taking note of the proposals submitted to the General

Assembly at its tenth special session and at its regular sessions, and of the recommendations made to the competent organs of the United Nations and to the Conference on Disarmament,

Recognizing the grave danger for international peace and security of an arms race in outer space and of developments contributing to it,

Emphasizing the paramount importance of strict compliance with existing arms limitation and disarmament agreements relevant to outer space, including bilateral agreements, and with the existing legal regime concerning the use of outer space,

Noting that bilateral negotiations between the Union of Soviet Socialist Republics and the United States of America have continued since 1985 with the declared objective of working out effective agreements aimed, *inter alia*, at preventing an arms race in outer space,

Welcoming the re-establishment of the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space at the 1990 session of the Conference on Disarmament, in the exercise of the negotiating responsibilities of this sole multilateral negotiating body on disarmament, to continue to examine and identify, through substantive and general consideration, issues relevant to the prevention of an arms race in outer space,

Noting also that the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space, taking into account its previous efforts since its establishment in 1985, continued the examination and identification of various issues, existing agreements and existing proposals, as well as future initiatives relevant to the prevention of an arms race in outer space, and that this contributed to a better understanding of a number of problems and to a clearer perception of the various positions,

Emphasizing the mutually complementary nature of bilateral and multilateral efforts in the field of preventing an arms race in outer space, and hoping that concrete results will emerge from these efforts as soon as possible,

Convinced that further measures should be examined in the search for effective and verifiable bilateral and multilateral agreements in order to prevent an arms race in outer space,

1. Reaffirms the importance and urgency of preventing an arms race in outer space and the readiness of all States to contribute to that common objective, in conformity with the provisions of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies;

2. Recognizes, as stated in the report of the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space, that the legal regime applicable to outer space by itself does not guarantee the prevention of an arms race in outer space, that this legal regime plays a significant role in the prevention of an arms race in that environment, the need to consolidate and reinforce that regime and enhance its effectiveness, and the importance of the strict compliance with existing agreements, both bilateral and multilateral;

3. Emphasizes the necessity of further measures with appropriate and effective provisions for verification to prevent an arms race in outer space;

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 of the prevention of an arms race in outer space and to refrain from actions contrary to that objective and to the relevant existing treaties in the interest of maintaining international peace and security and promoting international co-operation;

5. 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;

6. Requests the Conference on Disarmament to consider as a matter of priority the question of preventing an arms race in outer space;

7. 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, building upon areas of convergence and taking into account relevant proposals and initiatives, including those presented in the Ad Hoc Committee at the 1990 session of the Conference and at the forty-fifth session of the General Assembly;

8. Recognizes, in this regard, the relevance of considering measures on confidence-building and greater transparency and openness in space as stated in the report of the Ad Hoc Committee;

9. Further requests the Conference on Disarmament to re-establish an ad hoc committee with an adequate mandate at the beginning of its 1991 session and to continue building upon areas of convergence with a view to undertaking negotiations for the conclusion of an agreement or agreements, as appropriate, to prevent 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 with a view to 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. Decides to include in the provisional agenda of its forty-sixth session the item entitled "Prevention of an arms race in outer space".

General Assembly resolution 45/55 A

4 December 1990 Meeting 54 149-0-1 (recorded vote)

Approved by First Committee (A/45/775) by recorded vote (129-0-1). 14 November (meeting 361; 29-nation draft (A/C.1/45/L.17); agenda item 53.

Meeting numbers. GA 45th session: 1st Committee 3-23, 26, 36; plenary 54.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria,

Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Sudan, Suriname, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: None.

Abstaining: United States.

In the Committee, paragraph 9 was adopted by a recorded vote of 109 to 1, with 21 abstentions. A separate vote was also requested in the Assembly, which adopted the paragraph by a recorded vote of 125 to 1, with 22 abstentions.

Also on 4 December, the Assembly adopted resolution 45/55 B.

Confidence-building measures in outer space

The General Assembly,

Conscious of the importance and urgency of preventing an arms race in outer space,

Recalling that, in accordance with the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, 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,

Aware of the fact that more and more States are taking an active interest in outer space or participating in important space programmes for the exploration and exploitation of that environment,

Recognizing, in this context, the relevancy space has gained as an important factor for the socio-economic development of many States, in addition to its undeniable role in security issues,

Emphasizing that the growing use of outer space has increased the need for more transparency as well as confidence-building measures,

Recalling that the international community has unanimously recognized the importance and usefulness of confidence-building measures, which can significantly contribute to the promotion of peace and security and disarmament, in particular through General Assembly resolutions 43/78 H of 7 December 1988 and 44/116 U of 15 December 1989,

Noting the important work being carried out by the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space of the Conference on Disarmament, which contributes to identifying potential areas of confidence-building measures,

Aware of the existence of a number of different proposals and initiatives addressing this subject, which attests to a growing convergence of views,

1. Reaffirms the importance of confidence-building measures as means conducive to ensuring the attainment of the objective of the prevention of an arms race in outer space;

2. Recognizes their applicability in the space environment under specific criteria yet to be defined;

3. Requests the Secretary-General to carry out, with the assistance of government experts, a study on the specific aspects related to the application of different

confidence-building measures in outer space, including the different technologies available, possibilities for defining appropriate mechanisms of international co-operation in specific areas of interest and so on, and to report thereon to the General Assembly at its forty-eighth session.

General Assembly resolution 45/55 B

4 December 1990 Meeting 54 149-0-1 (recorded vote)

Approved by First Committee (A/45/775) by recorded vote (129-0-1), 15 November (meeting 37); 11-nation draft (A/C.1/45/L.22/Rev.1); agenda item 53.

Financial implications: 5th Committee, A/45/811; S-G, A/C.5/45/46, A/C.1/45/L.59.

Meeting numbers. GA 45th session: 1st Committee 3-23,34,37; 5th Committee 39; plenary 54.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia; Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: None.

Abstaining: United States.

Technological change and global security

In 1990, a high-level conference on "New trends in science and technology: implications for international peace and security" (Sendai, Japan, 16-19 April) [A/45/56] addressed issues of technological change and global security, new technologies and the search for security in the post-cold-war era, and national policy-making and international diplomacy in an era of rapid technological change. General approaches to technology assessment and technology trends in selected areas were also discussed. The results of those discussions were included in the Secretary-General's report on scientific and technological developments and their impact on international security (see below).

Report of Secretary-General. In response to General Assembly resolution 43/77 A [YUN 1988, p. 43], the Secretary-General submitted an October report [A/45/568] on scientific and technological developments and their impact on international security. The report gave an overview of new technologies and international security and

examined trends in nuclear, space, materials and information technology and in biotechnology.

The Secretary-General concluded that additional mechanisms for controlling the military applications of technology could be unilateral measures of restraint, preclusive arrangements for banning qualitative innovations intended for destructive purposes and regional and sub-regional dialogues on military restraint and the removal of uncertainties over the intended use of technological advances. To develop a more realistic set of criteria for technology assessment, the international community needed to be better equipped to follow the nature and direction of technological change and the United Nations could serve as a catalyst and a clearing-house of ideas in technology assessment. The report also set out criteria for an illustrative framework for assessment of new technologies.

GENERAL ASSEMBLY ACTION

On 4 December, the General Assembly adopted resolution 45/60.

Scientific and technological developments and their impact on international security

The General Assembly,

Recalling that at its tenth special session, the first special session devoted to disarmament, it unanimously stressed the importance of both qualitative and quantitative measures in the process of disarmament,

Noting with concern the potential in technological advances for application to military purposes, which could lead to more sophisticated weapons and new weapon systems,

Recognizing that scientific and technological developments can have both civilian and military applications and that progress in science and technology for civilian applications needs to be maintained and encouraged,

Stressing the interests of the international community in the subject and the need to follow closely the scientific and technological developments that may have a negative impact on the security environment and on the process of arms limitation and disarmament and to channel scientific and technological developments for beneficial purposes,

Emphasizing that the proposal contained in its resolution 43/77 A of 7 December 1988 is without prejudice to research and development efforts being undertaken for peaceful purposes,

Noting the results of the United Nations conference on New Trends in Science and Technology: Implications for International Peace and Security, held at Sendai, Japan, from 16 to 19 April 1990, and recognizing, in this regard, the need for the scientific and policy communities to work together in dealing with the complex implications of technological change,

1. Takes note of the report of the Secretary-General entitled "Scientific and technological developments and their impact on international security";

2. Fully agrees that:

(a) The international community needs to position itself better to follow the nature and direction of technological change;

(b) The United Nations can serve as a catalyst and a clearing-house for ideas for this purpose;

3. Requests the Secretary-General to continue to follow scientific and technological developments in order to make an assessment of emerging "new technologies" and to submit to the General Assembly at its forty-seventh session a framework for technology assessment guided, *inter alia*, by the criteria suggested in his report;

4. Decides to include in the provisional agenda of its forty-seventh session the item entitled "Scientific and technological developments and their impact on international security".

General Assembly resolution 45/60

4 December 1990 Meeting 54 133-3-16 (recorded vote)

Approved by First Committee (A/45/780) by recorded vote (113-3-16), 15 November (meeting 37); 10-nation draft (A/C.1/45/L.24/Rev.1); agenda item 58.

Sponsors: Afghanistan, Bolivia, Byelorussian SSR, Costa Rica, Hungary, India, Indonesia, Peru, Sri Lanka, Venezuela.

Meeting numbers. GA 45th session: 1st Committee 3-23, 29, 37; plenary 54.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran, Iraq, Ireland, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: France, United Kingdom, United States.

Abstaining: Belgium, Canada, Czechoslovakia, Denmark, Germany, Greece, Iceland, Israel, Italy, Japan, Luxembourg, Netherlands, Norway, Portugal, Spain, Turkey.

On the same date, the Assembly adopted resolution 45/61.

Science and technology for disarmament

The General Assembly,

Convinced that science and technology can profoundly contribute to solving the problems of mankind, especially to promoting its social and economic development,

Noting the interest of the international community in disarmament-related applications of scientific and technological achievements,

Recognizing the contributions that may be offered by scientific and technological progress for implementing arms control and disarmament agreements, *inter alia*, in the fields of verification and of compliance, by parties, with agreements on arms control and disarmament as well as of weapons disposal,

Welcoming related international activities undertaken so far in this area,

Considering the need for intensified international co-operation, with a view to using scientific and technological achievements for disarmament-related purposes, *inter alia*, in the fields of verification of compliance with agreements on arms control and disarmament, application of technologies for improved means of verification and weapons disposal,

Noting the United Nations conference on New Trends in Science and Technology: Implications for International Peace and Security, held at Sendai, Japan, in April 1990, and the United Nations conference on Conversion: Economic Adjustments in an Era of Arms Reductions, held in Moscow in August 1990, which contributed to promoting international co-operation in this field,

1. Welcomes national and international activities to use scientific and technological achievements for disarmament-related purposes;

2. Calls upon Member States and relevant intergovernmental organizations to intensify and extend such activities and to keep the United Nations informed about progress in this field;

3. Invites all Member States and relevant international organizations to develop international co-operation in this area, with a view to using scientific and technological achievements for disarmament-related purposes, *inter alia*, in the fields of verification and of compliance, by parties, with agreements on arms control and disarmament and application of technologies for improved means of verification and for weapons disposal;

4. Recommends that the United Nations should give appropriate attention to the collection and dissemination of information on scientific and technological developments in these fields;

5. Decides to include in the provisional agenda of its forty-seventh session the item entitled "Science and technology for disarmament".

General Assembly resolution 45/61

4 December 1990 Meeting 54 Adopted without vote

Approved by First Committee (A/45/781) by recorded vote (132-0-0), 13 November (meeting 35); 19-nation draft (A/C.1/45/L.13/Rev.1); agenda item 59.

Meeting numbers. GA 45th session: 1st Committee 3-23, 25, 35; plenary 54.

Disarmament and development

As requested in General Assembly resolution 44/116 L [YUN 1989, p. 86], the Secretary-General reported in October [A/45/592] on the relationship between disarmament and development, and particularly on the priorities for the period 1990-1993 as determined by the High-Level Secretariat Task Force, established pursuant to the Final Document adopted at the 1987 International Conference on the Relationship between Disarmament and Development [YUN 1987, p. 82].

The Secretary-General reported that the Task Force met on 10 May to review ongoing activities and determine priorities for the period 1990-1993. It decided to undertake the following

activities in determining the 1990-1993 priorities: continuation of the establishment of a mechanism to monitor trends in military spending by the United Nations Department for Disarmament Affairs; continuation of the establishment of a benchmark study on economic indicators of military spending by the Department of International Economic and Social Affairs; continuation on the work on conversion from military to civilian production and follow-up by the Department for Disarmament Affairs; intensification of contacts with research institutes; a new project on the impact of arms reductions on the world economy; and a publicity and information strategy within the United Nations.

The Task Force also reported on activities that took place in 1990, including the organization by the Department for Disarmament Affairs, in co-operation with the Soviet Peace Fund, of a major international conference on "Conversion: Economic Adjustments in an Era of Arms Reductions" (Moscow, 13-17 August); the establishment by the United Nations Statistical Office of a theoretical framework of indicators for measuring military expenditures; establishment by the Department of International Economic and Social Affairs of a departmental task force to examine the post-cold-war developments in the field of international co-operative arrangements for maximizing the benefits from arms reduction; and the compilation by the United Nations Institute for Disarmament Research (UNIDIR), in co-operation with the Department for Disarmament Affairs, of a bibliographical survey of recent publications on military expenditures.

GENERAL ASSEMBLY ACTION

On 4 December, the General Assembly adopted resolution 45/58 A.

Relationship between disarmament and development
The General Assembly,

Recalling the provisions of the Final Document of the Tenth Special Session of the General Assembly related to the relationship between disarmament and development,

Recalling also the adoption on 11 September 1987 of the Final Document of the International Conference on the Relationship between Disarmament and Development,

Stressing the growing importance of the relationship between disarmament and development in current international relations,

1. Welcomes the report of the Secretary-General and actions undertaken in accordance with the Final Document of the International Conference on the Relationship between Disarmament and Development;

2. Requests the Secretary-General to continue to take action, through the appropriate organs and within available resources, for the implementation of the ac-

tion programme adopted at the International Conference;

3. Also requests the Secretary-General to submit a report to the General Assembly at its forty-sixth session;

4. Decides to include in the provisional agenda of its forty-sixth session the item entitled "Relationship between disarmament and development".

General Assembly resolution 45/58 A

4 December 1990 Meeting 54 Adopted without vote

Approved by First Committee (A/45/778 & Corr.1) without vote, 9 November (meeting 33); draft by Yugoslavia on behalf of Non-Aligned Movement (A/C.1/45/L.4); agenda item 56 (h).

Meeting numbers. GA 45th session: 1st Committee 3-23, 31, 33; plenary 54.

By resolution 45/62 G, adopted on the same date, the Assembly requested UNIDIR to prepare, with the assistance of independent experts, a research report on the economic aspects of disarmament and to report to the Assembly at its forty-seventh (1992) session. (For the full text of the Assembly's resolution, see below, under "Disarmament studies, information and research".)

Reallocation of military resources

The General Assembly, in its Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries [A/S-18/15], adopted at its eighteenth special session (23 April-1 May) (see PART THREE, Chapter I), stated that countries should seek to reduce expenditures for military purposes, thereby opening up the possibility of enhanced spending on social and economic development for the benefit of all countries, in particular the developing countries. In that context, the feasibility of channelling some of those reductions through financial mechanisms for development should be explored.

At its 1990 regular session, the Assembly, in resolution 45/58 N, requested the Secretary-General to carry out a study of potential uses of resources such as know-how, technology, infrastructure and production currently allocated to military activities for promoting civilian endeavours to protect the environment.

GENERAL ASSEMBLY ACTION

On 4 December, the General Assembly adopted resolution 45/58 N.

Charting potential uses of resources allocated to military activities for civilian endeavours to protect the environment

The General Assembly,

Encouraged by the positive developments in the field of disarmament,

Deeply concerned by the continuing degradation of the environment,

Bearing in mind the interrelationship of questions relating to disarmament, social and economic development and environmental protection,

Recalling its resolution 44/228 of 22 December 1989, in which it decided to convene in 1992 the United Nations Conference on Environment and Development,

Desirous of benefiting from progress in disarmament in the endeavours to protect the environment,

Recognizing the potential, in an immediate or a longer-term perspective, of using resources currently allocated to military activities for civilian endeavours to protect the environment,

1. Requests the Secretary-General to carry out, making use of existing resources and with the assistance of qualified experts, a study of potential uses of resources such as know-how, technology, infrastructure and production currently allocated to military activities for promoting civilian endeavours to protect the environment;

2. Recommends that the study be based on open information and take into account relevant national and international studies and such further information as Member States may wish to make available for the purposes of the study;

3. Invites all Governments to co-operate with the Secretary-General so that the objectives of the study may be achieved;

4. Requests the Secretary-General to submit the final report to the General Assembly at its forty-sixth session and, in the interim, to make relevant results of the study available, as appropriate, to the Preparatory Committee for the United Nations Conference on Environment and Development.

General Assembly resolution 45/58 N

4 December 1990 Meeting 54 138-3-12 (recorded vote)

Approved by First Committee (A/45/778 & Corr.1) by recorded vote (113-3-12). 16 November (meeting 39); 15-nation draft (A/C.1/45/L.49); agenda item 56.

Financial implications: 5th Committee, A/45/813; S-G, A/C.1/45/L.60, A/C.5/45/47.

Meeting numbers. GA 45th session: 1st Committee 3-23,30,39; 5th Committee 39; plenary 54.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against France, United Kingdom, United States.

Abstaining: Belgium, Canada, Germany, Greece, Italy, Japan, Luxembourg, Netherlands, Pakistan, Portugal, Spain, Turkey.

Regional centres for peace and disarmament

In October [A/45/573], the Secretary-General reported to the General Assembly on the activities of the three UN regional centres for peace and disarmament-in Africa, Asia and the Pacific, and Latin America and the Caribbean.

The activities of the UN Regional Centre for Peace and Disarmament in Africa, inaugurated in 1986 at Lomé, Togo [YUN 1986, p. 85], included conferences, training programmes on confidence-building and on the peaceful settlement of disputes, research and study, and the dissemination of information within the framework of the World Disarmament Campaign. It held a workshop (Arusha, United Republic of Tanzania, 5-16 March) for senior African military and civilian officials on conflict resolution, crisis prevention and management, and confidence-building among African States. A documentation/reference library was established to disseminate information relating to peace, security and development within the African context. Efforts were under way to publish a newsletter on relevant developments.

As decided by the Assembly in resolution 41/60 J [YUN 1986, p. 86], the Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean was established on 1 January 1987 and inaugurated at Lima, Peru, on 9 October of that year [YUN 1987, p. 88]. The Centre continued to serve as a resource centre and expanded its contacts in the region to secure specialized publications and materials. It continued to publish its quarterly newsletter Boletín and to provide assistance and support to Governments and NGOs in the areas of peace and disarmament. It hosted a meeting of the Latin American Research Conference (Lima, Peru, 22 and 23 March). Under the auspices of the Centre, a seminar on alternatives for common security in South America (Lima, 27-30 November) was held as well as a symposium (Lima, 6 June) on regional security in Latin America for military attaches of the region accredited in Lima, Peruvian military officers and Peruvian Foreign Ministry officials. In co-operation with the Argentine Council for Foreign Relations and the United Nations Information Centre at Buenos Aires, the Centre organized a seminar (Buenos Aires, Argentina, 25 and 26 July) on disarmament and arms limitation issues.

The UN Regional Centre for Peace and Disarmament in Asia and the Pacific, established in 1987 [YUN 1987, p. 89], was inaugurated on 30 January 1989 at Kathmandu, Nepal [YUN 1989, p. 88]. Since its inauguration, the Centre had carried out its activities on a regular basis. However, be-

cause of resource constraints, its activities were limited to disseminating information on UN activities in the area of arms limitation and disarmament, answering public inquiries, and organizing the Regional Meeting on Confidence-Building Measures in the Asia-Pacific Region (Kathmandu, 29-31 January).

GENERAL ASSEMBLY ACTION

On 4 December, the General Assembly adopted resolution 45/59 E.

United Nations Regional Centre for Peace and Disarmament in Africa, United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific and United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean

The General Assembly,

Recalling its resolutions 40/151 G of 16 December 1985, 41/60 D of 3 December 1986, 42/39 I of 30 November 1987 and 43/76 D of 7 December 1988 on the United Nations Regional Centre for Peace and Disarmament in Africa, 41/60 J of 3 December 1986, 42/39 K of 30 November 1987 and 43/76 H of 7 December 1988 on the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean, 42/39 D of 30 November 1987 and 43/76 G of 7 December 1988 on the United Nations Regional Centre for Peace and Disarmament in Asia, and 44/117 F of 15 December 1989 on the United Nations Regional Centre for Peace and Disarmament in Africa, the United Nations Regional Centre for Peace and Disarmament in Asia and the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean,

Reaffirming its resolutions 37/100 F of 13 December 1982, 38/73 J of 15 December 1983, 39/63 F of 12 December 1984, 40/94 A of 12 December 1985, 41/59 M of 3 December 1986, 42/39 E of 30 November 1987 and 44/117 B of 15 December 1989 on regional disarmament,

Recalling the final documents of the Ninth Conference of Heads of State or Government of Non-Aligned Countries, held at Belgrade from 4 to 7 September 1989, and noting in particular the importance placed by the heads of State or Government on the activities of the United Nations regional centres in Africa, Asia and Latin America and the Caribbean,

Convinced that the initiatives and activities mutually agreed upon by Member States of the respective regions aimed at fostering mutual confidence and security, as well as the implementation and co-ordination of regional activities under the World Disarmament Campaign, would encourage and facilitate the development of effective measures of confidence-building, arms limitation and disarmament in these regions,

Expressing its gratitude to the Member States and international governmental and non-governmental organizations that have contributed to the trust funds of the three regional centres,

Welcoming the activities carried out by the centres since the forty-fourth session of the General Assembly,

which have contributed substantively to understanding and co-operation among the States in each particular region and have thereby strengthened the role assigned to each regional centre in the areas of peace, disarmament and development,

Bearing in mind the need to provide the centres with financial stability so as to facilitate the planning of their activities,

Taking note with appreciation of the report of the Secretary-General on the three regional centres, and of his efforts in providing the necessary administrative measures to permit the effective functioning of the three centres,

1. Encourages the regional centres to continue their efforts in promoting regional co-operation among the States in their respective regions with a view to contributing to the implementation and co-ordination of regional activities under the World Disarmament Campaign and to facilitate the development of effective measures of confidence-building, arms limitation and disarmament;

2. Commends the Secretary-General for all the efforts he has made in favour of the centres, and requests him to continue to provide all the necessary support to their activities and in particular to pursue the full implementation of the provisions of resolution 44/117 F;

3. Appeals once again to Member States, as well as to international governmental and non-governmental organizations, to make voluntary contributions in order to strengthen the effective operational activities of the centres;

4. Also requests the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

General Assembly resolution 45/59 E

4 December 1990 Meeting 54 Adopted without vote

Approved by First Committee (A/45/779) without vote, 99 November (meeting 33); draft by 17 nations, Brazil for Latin American and Caribbean Group, and Tunisia for African Group (A/C.1/45/L.54); agenda item 57 (e).

Meeting numbers. GA 45th session: 1st Committee 3-23, 31, 33; plenary 54.

Disarmament studies, information and research

Advisory Board on Disarmament Matters

The Advisory Board on Disarmament Matters, at its twenty-first session (New York, 19-24 July) [A/45/49], discussed the implementation of the World Disarmament Campaign (see below) and its implications for the United Nations in the area of security, arms limitation and disarmament. The Board was informed of the status of a number of completed and ongoing studies on disarmament issues carried out by groups of experts on behalf of the Secretary-General. In its capacity as the Board of Trustees of UNIDIR, it considered and approved the report of the UNIDIR Director on the Institute's activities for 1989-1990 (see below) and the research programme and proposed budget for 1991. It recom-

mended a subvention from the regular UN budget amounting to \$220,000 for 1991.

The General Assembly, by resolution 45/248 A, section IV, approved the subvention, as recommended by the Advisory Committee on Administrative and Budgetary Questions [A/45/7/Add.5].

UN Institute for Disarmament Research

UNIDIR, which was established by General Assembly resolution 34/83 M [YUN 1979, p. 101] and had been in existence since 1 October 1980 [YUN 1980, p. 113], observed its tenth anniversary on 1 October 1990. In August, the Secretary-General transmitted to the General Assembly UNIDIR's report covering the period July 1989 to June 1990 [A/45/392]. The report described UNIDIR's completed and ongoing research projects and described its external relations. UNIDIR continued to issue its quarterly newsletter. It also continued its fellowship and internship programme for scholars from developing countries to undertake research in disarmament. Among the research projects completed were those relating to the security of third world countries, verification and outer space. Current activities focused on national concepts of security, disarmament and development; research guides to proceedings of the Conference on Disarmament; verification; prevention of an arms race in outer space; the United Nations in disarmament and security; economic aspects of disarmament; non-military aspects of security; the computerized information and documentation data base service; and chemical weapons.

GENERAL ASSEMBLY ACTION

On 4 December, the General Assembly adopted resolution 45/62 G.

Tenth anniversary of the United Nations
Institute for Disarmament Research

The General Assembly,

Recalling its resolution 34/83 M of 11 December 1979, in which it requested the Secretary-General to establish the United Nations Institute for Disarmament Research on the basis of the recommendations contained in the report of the Secretary-General,

Reaffirming its resolution 39/148 H of 17 December 1984, in which it approved the Statute of the United Nations Institute for Disarmament Research, renewed the invitation to Governments to consider making voluntary contributions to the Institute and requested the Secretary-General to continue to give the Institute administrative and other support,

Recalling also its resolution 42/42 J of 30 November 1987, in which it took note with appreciation of the report of the Advisory Board on Disarmament Studies and noted that the establishment of the Institute offered new opportunities regarding research in the field of disarmament,

Noting that the Ninth Conference of Heads of State or Government of Non-Aligned Countries, held at Belgrade from 4 to 7 September 1989, expressed in its final document on international security and disarmament their appreciation for the research work conducted by the Institute and stressed the need to ensure its continued viability by assured financial support from the regular budget of the United Nations and through voluntary contributions,

Considering the need for the international community to have access to independent and in-depth research on disarmament, in particular on emerging problems and the foreseeable consequences of disarmament,

Noting also in this regard the importance of research on the economic aspects of disarmament,

Having considered the annual report of the Director of the Institute and the report of the Advisory Board on Disarmament Matters acting in its capacity as Board of Trustees of the Institute,

1. Notes the tenth anniversary of the establishment of the United Nations Institute for Disarmament Research;
2. Recognizes the increased importance and high quality of the work of the Institute in the execution of its mandate under its Statute;
3. Reiterates the conviction that the Institute should continue to conduct independent research on problems relating to disarmament and should be further encouraged to undertake specialized research or research requiring a high degree of expertise;
4. Calls upon all Member States and public or private institutions to consider making contributions to the Institute in order to ensure its long-term viability and to fulfil the objectives set out in section IV of General Assembly resolution 44/201 B of 21 December 1989;
5. Recommends the continued implementation of the Statute of the Institute;
6. Invites the Director of the Institute and the Advisory Board on Disarmament Matters to continue to report annually to the General Assembly on the activities conducted by the Institute;
7. Requests the Institute to prepare, with the assistance of independent experts, a research report on the economic aspects of disarmament and to report to the General Assembly, through the Secretary-General, at its forty-seventh session, the costs of this research project being shared between the regular budget of the United Nations and voluntary contributions.

General Assembly resolution 45/62 G

4 December 1990 Meeting 54 Adopted without vote

Approved by First Committee (A/45/782) without vote, 16 November (meeting 39); 32-nation draft (A/C.1/45/L.53/Rev.1); agenda item 60 (e). Financial implications: ACABQ A/45/7/Add.5; 5th Committee, A/45/814; S-G, A/C.1/45/L.62, A/C.5/45/6, A/C.5/45/51.

Meeting numbers. GA 45th session: 1st Committee 3-23,32,39; 5th Committee 39; plenary 54.

UN disarmament studies programme

In 1990, five studies were completed: a comprehensive study on nuclear weapons (see above, under "Nuclear arms limitation and disarmament") [A/45/373]; a study on the role of the United Nations in the field of verification (see

above, under "Comprehensive programme of disarmament") [A/45/372 & Corr.1]; a study on effective and verifiable measures that would facilitate the establishment of a nuclear-weapon-free zone in the Middle East (see above, under "Nuclear-non-proliferation") [A/45/435]; scientific and technological developments and their impact on international security (see above, under "Advanced technology") [A/45/568]; and the study on South Africa's nuclear-tipped ballistic missile capability (see above, under "Nuclear weapon-free zones and zones of peace") [A/45/571 & Corr.1]. Four new studies were requested by the General Assembly in 1990 on: confidence-building measures in outer space (**resolution 45/55 B**); charting potential uses of resources allocated to military activities for promoting civilian endeavours to protect the environment (**resolution 45/58 N**); defensive security concepts and policies (**resolution 45/58 O**); and the economic aspects of disarmament (**resolution 45/62 G**). In addition, one study was in progress during the year on international arms transfers.

Fellowship, training and advisory services programme

In October [A/45/604], the Secretary-General submitted his annual report on the United Nations disarmament fellowship, training and advisory services programme, stating that 24 fellows had been selected to participate in 1990. The programme—comprising lectures, seminars and panel discussions, research projects on peace and disarmament, simulation exercises and study visits—began on 23 July at Geneva and ended in New York on 23 November. During the first part of the programme participants made study visits to IAEA headquarters at Vienna and, at the invitation of the States concerned, to offices and institutions of Finland, Germany, Japan, Sweden, the USSR and the United States.

GENERAL ASSEMBLY ACTION

On 4 December, the General Assembly adopted **resolution 45/59 A**.

United Nations disarmament fellowship, training and advisory services programme

The General Assembly,

Having considered the report of the Secretary-General on the United Nations disarmament fellowship, training and advisory services programme,

Recalling its decision, contained in paragraph 108 of the Final Document of the Tenth Special Session of the General Assembly, 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, 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,

Noting with satisfaction that the programme has already trained an appreciable number of public officials selected from geographical regions represented in the United Nations system, most of whom are now in positions of responsibility in the field of disarmament affairs in their respective countries or Governments,

Recalling also its resolutions 37/100 G of 13 December 1982, 38/73 C of 15 December 1983, 39/63 B of 12 December 1984, 40/151 H of 16 December 1985, 41/60 H of 3 December 1986, 42/39 I of 30 November 1987, 43/76 F of 7 December 1988 and 44/117 E of 15 December 1989,

Noting also with satisfaction that the programme, as designed, has enabled an increased number of public officials, particularly from the developing countries, to acquire more expertise in the sphere of disarmament,

Believing that the forms of assistance available to Member States, particularly to developing countries, under the programme will enhance the capabilities of their officials to follow ongoing deliberations and negotiations on disarmament, both bilateral and multilateral,

1. Reaffirms its decisions contained in annex IV to the Concluding Document of the Twelfth Special Session of the General Assembly and the report of the Secretary-General approved by resolution 33/71 E of 14 December 1978;

2. Expresses its appreciation to the Governments of Finland, Germany, Japan, Sweden, the Union of Soviet Socialist Republics and the United States of America for inviting the 1990 fellows to study selected activities in the field of disarmament, thereby contributing to the fulfilment of the overall objectives of the programme;

3. Notes that, within the framework of the programme, the Secretary-General organized a regional disarmament workshop for Africa in April 1989 at Lagos and that preparations are under way to organize a similar disarmament workshop for the Asia and Pacific region in the early part of 1991, to be held at Bandung, Indonesia;

4. Commends the Secretary-General for the diligence with which the programme has continued to be carried out;

5. Requests the Secretary-General to continue the implementation of the programme within existing resources and to report to the General Assembly at its forty-sixth session.

General Assembly resolution 45/59 A

4 December 1990

Meeting 54

Adopted without vote

Approved by First Committee (A/45/779) without vote, 9 November (meeting 33); 30-nation draft (A/C.1/45/L.15); agenda item 57 1d).

Meeting numbers. GA 45th session: 1st Committee 3-23, 33; plenary 54.

World Disarmament Campaign

The World Disarmament Campaign—launched by the General Assembly in 1982 [YUN 1982, p. 31]—continued to inform, educate and generate public understanding and support for the disarmament objectives of the United Nations.

The Eighth Pledging Conference for the Campaign was convened in New York on 25 October.

Report of Secretary-General. In October [A/45/555 & Corr.1], in his annual report on implementing the Campaign's objective, the Secretary-General informed the Assembly of activities carried out by the United Nations system, including information material, consultations, conferences, seminars, training, special events and publicity programmes. The Department for Disarmament Affairs held a conference on "New Trends in Science and Technology: Implications for International Peace and Security" (Sendai, Japan, 16-19 April); a symposium on "Transparency in International Arms Transfers: Initiatives of Governments and Possible Multilateral Action" (Florence, Italy, 25-28 April); a seminar on "African Disarmament and Security" (Cairo, Egypt, 6-10 May); a seminar on "Confidence-building Measures in the Maritime Domain" (Helsingör, Denmark, 13-15 June); a conference on "Conversion: Economic Adjustments in an Era of Arms Reductions" (Moscow, USSR, 13-17 August); and a seminar on confidence-building measures in the maritime environment (Varna, Bulgaria, 4-6 September). The Department of Public Information continued to publicize UN activities and to help further the goals of the Campaign in printed form, through radio, film, television and photo coverage, and through interpersonal contacts.

Financing

The Eighth Pledging Conference for the World Disarmament Campaign was held in New York on 25 October [A/CONF.155/1]

The pledges made at the Conference and subsequently until 31 March 1991 were earmarked for the Campaign as follows: Austria (\$10,000), Canada (\$Can 25,000), Cyprus (\$1,000), Finland (50,000 markkaa), Greece (\$5,000), Indonesia (\$5,000), Mexico (\$5,000), New Zealand (\$1,800), Philippines (\$500), Saudi Arabia (\$5,000), Sri Lanka (\$5,000), Sweden (200,000 kronor); for UNIDIR: Canada (\$Can 25,000), China (\$10,000), Finland (80,000 markkaa), France (1,313,000 French francs), Germany (20,000 deutsche mark), Iran (\$1000), New Zealand (\$4,441), Nigeria (\$10,000), Republic of Korea (\$5,000), Spain (1,500,000 pesetas), Switzerland (60,000 Swiss francs); for the United Nations disarmament fellowship, training and advisory services Programme: Norway (\$50,000), Republic of Korea (\$3,000); for the United Nations Regional Centre for Peace and Disarmament in Africa: France (50,000 French francs), Norway (\$10,000); for the United Nations Regional Centre for Peace and Disarmament in Asia and the

Pacific: Iran (\$1000), Nepal (\$7,000), New Zealand (\$6,000), Norway (\$10,000), Republic of Korea (\$2,000); for the United Nations Centre for Peace, Disarmament and Development in Latin America and the Caribbean: Norway (\$10,000), Spain (575,000 pesetas); for the 1991 seminar on confidence- and security- building measures (Vienna): Austria (\$96,572); for the 1990 seminar on confidence-building measures in the maritime environment (Varna, Bulgaria): Bulgaria (20,000 leva); for the 1991 regional meeting on confidence-building measures in Asia and the Pacific (Kathmandu, Nepal): New Zealand (\$1,800); for the 1990 seminar on disarmament and security (Cairo): Egypt (11,144 Egyptian pounds); for the UN regional disarmament training programme for Latin America and the Caribbean: Norway (\$15,000); for the 1991 expert meeting on the UN disarmament data base Budapest: Hungary (700,000 forint); for an international conference on disarmament (Tehran): Iran (10,000 rials); for the production of a television documentary on chemical weapons: Australia (\$8,000), Austria (\$10,000), Canada (\$8,650), Finland (\$10,000), Germany (\$15,000), Norway (\$9,565), Sweden (\$6,000); for a Lomé/UNIDIR project: France (50,000 French francs).

GENERAL ASSEMBLY ACTION

On 4 December, the General Assembly adopted resolution 45/59 C.

World Disarmament Campaign

The General Assembly,

Recalling the decision taken by the General Assembly in 1982 at its twelfth special session, the second special session devoted to disarmament, by which the World Disarmament Campaign was launched,

Recalling also its various resolutions on the subject, including resolution 44/117 A of 15 December 1989,

Having examined the reports of the Secretary-General of 15 October 1990 on the implementation of the World Disarmament Campaign, and of 2 October 1990 on the Advisory Board on Disarmament Matters relating to the implementation of the World Disarmament Campaign, as well as the Final Act of the Eighth United Nations Pledging Conference for the campaign, held on 25 October 1990,

Taking note with appreciation of the contributions that Member States have already made to the Campaign,

1. Welcomes the report of the Secretary-General on the World Disarmament Campaign of 15 October 1990 and the assessment of its achievements and shortcomings;

2. Commends the Secretary-General for his efforts to make effective use of the resources available to him in disseminating as widely as possible information on arms limitation and disarmament to elected officials, the media, non-governmental organizations, educational communities and research institutes, and in carrying out an active seminar and conference programme;

3. Notes with appreciation the contributions to the efforts of the Campaign by the United Nations information centres and the regional centres for disarmament;

4. Recommends that the Campaign, as a global information programme, should further focus its efforts:

(a) To inform, to educate and to generate public understanding of the importance of aid support for multilateral action, including by the United Nations and the Conference on Disarmament, in the field of arms limitation and disarmament, in a factual, balanced and objective manner;

(b) To facilitate unimpeded access to and an exchange of information on ideas between the public sector and public interest groups and organizations, and to provide an independent source of balanced and factual information that takes into account a range of views to help further an informed debate on arms limitation, disarmament and security;

(c) To organize meetings to facilitate exchanges of views and information between governmental and non-governmental sectors, and between governmental and other experts in order to facilitate the search for common ground;

5. Invites all Member States to contribute to the World Disarmament Campaign Voluntary Trust Fund;

6. Decides that at its forty-sixth session there should be a ninth United Nations Pledging Conference for the World Disarmament Campaign, and expresses the hope that on that occasion all those Member States which have not yet announced any voluntary contributions will do so, bearing in mind the objectives of the

Third Disarmament Decade and the need to ensure its success;

7. Requests the Secretary-General to submit to the General Assembly at its forty-sixth session a report covering both the implementation of the programme of activities of the Campaign by the United Nations system during 1991 and the programme of activities contemplated by the system for 1992;

8. Also decides to include in the provisional agenda of its forty-sixth session the item entitled "World Disarmament Campaign".

General Assembly resolution 45/59 C

4 December 1990 Meeting 54 Adopted without vote

Approved by First Committee (A/45/779) without vote, 9 November (meeting 33); 20-nation draft (A/C.1/45/L.29); agenda item 57 (a).

Meeting numbers. GA 45th session: 1st Committee 3-23, 29, 33; plenary 54.

Disarmament Week

Disarmament Week, an annual event fostering the objectives of disarmament, was observed on 25 October at a special meeting of the General Assembly's First Committee, where statements were made by the President of the General Assembly, the Secretary-General and the Chairman of the First Committee. The Department for Disarmament Affairs and the NGO Committee on Disarmament co-sponsored the annual NGO Forum at Headquarters. The Department also organized a series of lectures and an exhibition of disarmament activities.

Chapter III

Peaceful uses of outer space

The United Nations continued in 1990 to promote international co-operation in the use of outer space for peaceful purposes through the Committee on the Peaceful Uses of Outer Space and its Scientific and Technical and Legal Sub-Committees.

The General Assembly in December endorsed the Committee's decisions and recommendations, as contained in its report to the Assembly, and invited States that had not become parties to the international treaties governing the uses of outer space to give consideration to ratifying or acceding to those treaties.

Science, technology and law

General aspects

The Committee on the Peaceful Uses of Outer Space (Committee on outer space) held its thirty-third session in New York from 4 to 14 June 1990, during which it continued to consider ways and means of maintaining outer space for peaceful purposes. Its report [A/45/20] reviewed in detail the results of the sessions of its two subsidiary bodies--the Scientific and Technical Sub-Committee and the Legal Sub-Committee--outlined the future work of those bodies and indicated a tentative timetable for their and the Committee's 1991 sessions. In addition, the report described the current status of the spin-off benefits of space technology and noted the participation in the Committee's work of a number of governmental and non-governmental organizations.

Annexed to the report was the Committee Chairman's statement at the opening of the session, which gave an overview of the most recent and outstanding achievements in the field of outer space, highlighted the activities of the two Sub-Committees, and noted the long-term repercussions on the Committee's work of the remarkable developments in international politics during the past year. Also annexed was the text of the seventh revision of the draft principles relevant to the use of nuclear power sources in outer space.

The 1990 reports on the specific activities and actions undertaken by the Committee and its

subsidiary bodies, as well as other related reports, were in accordance with General Assembly resolution 44/46 [YUN 1989, p.98].

Other efforts to broaden international co-operation in outer space included International Space Year in 1992, the international project for satellite-aided search and rescue known as COSPAS-SARSAT and other initiatives taken through regional and international conferences, notably the regional space conference hosted by Costa Rica (see below).

Implementation of the recommendations of the 1982 Conference on outer space

In October 1990, the Secretary-General reported [A/45/589] on progress in the implementation of the recommendations of the Second (1982) United Nations Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE-82) [YUN 1982, p. 162]. He summarized the categories of activities contributing to that implementation, including inter-agency and regional co-operation, various relevant studies, the United Nations Programme on Space Applications (see below), technical advisory services, the International Space Information Service and voluntary contributions. Principal among the many implementing entities mentioned was the Working Group of the Whole to Evaluate the Implementation of the Recommendations of UNISPACE-82, reconvened during the year by the Scientific and Technical Sub-Committee.

The Working Group met for its fourth session (New York, 27 February-6 March) with a view to improving the execution of activities relating to international co-operation, particularly those included in the UN Programme on Space Applications, and to proposing steps to increase co-operation and make it more efficient. The Group put forward a series of proposals, among them that the Programme's emphasis should be on long-term, project-oriented on-the-job training in space technology, that Member States and international organizations should contribute to that end so that the number of fellowships offered could be increased, and that the number of trainees from each country should be sufficient to create a national core group of experts. States and international organizations, particularly those with space-related activities, should inform

the Secretary-General annually concerning those activities that could be the subject of greater international co-operation, with particular emphasis on the needs of developing countries. To facilitate the exchange of consultants at the international level, the Outer Space Affairs Division of the Secretariat should compile a list of experts in space technology and applications, to be updated periodically and circulated among Member States. The Secretariat should prepare an annual report on arrangements with other organs, bodies and organizations of the UN system to utilize resources fully and to secure additional financial support for the continued implementation of the Programme. Also called for were the sharing of human and technical resources, information exchange, co-ordination of the space activities of scientific organizations, preparation of reports on the resources and technological capabilities of States, provision of financial and technical assistance to developing countries and ensuring the availability of data on a continuing basis.

The Working Group further proposed that the Outer Space Affairs Division should report on the economic aspects of the creation of an international space information service, as requested by the General Assembly in resolution 44/46 [YUN 1989, p. 89], for the Group's consideration at its next session; that the United Nations should lead an international effort to establish regional centres for space science and technology education in developing countries; and that, to permit a better assessment of the implementation of the UNISPACE-82 recommendations, separate reports should be prepared on the implementation of the recommendations addressed to specialized agencies and other international organizations, and of those addressed to Member States.

The Working Group's report was adopted by the Scientific and Technical Sub-Committee and included as annex II to its own report [A/4/AC.105/456] to the Committee on outer space. In endorsing the Group's proposals, the Committee [A/45/20] recommended that the Group be reconvened in 1991 to continue its work.

As a follow-up to one of those proposals, the Secretary-General subsequently requested all Member States for information on experts in space technology and applications. By 22 May, 11 States had replied, on the basis of which the Secretariat prepared a list [A/AC.105/460] of such experts for transmittal to the Committee.

UN Programme on Space Applications

The United Nations Programme on Space Applications continued to focus in 1990 on: providing long-term fellowships for in-depth training

and technical advisory services to Member States and regional institutions upon request; organizing a series of training courses and expert workshops; assisting in developing indigenous capability at the local level and in the acquisition and dissemination of space-related information systems; and promoting greater co-operation between developed and developing countries, as well as among developing countries, in space science and technology. Activities in those areas were described by the United Nations Expert on Space Applications in a December report [A/AC.105/478] to the Scientific and Technical Sub-Committee, for consideration in 1991.

According to the report, the Programme received 39 long-term fellowship offers for 1990/91, as follows: two from Austria for training in microwave technology; 10 from Brazil for research and application in remote-sensing technology; two from China for research and training in geodesy, photogrammetry and remote sensing; 21 from the USSR in geodesy, cartography and aerial photography, and in space science and technology research; and four from the European Space Agency (ESA) in space antennae and propagation, remote-sensing information systems, satellite meteorology and communications systems at various ESA institutions. In addition, five new fellowships were established by the USSR for training in optical-electronic instruments for remote sensing and monitoring of the Earth's resources and its environment.

The Programme assisted Costa Rica in organizing the Space Conference of the Americas: Prospects of Co-operation for Development (San Jose, 12-16 March). It conducted a survey leading to the selection of specific sites in those African countries in the Atlantic coast region that were within the perimeter of ESA's Fucino and Maspalomas ground receiving stations. The Outer Space Affairs Division continued to offer technical advisory services to the Indian Ocean Marine Affairs Co-operation to study the use of remote sensing for mapping, monitoring and managing coastal resources. The Programme also assisted the Economic Commission for Africa and the Governing Council of the Regional Centre for Services in Surveying, Mapping and Remote Sensing to carry out a fact-finding mission at the Centre.

Under the Programme's auspices, the United Nations conducted one training course, the UN International Training Course on Remote Sensing Education for Educators (Stockholm and Kiruna, Sweden, 14 May-15 June); and two workshops: the UN Workshop on Space Communications for Development (Havana, Cuba, 16-30 March) and the Food and Agriculture Or-

ganization of the United Nations (FAO)/ESA Workshop on Microwave Remote Sensing Technology (São José dos Campos, Brazil, 19-23 November). In addition, the Programme financially supported and co-sponsored a UN/FA(Z) International Training Course on Agricultural Applications of Remote Sensing (Prague, Czechoslovakia, 18-29 June) and the UN/FAO/ESA International Workshop on Remote Sensing (Rome, Italy, 7-16 November).

The 1990 Programme activities benefited from voluntary contributions from Austria, Brazil, Canada, China, Cuba, Czechoslovakia, France, Germany, Italy, Norway, Pakistan, Spain, Sweden and the USSR, as well as from a variety of other support sources, including the United Nations, FAO and ESA.

The Expert's 1989 report [A/AC.105/446] was considered by the Scientific and Technical Sub-Committee in 1990. The report set out the activities scheduled for implementation in 1990 and 1991 and contained, among other information, a proposal that the United Nations should lead an international effort to establish regional centres for space and technology education in existing national and regional educational institutions in Africa, Asia and the Pacific, Latin America and the Caribbean, and the Middle East. That would complement the fellowship programmes and thus enhance the capabilities of developing countries in space science and technology and its applications. The Sub-Committee [A/AC.105/456] took particular note of the proposal and called for voluntary contributions towards that effort. It further took note of the status of the 1990 training courses and workshops and recommended for approval those proposed for 1991. As to the reported contributions in support of the Programme's 1989 activities, the Sub-Committee again expressed concern over the meagre financial resources available for carrying out the Programme and appealed to Member States for support through voluntary contributions.

The Committee on outer space [A/45/20] took note of the Programme on Space Applications and of the progress being made in the implementation of activities planned for 1990. It recommended that, in all its activities, the Programme should highlight the cost-effective nature of the use of space applications, particularly in the area of remote sensing.

The General Assembly, in resolution 45/72 of 11 December 1990, endorsed the Programme for 1991 and urged all States to make voluntary contributions to enhance its effectiveness.

Co-ordination in the UN system

The Scientific and Technical Sub-Committee [A/AC.105/456] continued to stress the need to ensure effective consultations and co-ordination in outer space activities within the UN system and to avoid duplication. In that connection, it took note of the results of the eleventh Ad Hoc Inter-Agency Meeting on Outer Space Activities [YUN 1989, p. 95], indicating the extent of co-ordination achieved. The Meeting's report to the Administrative Committee on Co-ordination was subsequently taken note of by the Committee on outer space.

The Sub-Committee also took note of the Secretary-General's 1989 report [A/AC.105/444 & Corr.1] on co-ordination of outer space activities within the UN system with regard to the work programmes for 1990, 1991 and future years. With regard to a proposal to organize two workshops jointly by the Outer Space Affairs Division and the Centre for Science and Technology for Development-as the input to a publication on space technology and applications in the series of Advanced Technology Alert Bulletins-the Sub-Committee pointed out that those workshops would be subject, not only to the concurrence of the Governments and organizations concerned, but also to the availability of funds from the Centre. It moreover drew attention to the role of the Committee on outer space and its subsidiary bodies as the focal point for co-ordinating UN space-related activities.

The twelfth Ad Hoc Inter-Agency Meeting (Rome, 26-28 September), in its report [ACC/1990/PG/9], described inter-agency co-ordination efforts and recommended major agenda items for consideration at the next Meeting. They included co-ordination of plans and programmes and exchange of views on current activities in the practical applications of space technology and related areas, an in-depth review of the co-operation in remote-sensing activities within the UN system, and planning and co-ordination of activities on International Space Year within that system.

International Space Year (1992)

The Secretariat, in a note of 23 January 1990 with later addenda [A/AC.105/445 & Add.1,2], submitted to the Committee on outer space the proposed programme for UN participation in International Space Year (1992) (ISY). The initiative of international scientific organizations and bodies to so designate 1992 had been endorsed by the General Assembly in resolution 44/46 [YUN 1989 p. 91]. The scope of the proposed activities, which took account of the Year's objectives and the needs of developing countries, included manage-

ment of the resources of the Earth and its environment, long-term education programmes and public education. The goal was to contribute to the demystification of space science and technology world wide and encourage countries, particularly the developing ones, not only to participate in the applications of the technology, but also to undertake programmes that could contribute to its understanding, growth and development at the local level. The proposed programme was to be implemented by voluntary contributions from Member States.

The Scientific and Technical Sub-Committee [A/AC.105/456], observing that 1992 would also be the tenth anniversary of UNISPACE-82, urged Member States and international organizations to consider supporting additional scientific and technical activities in co-operation with the United Nations as part of ISY. It also noted that it was important to increase voluntary contributions for ISY activities under the UN Programme on Space Applications. The Sub-Committee considered that the ISY activities of the UN system should be complementary to those of the Committee on Space Research (COSPAR), the International Astronautical Federation (IAF) and the Space Agency Forum for International Space Year. As the primary focus of the proposed activities was on the use of space technology for studying and monitoring the environment, the Sub-Committee recommended that Member States consider ways in which their planned activities could complement efforts under way for the 1992 United Nations Conference on Environment and Development (UNCED) (see PART THREE, Chapter VIII).

The Committee on outer space [A/45/20] agreed that ISY provided an opportunity to strengthen and expand co-operation in the peaceful uses of outer space and noted the importance of including all countries in the Year's activities. It took note of: national and international activities being planned and the role of the Space Agency Forum in organizing for the Year; the proposal, in the context of the international geosphere-biosphere programme, for a series of polar-orbiting satellites called "PEACE" (protection of environment for assuring cleaner Earth) with sensors for continuous global monitoring of the Earth's environment; and the plans by COSPAR and IAF, with a joint World Space Congress to be held in Washington, D.C., and a major programme on "Mission to Planet Earth". The Committee further took note of the proposal that it and the Assembly each hold a special meeting to mark the Year and endorsed the Sub-Committee's recommendation that Member

States plan their ISY activities to complement those for UNCED.

The Secretariat, in further addenda [A/AC.105/445/Add.3,4] to its January note, advised that the previous document on UN participation in ISY had been recast in a new publication entitled "Guide to the Participation of the United Nations in the International Space Year—1992" and annexed a list, updated to 19 December 1990, of the planned ISY activities to be undertaken by the United Nations.

Science and technology aspects

The Scientific and Technical Sub-Committee of the Committee on outer space held its twenty-seventh session in 1990 (New York, 26 February-9 March), at which it examined the United Nations Programme on Space Applications and the co-ordination of its activities, as well as the implementation of the UNISPACE-82 recommendations. The Sub-Committee also examined matters relating to: remote sensing of the Earth by satellites; the use of nuclear power sources in outer space; space transportation systems; the physical nature and technical attributes of the geostationary orbit; life sciences, including space medicine; progress in the geosphere-biosphere (global change) programme; planetary exploration; astronomy; the theme "The use of space technology in terrestrial search and rescue and in disaster relief activities", fixed for special attention at the current session; ISY; and space and Earth environment (see below).

During the session, in addition to a COSPAR/IAF symposium, special scientific and technical presentations were made by representatives of a number of expert bodies and programmes in science and space-related technology. The Working Group of the Whole was also reconvened with a view to improving the execution of activities relating to international co-operation, particularly those of the Programme, and to propose steps to increase such co-operation.

Following consideration of the various items before it, the Sub-Committee adopted its report [A/AC.105/456] to the Committee on outer space. Annexed to that report were a list of the documents before the Sub-Committee (annex I), the report of the Working Group of the Whole to Evaluate the Implementation of the Recommendations of UNISPACE-82 (annex II) and the report of the Working Group on the Use of Nuclear Power Sources in Outer Space (annex III).

Remote sensing of the Earth by satellites

The Scientific and Technical Sub-Committee reiterated the view that remote sensing from

outer space should be carried out taking into account the need to assist the developing countries. It emphasized the importance of making available to all countries remote-sensing data and analysed information, at reasonable cost and in a timely manner, as well as the need for free access to data from operational meteorological satellites. The Sub-Committee felt that international co-operation in the use of remote-sensing satellites should be encouraged through co-ordination of ground-station operations and regular meetings between satellite operators and users. It noted the importance of compatibility of data formats between different satellite systems, of sharing experiences and technology among developing countries and of satellite remote sensing for monitoring and protecting the Earth's environment, and in particular for studying and monitoring global climate change.

The Committee on outer space [A/45/20] recognized the importance of continued international efforts to ensure the continuity, compatibility and complementarity of systems for remote sensing of the Earth and urged all countries to continue the practice of free distribution of meteorological information. It took note of three working papers by the USSR: two entitled "Remote sensing of the Earth: OKEAN Programme" and "The Priroda package for remote sensing of the Earth (international project)", providing information on the development of two multi-purpose space platforms for continuing investigation of Earth resources and for monitoring the environment; and a third proposing an international environmental monitoring space laboratory. It endorsed the Sub-Committee's recommendations that discussion on remote-sensing activities should be conducted in accordance with the 1986 Principles relating to Remote Sensing of the Earth from Space [YUN 1986, p. 95] and that the item be retained as a priority one on the agenda of the next Sub-Committee session.

Nuclear power sources and safety in spacecraft

The Scientific and Technical Sub-Committee examined the report of the Working Group on the Use of Nuclear Power Sources in Outer Space on its eighth session (New York, 5-8 March), which the Sub-Committee later included as annex III to its own report [A/AC.105/456] to the Committee on outer space.

At the session, the Working Group completed the elaboration of agreed recommendations on nuclear power sources used in space aimed at minimizing and protecting against radiation hazards to individuals, the general population, the

biosphere and outer space itself. The recommendations set out in detail design measures to use nuclear power sources in space missions as a last resort, to contain adequately those that must be used from accidents that could disrupt the integrity of the space vehicle, and, in planning missions, to ensure that the space vehicle itself be kept at a safe distance from Earth, space debris and other space vehicles. The Group agreed that States concerned could consult with the International Atomic Energy Agency on elaborating recommendations concerning the organization and conduct of operations for emergency planning and preparedness in case of accidental re-entry of nuclear power sources into the Earth's atmosphere.

The Committee on outer space [A/45/20] noted the Working Group's agreed recommendations, stating that they had provided a basis for agreement also in the Legal Sub-Committee on a text for draft principle 3 relating to guidelines and criteria on the same subject (see below).

Technical aspects of the geostationary orbit

The Scientific and Technical Sub-Committee [A/AC.105/456] continued its consideration of the utilization and technical aspects of the geostationary orbit, in which satellites maintained an altitude of about 36,000 kilometres above the equator. Views were expressed to the effect that the Sub-Committee should contribute to the Legal Sub-Committee's consideration of the issue and that it was important to continue considering the question, taking into account the geostationary orbit's characteristics as a limited natural resource, requiring a special regime to guarantee access by all States, in particular by equatorial States, and to take account of developing countries' needs. Also reviewed were recent developments in national and international space communications programmes, including technical developments that would contribute to ensuring access by all countries to satellite communications. In that connection, attention was drawn to various current and planned satellite communications programmes of Member States and international organizations, such as INTEL-SAT (International Telecommunications Satellite Organization) and INTERSPUTNIK (International Organization for Space Communications).

With regard to the claim that questions relating to the geostationary orbit were already being addressed effectively by the International Telecommunication Union (ITU), it was pointed out that, without ignoring ITU's technical role and functions, those questions were, in a global and political context, one of the principal responsi-

bilities of the Committee on outer space and its sub-committees.

The Committee on outer space [A/45/20] endorsed the Sub-Committee's recommendation that it continue consideration of the item at its next session.

Spin-off benefits of space technology

The Committee on outer space reviewed the current status of spin-off benefits of space technology, during which it heard special presentations by United States and USSR experts. The Committee agreed that such spin-offs were yielding substantial benefits in medicine (new techniques for diagnosis and treatment, including the electronic "temperature pill", portable X-ray device, surgical instruments), in safety (anti-glare filters, heat-resistant materials, protective systems for firefighters), in manufacturing and construction (new materials, high-performance machines, protective coatings, optical instruments, electronics), and in art preservation, environmental protection and agriculture.

The Committee agreed on the need to enhance international co-operation in developing such spin-off benefits, with particular attention to those which could address the social and economic needs of developing countries. It was suggested that a seminar to that end should be organized as part of the Programme on Space Applications. The Committee recommended that the Outer Space Affairs Division undertake a study of spin-offs on the basis of information from Member States and that space agencies in those States consider allocating a small portion of their resources to encourage spin-off applications of space technology through technology transfer to developing countries and exchange of technical information on promotional terms. The view was advanced that the United Nations should contribute to the development of procedures for the dissemination of those benefits.

Other questions

The Committee on outer space and its Scientific and Technical Sub-Committee dealt with various other space-related questions, such as life sciences, including space medicine; progress in the geosphere-biosphere (global change) programme; matters relating to planetary exploration and astronomy; and the theme "The use of space technology in terrestrial search and rescue and in disaster relief activities", fixed for special attention in 1990.

The Sub-Committee [A/AC.105/456] noted that: studies of human physiology under conditions of manned space flight had led to important ad-

vances in medical knowledge in such areas as blood circulation, heart function and metabolism; products of space biotechnology, such as pharmaceuticals, could have a profound impact on health care on Earth; and telemedicine techniques developed for the treatment of astronauts during space flight were also applicable for improving health care in remote and disaster-stricken areas. It therefore suggested that efforts be made to promote international co-operation to enable all countries to benefit from those advances.

The Committee on outer space [A/45/20] endorsed the Sub-Committee's recommendations that COSPAR and IAF be invited to report on progress in national and international space activities related to the Earth environment, that COSPAR arrange a special presentation on progress in the geosphere-biosphere programme and that the item on that programme be changed to "Progress in national and international space activities related to the Earth environment, in particular progress in the geosphere-biosphere (global change) programme". The Committee requested the Sub-Committee, when discussing activities related to the geosphere-biosphere, to highlight those scientific activities in which developing countries could play a meaningful role, and the Outer Space Affairs Division to arrange for training and support for those countries in that regard.

The Committee further noted that COSPAR and IAF had conducted a symposium (27-28 February) on the theme fixed for 1990 and endorsed the Sub-Committee's recommendation that all Member States and relevant international organizations consider utilizing to the maximum extent possible the highly successful COSPAR-SARSAT system for global search and rescue activities.

As to the General Assembly's recommendation in resolution 44/46 [YUN 1989, p. 98] that more attention be paid to all aspects related to the protection and preservation of the outer space environment, especially those affecting the Earth's environment, the Committee agreed that space debris was an issue of concern to all nations and could be an appropriate subject for future Committee discussion.

In addition, the Committee recommended that the Secretariat invite Member States to submit annual reports on their space activities, including information in response to requests from the Working Group of the Whole, on spin-off benefits of space activities, and on other topics requested by the Committee and its subsidiary bodies. It noted the participation in its work and that of its sub-committees of ESA, INTELSAT,

INTERSPUTNIK, the Council on International Co-operation in the Study and Utilization of Outer Space, COSPAR and IAF.

Legal aspects

The Legal Sub-Committee of the Committee on outer space held its twenty-ninth session in 1990 (New York, 2-20 April), at which it continued to consider three agenda items: the elaboration of draft principles relevant to the use of nuclear power sources in outer space; matters relating to the definition and delimitation of outer space and to the character and utilization of the geostationary orbit, without prejudice to the role of ITU; and the legal aspects related to the application of the principle that the exploration and utilization of outer space should be carried out for the benefit and in the interest of all States, taking into particular account the needs of developing countries.

Annexed to the Sub-Committee's report [A/AC.105/457 & Corr.1] were the report of its working group on the first item mentioned above (annex I) and three related working papers considered by the group (annex III). Also annexed was the report of the Sub-Committee's working group on the second item (annex II).

Nuclear power sources in outer space

The Legal Sub-Committee's working group on the elaboration of draft principles relevant to the use of nuclear power sources in outer space considered, at its 1990 session (3-11 April), a working paper previously submitted by Canada containing the fifth revision of a set of 11 draft principles. The texts of draft principles 1, 5, 6, 7 and 10—on the applicability of international law, notification of re-entry, consultations, assistance to States and settlement of disputes, respectively—had already been agreed to by the Sub-Committee. A new text for draft principle 3, on guidelines and criteria for the safe use of nuclear power sources and on which the working group recorded consensus, had been proposed by its Chairman, following extensive informal consultations on the basis of a working paper submitted by Canada, France and the Federal Republic of Germany.

The working group carried out readings on the provisions of draft principles 2,4,8,9 and 11, dealing, respectively, with notification of the presence on board a space object of a nuclear power source, safety assessment, responsibility, compensation and relations with international treaties and agreements. The working group heard an exchange of views on each of those draft principles and discussed a proposed reformu-

lated text for draft principle 4, without reaching consensus on any of them, however.

Following discussions on the working group's report, the Legal Sub-Committee agreed to the newly revised draft principle 3, bringing the number of agreed principles to six (principles 1, 3, 5, 6, 7, 10). To reflect those discussions, Canada, on 17 April, submitted a sixth revision, containing draft principles 2, 4, 8, 9, 11 and a new draft principle 12 providing for a revision of the set of principles no later than 10 years after their adoption. The Sub-Committee reproduced the sixth revision as annex III to its report [A/AC.105/457] to the Committee on outer space.

The Committee welcomed [A/45/20] the consensus reached on the text of draft principle 3. As a result of informal consultations held on the outstanding draft texts, some progress was made, in particular on draft principles 9 and 12. A basis for consensus was also provided on a text for draft principle 8 and on the deletion of draft principle 11. On 20 June, Canada and the Federal Republic of Germany submitted a seventh revision updating the status of the outstanding draft principles, including a new draft principle 1A on the definition of "launching State", and principles 2,4,8,9 and 12. That revision was subsequently included as annex II in the Committee's report.

Geostationary orbit and definition of outer space

On 3 April 1990, the Legal Sub-Committee re-established its working group charged with addressing matters relating to the definition and delimitation of outer space and to the character and utilization of the geostationary orbit, including ways and means to ensure the rational and equitable use of the geostationary orbit without prejudice to the role of ITU. During its meetings (3-18 April), the working group had before it the 1989 report of the Legal Sub-Committee [A/AC.105/430], annexing the group's report for that year, as well as the 1990 report of the Scientific and Technical Sub-Committee [A/AC.105/456], describing the results of its consideration of the physical nature and technical attributes of the geostationary orbit. Each aspect of the agenda item, namely, the definition and delimitation of outer space, on the one hand, and the geostationary orbit, on the other, was discussed separately, in the course of which some 10 'related documents submitted at previous sessions of the Legal Sub-Committee and of the Committee on outer space were referred to.

The working group's draft report, which summarized the positions and views expressed during its deliberations on the item, was taken note of by the Sub-Committee and set out as annex II

in its own report [A/AC.105/457] to the Committee on outer space.

Concerning the question of the definition and delimitation of outer space, the Committee [A/45/20] noted the proposal that in 1991 the Legal Sub-Committee should begin a preliminary exchange of views on the international legal issues relating to prospective flights of aerospace vehicles. With regard to the geostationary orbit, the Committee noted that an exchange of views had taken place on the item, particularly on three of the five general ideas formulated in the "working non-paper" circulated at the 1989 session of the Legal Sub-Committee (namely, that "the geostationary orbit is a limited natural resource and, therefore, its utilization should be rational and equitable and for the benefit of all mankind, taking into account the special needs of the developing countries and the geographical situation of particular countries"; that "the development of space science and technology applied in the utilization of the geostationary orbit is of fundamental importance for the economic, social and cultural development of the peoples of all States, in particular those of developing countries"; that "the geostationary orbit should be used exclusively for peaceful purposes for the benefit of all mankind through promoting international co-operation and understanding").

The view was expressed that, as a way of helping future work on the subject, the Secretariat should elaborate a study, based on previous reports and statements, to identify areas where consensus and agreement existed among the majority of Member States, and areas where differences of views had not appeared. The Committee recommended that the Legal Sub-Committee continue consideration of the item in 1991.

Benefits from the exploration of outer space

The Legal Sub-Committee [A/AC.103/457] continued in 1990 to consider the agenda item on the legal aspects related to the application of the principle that the exploration and utilization of outer space should be carried out for the benefit and in the interests of all States, taking into particular account the needs of developing countries. Before it were the replies from Member States to the Secretary-General's note of 26 September 1988 requesting their views as to the priority of specific subjects under the item and information on their national legal frameworks, if any, relating to the application of the principle as contained in article 1 of the 1966 Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies (Outer Space Treaty) [GA res. 2222(XXI)], which entered into force

in 1967 [YUN 1967, p. 27]. Also before the Sub-Committee were replies to a 20 December 1989 note of the Secretary-General, inviting Member States to submit their views on international agreements they had entered into that were relevant to the principle.

The Sub-Committee established a working group to commence work on the item in 1991, which, it was suggested, might be considered in the light of: the common interests principle enshrined in article 1 of the Outer Space Treaty; the principle of international co-operation, important for the realization of the common interests principle; the provision of services by international multilateral agencies and international co-operation fostered through bilateral international agreements; and the final goal of the Sub-Committee, namely, the elaboration of a legal instrument to develop and improve the common benefit principle. The Sub-Committee recommended that the Secretary-General reissue his request to Member States for information on their national legal frameworks and international agreements. It decided that it would be useful to have a readily available compilation of the multilateral agreements, together with a list of the States parties to them, as identified in the responses to the Secretary-General's request.

The Committee on outer space [A/45/20] endorsed the recommendation of the Sub-Committee and recommended that it continue consideration of the item at its next session.

GENERAL ASSEMBLY ACTION

On 11 December, the General Assembly adopted resolution 45/72.

International co-operation in the peaceful uses of outer space

The General Assembly,

Recalling its resolution 44/46 of 8 December 1989,

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 and their important role in international co-operation for the exploration and use of outer space for peaceful purposes,

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 use 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 that of the peoples of developing countries,

Considering that space debris is an issue of concern to all nations,

Noting the progress achieved in the further development of peaceful space exploration and application as well as in various national and co-operative space projects, which contribute to international co-operation in this field,

Taking note of the report of the Secretary-General on the implementation of the recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space,

Having considered the report of the Committee on the Peaceful Uses of Outer Space on the work of its thirty-third session,

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 space to give consideration to ratifying or acceding to those treaties;

3. Notes that, at its twenty-ninth session, the Legal Sub-Committee of the Committee on the Peaceful Uses of Outer Space, in its working groups, continued its work as mandated by the General Assembly in resolution 44/46;

4. Endorses the recommendations of the Committee that the Legal Sub-Committee, at its thirtieth session, taking into account the concerns of all countries, particularly those of developing countries, should:

(a) Continue, through its working group, the elaboration of draft principles relevant to the use of nuclear-power sources in outer space with the aim of finalizing the draft set of principles;

(b) Continue, through its working group, 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;

(c) Continue, through its working group, its consideration of the legal aspects related to the application of the principle that the exploration and utilization of outer space should be carried out for the benefit and in the interests of all States, taking into particular account the needs of developing countries;

5. Endorses the recommendations of the Committee concerning the organization of work in the Legal Sub-Committee;

6. Notes that, at its twenty-seventh session, the Scientific and Technical Sub-Committee of the Committee on the Peaceful Uses of Outer Space continued its work as mandated by the General Assembly in its resolution 44/46;

7. Endorses the recommendations of the Committee that the Scientific and Technical Sub-Committee, at its twenty-eighth 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;
- (iii) Matters relating to remote sensing of the Earth by satellites including, inter alia, applications for developing countries;
- (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; examination of its utilization and applications, including, inter alia, in the field of space communications, as well as other questions relating to space communications developments, taking particular account of the needs and interests of developing countries;
- (iii) Matters relating to life sciences, including space medicine;
- (iv) Progress in national and international space activities related to the Earth environment, in particular progress in the geosphere-biosphere (global change) programme; the Committee on Space Research and the International Astronautical Federation should be invited to present reports and arrange a special presentation on this subject;
- (v) Matters relating to planetary exploration;
- (vi) Matters relating to astronomy;
- (vii) The theme fixed for special attention at the 1991 session of the Scientific and Technical Sub-Committee: "Applications of airborne and satellite remote sensing for prospecting mineral and ground-water resources and for monitoring and managing biological resources, with emphasis on agriculture, taking into particular account the needs of developing countries": the Committee on Space Research and the International Astronautical Federation should be invited to arrange a symposium, with as wide a participation as possible, to be held during the first week of the Sub-Committee's session, at the end of its meetings, to complement discussions within the Sub-Committee;

8. Considers, in the context of paragraph 7 (a) (ii) above, that 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 exposure on other bilateral and multilateral bases outside the United Nations system;

9. Endorses the recommendation of the Committee that the Scientific and Technical Sub-Committee should reconvene, at its twenty-eighth session, the Working Group of the Whole to Evaluate the Implementation of the Recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space, with a view to improving the execution of activities relating to international co-operation, particularly those included within the United Nations Programme on Space Applications, and to proposing concrete steps to increase such co-operation, as well as to make it more efficient;

10. Also endorses the recommendations of the Working Group of the Whole of the Scientific and Technical Sub-Committee, as endorsed by the Committee and as contained in paragraphs 4.5 and 6 of the report of the Working Group of the Whole;

11. Decides that, during the twenty-eighth session of the Scientific and Technical Sub-Committee, the Working Group on the Use of Nuclear Power Sources in Outer Space shall be reconvened;

12. Endorses the United Nations Programme on Space Applications for 1991, as proposed to the Committee by the Expert on Space Applications, and urges all States to make voluntary contributions to the Programme in order to enhance its effectiveness;

13. 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;

14. 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;

15. Expresses its appreciation to all Governments that have made or expressed their intention to make contributions towards carrying out the recommendations of the Conference;

16. Invites all Governments to take effective action for the implementation of the recommendations of the Conference;

17. 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;

18. Requests the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the recommendations of the Conference;

19. Urges Member States and international organizations to consider supporting the efforts of the United Nations in connection with International Space Year, 1992;

20. Endorses the recommendation of the Scientific and Technical Sub-Committee that Member States, in planning their activities for International Space Year, consider ways in which those activities could complement the efforts under way for the United Nations

Conference on Environment and Development planned for 1992;

21. Recommend that more attention be paid to all aspects related to the protection and the preservation of the outer space environment, especially those potentially affecting the Earth's environment;

22. Considers that it is essential that Member States pay more attention to the problem of collisions with space debris and other aspects of space debris, and calls for the continuation of national research on this question;

23. Also considers that space debris could be an appropriate subject for discussion by the Committee on the Peaceful Uses of Outer Space in the future;

24. 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;

25. Takes note of the views expressed and documents circulated during the thirty-third session of the Committee and during the forty-fifth session of the General Assembly concerning ways and means of maintaining outer space for peaceful purposes;

26. Requests the Committee 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-sixth session;

27. Also requests the Committee to continue to consider, at its thirty-fourth session, its agenda item entitled "Spin-off benefits of space technology: review of current status";

28. Requests the specialized agencies and other international organizations to continue and, where appropriate, enhance their co-operation with the Committee and to provide it with progress reports on their work relating to the peaceful uses of outer space;

29. Requests the Committee 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-sixth session, including its views on which subjects should be studied in the future.

General Assembly resolution 45/72

11 December 1990 Meeting 65 Adopted without vote

Approved by Special Political Committee (A/45/821) without vote, 26 November (meeting 22); draft by Austria for SPC Working Group (A/SPC/45/L.17); agenda item 73.

Meeting numbers. GA 45th session: SPC 13-16, 22; plenary 65.

In resolution 45/55 A of 4 December, the Assembly called on all States, in particular those with major space capabilities, to contribute to the objective of the peaceful use of outer space and of the prevention of an arms race in outer space. It requested the Conference on Disarmament to consider as a priority the question of preventing an arms race in outer space.

Spacecraft launchings

In 1990, eight countries (China, France, Germany, India, Japan, United Kingdom, United States, USSR) [ST/SG/SER.E/214-234] provided information to the United Nations on the launching of objects into orbit or beyond, in accordance with General Assembly resolution 1721 B (XVI) [YUN 1961, p. 35] and article IV of the 1974 Conven-

tion on Registration of Objects Launched into Outer Space [GA res. 3235(XXIX)], which entered into force in 1976.

Convention on registration of launchings

As at 31 December 1990, there were 36 States parties to the Convention on Registration of Objects Launched into Outer Space. In 1979, the European Space Agency had declared its acceptance of the rights and obligations of the Convention.

Chapter IV

Other political questions

The public information policies and activities of the United Nations remained under review in 1990 by its Committee on Information, the better to promote a freer, wider and better balanced dissemination of information and thereby strengthen international understanding. To that end, the General Assembly called for co-operation and interaction in the development of communication infrastructures and capabilities of developing countries in order to increase their participation in the communication process.

The Assembly requested the United Nations Scientific Committee on the Effects of Atomic Radiation to continue its work aimed at increasing knowledge of the levels, effects and risks of ionizing radiation from all sources and to analyse its effects on man and his environment; it also requested the United Nations Environment Programme to continue supporting that work.

In view of Antarctica's importance to the global environment and ecosystems, the Assembly asked the Secretary-General to undertake a comprehensive study on the establishment of a United Nations-sponsored station in Antarctica to promote international co-operation in scientific research for the benefit of mankind and to act as an early-warning system on climate change and accidents. It appealed again for the exclusion of South Africa from the meetings of the Antarctic Treaty Consultative Parties until its system and practices of apartheid were eliminated.

The Secretary-General pursued his mission of good offices concerning Cyprus with a view to achieving an overall agreement between the Greek Cypriot and Turkish Cypriot communities. In the meantime, the United Nations Peace-keeping Force in Cyprus (UNFICYP), which the Security Council kept in place in the island throughout the year, continued to discharge its peace-keeping and humanitarian tasks.

During the year, two new States were admitted to the United Nations, while four Member States announced their continued membership as two unified States; as a result, United Nations membership remained at 159.

The Security Council held a total of 69 meetings and adopted 37 resolutions. The Assembly resumed and concluded its forty-fourth (1989) session and held the major part of its forty-fifth (1990) session; in addition, it held its seventeenth

and eighteenth special sessions, on international co-operation against illicit narcotic drugs and psychotropic substances and on international economic co-operation, respectively.

The Assembly requested expanded co-operation between the United Nations and the League of Arab States and the Organization of the Islamic Conference. It invited the International Committee of the Red Cross to participate in its work in the capacity of observer.

Information

The public information activities of the United Nations remained focused on two broad objectives: publicizing the Organization's goals and work, and enhancing the information capabilities of developing countries. Those activities were carried out by the Department of Public Information (DPI) of the Secretariat, the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the Joint United Nations Information Committee (JUNIC)

Information activities and policies were considered by the General Assembly's Committee on Information at its twelfth session, held in New York from 5 April to 2 May 1990. To help in its deliberations on three substantive questions (see below), the Committee established a working group that conducted further informal consultations through the spokesmen for the regional groups and China. In its report [A/45/21] to the Assembly, the Committee set out its recommendations in two draft resolutions that were later adopted by the Assembly as resolutions 45/76 A and B. The Committee's recommendations that its membership be increased from 74 to 78 and that the seats created be filled by the appointment of Czechoslovakia, Iran, Jamaica and Uruguay were adopted by Assembly decisions 45/422 and 45/316 A, respectively; a vacancy in the Committee was also filled by Assembly decision 45/316 B.

Mass communication

At its 1990 session, the Committee on Information continued to address the 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. It examined UN 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. It further pursued the evaluation and follow-up of the efforts made and the progress achieved by the UN system in the field of information and communications.

Proposed new world information and communication order

In its deliberations on the question of the establishment of a new world information and communication order, the Committee on Information sought to overcome the differences in arriving at a common approach towards promoting not only the free flow of information and its wider and more balanced dissemination, but also towards strengthening communication capacities in developing countries so as to increase their participation in the communication process. That meant improving the practical possibilities of developing countries to participate more fully in information exchange, as well as improving their media infrastructure and communications technology, especially in the training of journalists and other communication professionals, thus assuring them of the full benefits of freedom of information.

It was hoped that the favourable political climate created in the past year, the new strategy for "communication in the service of humanity" adopted by UNESCO in 1989 [YUN 1989, p. 103], and its International Programme for the Development of Communication (IPDC) would help promote the desired new world information and communication order. An appeal was made for Committee members to demonstrate the necessary political will to reach a consensus so that, once achieved, the Committee should be able to devote itself to analysing DPI's work and providing it with a practical and flexible mandate, in particular for the benefit of developing countries.

Following its deliberations, the Committee decided, by consensus, to recommend to the Gen-

eral Assembly adoption of its recommendations as contained in a draft resolution on information in the service of humanity, which took account also of IPDC (see below).

International Programme for the Development of Communication

The Intergovernmental Council of the International Programme for the Development of Communication continued to support projects aimed at meeting the needs of developing countries in the fields of communication, information and mass media infrastructures. At its eleventh session (Paris, 19-23 March) [CC/MD/13], the Council decided that the IPDC priorities and criteria to be used in considering project submissions should be regrouped under development, endogenous capacity, and information flow and exchange. In the pre-selection process, five priority orientations should be met by national, regional and interregional projects. The orientations included relevance to: development; cultural identity and educational needs; endogenous capacity to produce, receive and transmit information; professional and technical training of human resources in research, planning, management and technology of communication systems; and the free flow of information and balanced dissemination of news and cultural products. Other decisions concerned the number of regional and national projects to be approved, the introduction of a system for confidential rating of submissions and a modification of the rules and practices for project submission.

For 1990, the Council approved 23 projects to be financed from the Special Account and eight from special fund allocations. It further approved seven projects for priority funding when financial resources became available and another eight for which funding would be sought.

GENERAL ASSEMBLY ACTION

On 11 December, the General Assembly adopted resolution 45/76 A.

Information in service of humanity

The General Assembly,

Taking note of the comprehensive and important report of the Committee on Information,

Also taking note of the report of the Secretary-General on questions relating to information,

Urges that all countries, organizations of the United Nations system as a whole and all others concerned, reaffirming their commitment to the principles of the Charter of the United Nations and to the principles of freedom of the press and freedom of information, as well as to those of the independence, pluralism and diversity of the media, deeply concerned by the disparities existing between developed and developing countries and the consequences of every kind arising from

those disparities that affect the capability of the public, private or other media and individuals in developing countries to disseminate information and communicate their views and their cultural and ethical values through endogenous cultural production, as well as to ensure the diversity of sources of and their free access to information, recognizing the call in this context for what in the United Nations and at various international forums has been termed "a new world information and communication order, seen as an evolving and continuous process", should:

(a) Co-operate and interact with a view to reducing existing disparities in information flows at all levels by increasing assistance for the development of communication infrastructures and capabilities in developing countries, with due regard for their needs and the priorities attached to such areas by those countries, and in order to enable them and the public, private or other media in developing countries to develop their own information and communication policies freely and independently and increase the participation of media and individuals in the communication process, and to ensure a free flow of information at all levels;

(b) Ensure for journalists the free and effective performance of their professional tasks and condemn resolutely all attacks against them;

(c) Provide support for the continuation and strengthening of practical training programmes for broadcasters and journalists from public, private and other media in developing countries;

(d) Enhance regional efforts and co-operation among developing countries, as well as co-operation between developed and developing countries, to strengthen communication capacities and to improve the media infrastructure and communication technology in the developing countries, especially in the areas of training and dissemination of information;

(e) Aim, in addition to bilateral co-operation, at providing all possible support and assistance to the developing countries and the media, public, private or other, in the developing countries, with due regard to their interests and needs in the field of information and to action already adopted within the United Nations system, including:

- (i) The development of the human and technical resources that are indispensable for the improvement of information and communication systems in developing countries and support for the continuation and strengthening of practical training programmes, such as those already operating under both public and private auspices throughout the developing world;
- (ii) The creation of conditions that will enable developing countries and their media, public, private or other, to have, by using their national and regional resources, the communication technology suited to their national needs, as well as the necessary programme material, especially for radio and television broadcasting;
- (iii) Assistance in establishing and promoting telecommunication links at the subregional, regional and interregional levels, especially among developing countries;
- (f) Provide full support for the International Programme for the Development of Communication of the United Nations Educational, Scientific and Cul-

tural Organization, which should support both public and private media.

General Assembly resolution 45/76 A

11 December 1990 Meeting 65 Adopted without vote

Approved by Special Political Committee (A/45/825 & Corr.1) without vote, 12 November (meeting 121; draft by Chairman of Committee on Information (A/SPC/45/L.8); agenda item 77.

Meeting numbers. GA 45th session: SPC 8-12; plenary 65.

UN public information

DPI activities

Report of Secretary-General. In response to General Assembly resolution 44/50 [YUN 1989, p. 104], the Secretary-General submitted a report in October 1990 [A/45/533] on questions relating to information, describing the special activities and products of DPI. They included its co-operation with UNESCO and the News Agencies Pool of Non-Aligned Countries; its activities pertaining to international peace and security, the World Disarmament Campaign, decolonization and the situation in Non-Self-Governing Territories (NSGTS), human rights, the advancement of women and their role in society, economic and social development problems, African recovery and development, the environment and the campaign against illicit trafficking in narcotics and drug abuse; and its activities against apartheid, and those relating to the Middle East situation and Palestine in particular and to Namibia. Also described were DPI activities relating to the strengthening of the UN information centres (UNICS) and to DPI participation in the work of JUNIC for the co-ordination of UN information activities (see below).

As part of its information programme for International Literacy Year (1990) (see PART THREE, Chapter XII), DPI released an educational video and study guide on literacy highlighting the work of UNESCO and the Year. It organized a seminar at UN Headquarters on ways of introducing UN-related issues into the classroom for some 200 educators and organizers of scholastic model UN conferences. In efforts to enhance its co-operation with the Movement of Non-Aligned Countries and to strengthen its working relations with the News Agencies Pool of those countries, DPI sent news dispatches to more than 90 news agencies of the Pool and participated in the Third Conference of the Ministers of Information of Non-Aligned Countries (Havana, Cuba, 24-29 September).

To highlight UN peace-keeping and peace-making activities, DPI produced feature articles in UN Focus on the role of the United Nations in the Central American peace process and in the demobilization of the Nicaraguan resistance, as

well as on the ongoing role of the Secretary-General in the negotiating process in Cambodia. It issued an updated version of *The Blue Helmets* and of the pamphlet *United Nations Peace-keeping for distribution world wide*. In the field of disarmament, DPI prepared a comprehensive press kit on the occasion of the Fourth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (see PART ONE, Chapter II). It also produced several special radio programmes on the ban on nuclear-weapon tests and signed a contract with a non-governmental organization (NGO) to co-produce a one-hour documentary on chemical weapons and warfare.

DPI developed a comprehensive information programme to publicize the thirtieth anniversary, on 12 October, of the Declaration on the Granting of Independence to Colonial Countries and peoples (see PART FOUR, Chapter I) and prepared a booklet profiling the remaining NSGTs entitled *Decolonization: The Task Ahead* and another entitled *Teaching about Decolonization*. In the area of human rights, DPI focused on promoting the 1989 Convention on the Rights of the Child IGA res. 44/251 by publicizing its entry into force on 2 September 1990 and producing its full text in the six UN official languages for world-wide distribution. It assisted in the media coverage of the World Summit for Children (New York, 29-30 September) (see PART THREE, Chapter XIV) and convened the annual conference for NGOs (New York, 12-14 September) on the theme "A World Safe for Children: Meeting the Challenge in the 1990s". It also produced a special feature on the United Nations and the human rights situation in South Africa in the "One South Africa" radio series and was in the process of preparing, as part of the series "About the United Nations", an educational video and teaching guide on human rights-related issues and a 30-minute documentary film on the work of the United Nations in human rights.

DPI prepared a comprehensive information kit for the media on the Assembly's eighteenth special session (see PART THREE, Chapter I) devoted to issues relating to international economic co-operation and organized special briefings prior to that session. It developed, in co-operation with the United Nations Conference on Trade and Development, a comprehensive information strategy for the Second United Nations Conference on the Least Developed Countries (see PART THREE, Chapter I). As part of its information programme for the Fourth United Nations Development Decade (see PART THREE, Chapter I), DPI also developed a feature article on regional trading blocs.

The Africa Recovery Unit of DPI continued to produce the quarterly *Africa Recovery*. In addition, a series of articles dealing with African economic development was published in major newspapers and a multi-media kit was prepared for the report of the Secretary-General's Expert Group on African Commodity Problems. Assistance in extensive media planning was provided to the United Nations Steering Committee for the Programme of Action for African Economic Recovery and Development for the convening of a conference on Africa (London, 6 June). In preparation for the United Nations Conference on Environment and Development scheduled for 1992 (see PART THREE, Chapter VIII), the first backgrounder on the Conference was produced and distributed in time for the first session of the Preparatory Committee for the Conference (Nairobi, Kenya, 6-31 August 1990). DPI produced, in collaboration with the United Nations Environment Programme, two special radio documentaries on the theme of children and the environment in connection with World Environment Day 1990.

On 26 June, DPI organized a special theatrical presentation at UN Headquarters for the third International Day against Drug Abuse and Illicit Trafficking. It provided press coverage and media liaison for the World Ministerial Summit (London, 9-11 April) to reduce drug demand and to combat the cocaine threat. Public service announcements carrying the message "The United Nations Fights Drug Abuse World Wide" continued to be placed in major international news magazines.

DPI assisted in preparations for and provided full media coverage of the first visit to Headquarters of the African National Congress leader, Nelson Mandela, on 22 June. It continued to implement its comprehensive information programme to promote the ideas and issues embodied in the Declaration on Apartheid and its Destructive Consequences in Southern Africa. In addition to a variety of special features produced in weekly radio and television programmes, DPI produced 24 special editions in English, Sesotho, Setswana, Xhosa and Zulu as part of the "One South Africa" radio series. Coverage was given to efforts to convene an international peace conference on the Middle East under UN auspices and a number of updated booklets and brochures on issues relating to the question of Palestine continued to be distributed. DPI provided full media coverage of the admission of Namibia on 23 April to UN membership and produced a 30-minute video entitled "Namibia Independence: A Nation Is Born". To highlight the international donors' meeting on assistance to Namibia, DPI or-

ganized a journalists' tour (23 April-4 May) to that country.

Report of Committee on Information. During its review of the Secretary-General's report on DPI activities [A/AC.198/1990/2], which included his account of the measures taken to strengthen UNICs, the Committee on Information [A/45/21] noted that, through structural reform and technological innovation, DPI had substantially improved the quality and delivery of its multi-faceted information products and scored commendable successes in bringing the United Nations to the peoples of the world in a more expeditious and comprehensive fashion. Additional improvements were suggested, however, which included calls for closer attention to the concerns of developing countries, further efforts at tackling the backlog in certain DPI publications, notably the Yearbook of the United Nations, providing the necessary technical and financial assistance to those States willing to broadcast to South Africa as an effective way of reaching all South Africans, highlighting the environmental plight of Africa, the further upgrading of UNICs and filling the Director post of the UNIC in Dhaka, Bangladesh, vacant for more than three years. It was pointed out that demands were often placed on DPI without regard to its real capabilities so that, to meet those demands, the necessary resources should be secured.

On the basis of the Secretary-General's report, the Committee decided, by consensus, to recommend to the General Assembly adoption of a draft resolution containing its recommendations relating to UN public information policies and activities. The Committee similarly decided to take note of the Secretariat's note [A/AC.198/1990/5] concerning the programme on public information of the proposed 1992-1997 medium-term plan [A/45/6 (Prog. 38)], and to recommend to the Assembly adoption of the proposed medium-term plan for the programme.

UN information centres and services

In his October report [A/45/533] on questions relating to information, the Secretary-General also gave an account of measures taken to strengthen UN information centres and services. He stated that the network of 67 UNICs continued to make every effort to intensify direct and systematic communication exchange with local media, information and educational institutions and NGOs, undertaking numerous activities with them on occasions of special UN events. New contacts and co-operative endeavours with local media had been established in most countries and additional regular time-slots for audio-visual programmes of DPI had been secured. UNICs

continued to issue information materials-photographs, wallsheets, teaching guides on selected topics and other publications produced by the UN system-for distribution by UN stands at book fairs and to schools, and for display at airports, subways, and main bus and train terminals of major cities.

To strengthen ties between Headquarters and the field, DPI organized: a meeting of UNIC directors in Arabic-speaking countries (Tunis, Tunisia, 21-23 March) to discuss ways of enhancing co-operation with other UN offices to promote public understanding of the role of the United Nations in tackling global issues and regional problems, and to mobilize public support for it; a five-day meeting of directors serving in Asia and the Pacific (Manila, May); and a four-day seminar in Geneva, which brought together 14 reference assistants from UNICs in Europe, 10 UN depository librarians and a senior library assistant from the United Nations Development Programme (UNDP) to discuss programmes, documentation and technological innovation.

To enhance DPI and UNDP co-operation in the field and to maximize their joint skills and resources, the two bodies agreed on the text of an understanding for rationalizing UN field representation; both were also in agreement that co-operation could be further enhanced through closer ties between their respective regional desk officers, participation of senior staff in regional meetings and briefings of UNDP resident representatives and co-ordinators on public information matters. To accelerate the process of linking the network of UNICs with Headquarters and UN offices in all regions, facsimile machines had been installed in 56 centres, as had new computer equipment in several of them.

In a September report [A/C.5/45/2], the Secretary-General submitted revised estimates for the 1990-1991 programme budget. Prepared in response to section II of General Assembly resolution 44/50 [YUN 1989, p. 106], he projected resource requirements of \$259,700 (net of staff assessment) for the establishment in 1991 of an information centre in Windhoek, following Namibia's accession to independence and admission to the United Nations (see PART FOUR, Chapter III).

Co-ordination within the UN system

The Joint United Nations Information Committee, the inter-agency co-ordinating body for information activities in the UN system, held its sixteenth session in Geneva on 21 and 22 June [ACC/1990/11]. DPI, as the secretariat of the Committee, had organized the session and continued to participate in its work.

JUNIC considered the scope of inter-agency co-operation in the audio-visual field and established an open-ended working group of Geneva-based UN agencies to draw up an in-house inventory of audio-visual equipment and staff available among Geneva-based UN agencies, consider ways of pooling resources in order to meet their audio-visual needs, assess the possibility of establishing a storage-retrieval system for the increasing number of audio-visual materials, and formulate recommendations on scheduling of audio-visual services, staffing requirements, and access to and maintenance of the audio-visual equipment in Geneva, for consideration by the Administrative Committee on Co-ordination.

With regard to joint activities on topical issues of global concern, JUNIC endorsed the proposed programme for co-production of an international television series entitled "Agenda for a small planet IV Blueprint for the future-challenge and response", as well as the DPI recommendations relating to the electronic distribution of print materials. There was support for the suggestion that a given UN agency, in its budget allocated for any planned project or activity, should include money to cover dissemination, public information and other assistance provided by one or more UNICs. Expressing concern about the decline in the financial support for the DPI publication Development Forum, the system-wide publication devoted to development issues, JUNIC decided to set up an editorial group to look into the situation and to recommend possible options to the publication.

GENERAL ASSEMBLY ACTION

On 11 December, the General Assembly, having considered the comprehensive reports of the Committee on Information and the Secretary-General, adopted resolution 45/76 B.

United Nations public information policies and activities

The General Assembly,

Taking note of the comprehensive and important report of the Committee on Information,

Also taking note of the report of the Secretary-General on questions relating to information,

1. Calls upon the Secretary-General, in respect of United Nations public information policies and activities, to implement the following recommendations, in accordance with relevant United Nations resolutions:

(a) The United Nations system as a whole should co-operate in a concerted manner, through its information services and the co-ordination of the Joint United Nations Information Committee, in promoting 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 and principles of the Charter of the United Nations, with particular emphasis on the creation of a climate of confi-

dence, the strengthening of multilateralism and the promotion of the development activities in the United Nations system;

(b) Reaffirming the primary role of the general Assembly in elaborating, co-ordinating and harmonizing United Nations policies and activities in the field of information, the Secretary-General is requested to ensure that the activities of the Department of Public Information of the Secretariat, as the focal point of the public information tasks of the United Nations, are strengthened and improved, keeping in view the purposes and principles of the Charter, the priority areas defined by the Assembly and the recommendations of the Committee on Information, so as to ensure an objective and more coherent coverage of, as well as better knowledge about, the United Nations and its work. The Secretary-General should ensure that the Department of Public Information:

- (i) Co-operates more regularly with the United Nations Educational, Scientific and Cultural Organization, especially at the working level, with a view to maximizing the contribution of the Department to the efforts of that organization;
- (ii) Enhances its co-operation with news agencies of and in the developing countries, in particular, the News Agencies Pool of Non-Aligned Countries, the Eco-Pool of the News Agencies of Non-Aligned Countries and the Broadcasting Organization of Non-Aligned Countries, as well as with other news agencies and intergovernmental and regional organizations;
- (iii) Continues to disseminate, in co-ordination with the information services of other relevant agencies, information about United Nations activities pertaining, inter alia, to:
 - a. International peace and security;
 - b. Disarmament;
 - c. Peace-keeping operations;
 - d. Decolonization and the situation in the Non-Self-Governing Territories;
 - e. The elimination of foreign occupation;
 - f. Human rights;
 - g. The elimination of all forms of racial discrimination;
 - h. The advancement of the status of women and their role in society;
 - i. Problems of economic and social development, as well as international economic co-operation aimed at resolving external debt problems;
 - k. The least developed countries;
 - l. The environment and development;
 - m. The campaign against terrorism in all its forms, bearing in mind General Assembly resolution 40/61 of 9 December 1985;
 - n. The international fight against drug abuse and illicit trafficking;
- (iv) Does its utmost to disseminate widely and to publicize the United Nations Programme of Action for African Economic Recovery and Development 1986-1990 and the tremendous efforts of the African countries towards recovery and development, as well as the positive response by the international community to alleviate the serious economic situation prevailing in Africa;

- (v) Enhances the effectiveness of its activities and the dissemination of information on United Nations activities against the policies and practices of apartheid, giving due attention to the unilateral measures and official censorship imposed on the local and international media with regard to all aspects of that issue;
 - (vi) Continues to disseminate information about activities of the United Nations directed at a comprehensive, just and lasting solution of international conflicts by exclusively peaceful means, as highlighted in the Secretary-General's report on the work of the Organization;
 - (vii) Continues to cover all United Nations activities pertaining to the situation in the Middle East and the question of Palestine in particular, and current developments in that region, and reports thereon to the Committee on Information at its thirteenth session, in 1991;
- (c) The Department of Public Information should continue its efforts in promoting an informed understanding of the work and purposes of the United Nations system among the peoples of the world and in strengthening the image of the United Nations system as a whole and, in this connection, it is recommended that the Secretary-General should ensure that the Department:
- (i) Continues to maintain consistent editorial independence and accuracy in reporting all the material that it produces, taking necessary measures to ensure that its output contains adequate, objective and equitable information about issues before the Organization, reflecting divergent opinions where they occur;
 - (ii) Continues to apply, in the context of the review of its role, performance and methods of work, appropriate modern technologies for the collection, production, storage, dissemination and distribution of information materials, including the use of satellite facilities;
 - (iii) Considers expanding the programme of telephone news bulletins that are paid for by its users;
 - (iv) Continues its co-operation with those countries which have expressed readiness to assist the United Nations in resuming short-wave broadcasts through their respective national networks free of charge and encourage expansion of such a type of co-operation with those developed and developing countries having recognized capabilities in this field;
 - (v) Takes adequate measures to resume taped radio programmes, which it has temporarily curtailed, if so requested by broadcasting stations;
 - (vi) Continues its briefing, assistance and orientation programme for broadcasters and journalists from developing countries focused on United Nations-related issues;
 - (vii) Provides, on the basis of its activities, information to the United Nations Educational, Scientific and Cultural Organization about new forms of co-operation, at the regional and sub-regional levels, for the training of media professionals and for the improvement of the information and communication infrastructure of developing countries;
 - (viii) Co-operates with educational institutions of Member States and with educators and education policy makers, informing them about United Nations activities;
 - (ix) Ensures adequate daily coverage of United Nations open meetings in the two working languages of the Secretariat, reflecting the views of all delegations with accuracy and objectivity. The Department should also continue to co-operate closely with and provide assistance to members of the United Nations Correspondents Association, taking into account their needs and requirements, especially in the area of press releases, press conferences and briefings, which provide them with basic information for reporting;
 - (x) Uses the official languages of the United Nations adequately in its written and audio-visual materials and makes balanced use of the two working languages of the Secretariat;
 - (xi) Ensures timely distribution of its materials to subscribers and to United Nations information centres;
- (d) The Department of Public Information should produce and distribute its publications in a timely manner. In particular, the Secretary-General is requested to make further efforts regarding the timely appearance of the Yearbook of the United Nations. The improvement in format and printing of the UN Chronicle is welcome. The Department is encouraged to continue to consider the interests of specific target audiences as it formulates its editorial policies;
- (e) The Secretary-General is requested to expedite his consultations regarding the provision of appropriate technical and financial assistance to those States which are broadcasting or willing to broadcast to South Africa in order to enable their radio transmitters to be heard inside South Africa, as identified in his report, in fulfilment of the mandate of the General Assembly reflected in paragraph 1 of that report, and to report to the Committee on Information at its thirteenth session;
- (f) The Secretary-General is urged to continue his efforts to secure a sound and stable financial basis for the publications Development Forum and Africa Recovery;
- (g) It is recognized that United Nations information centres constitute an important means of disseminating information about the United Nations among the peoples of the world. In this regard, the centres should intensify direct and systematic communication exchange with local media, information and educational institutions and non-governmental organizations. The Department should arrange for periodic evaluation of the activities of the centres in this regard. It should continue to co-ordinate closely with other field offices of the United Nations system, particularly those of the United Nations Development Programme, in order to avoid duplication of work, taking into account the functional autonomy that the United Nations information centres should have. The Department should provide open and unhindered access by all people to all United Nations information centres and to all materials distributed through the centres. It is also urged to pursue the process of linking the remaining United Nations information centres that have not been linked with electronic mail;

(h) Stressing the need for co-ordinating the information activities of the United Nations system and recognizing the important role that the Joint United Nations Information Committee plays in that regard, the Department of Public Information is encouraged to continue its active participation in the work of the Committee;

(i) It is recognized that free distribution of materials is necessary in the public information activities of the United Nations. However, as demands increase and whenever it is desirable and possible, the Department of Public Information should actively encourage the sale of its materials;

(j) In view of the importance of radio programmes in developing countries, the Secretary-General is requested to enhance the efficiency of and to ensure full programme delivery by all regional radio units, namely, the African, Asian, Caribbean, European, Latin American and Middle Eastern Units and the Anti-Apartheid Programmes Section, including production of radio programmes called for by the General Assembly in resolution 38/82 B of 15 December 1983;

(k) All reports of the Secretary-General, as well as reports by representatives of the Department of Public Information, to the Committee on Information and to the General Assembly, in particular on new programmes or on the expansion of existing programmes, should contain:

- (i) Detailed information on the output of the Department on each topic included in its work programme, which forms the basis of its programme budget;
- (ii) The costs of the activities undertaken on each topic;
- (iii) Adequate information on target audiences, end-use of the products of the Department and analysis of feedback data received by it;
- (iv) 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;
- (v) Evaluation by the Department of the effectiveness of its different programmes and activities, with particular reference to the need constantly to review internal programme elements and activities;

2. Requests the Secretary-General to implement the recommendations relating to the activities of the Department of Public Information in accordance with the budgetary procedures as approved by the General Assembly in its resolutions 41/213 of 19 December 1986, 42/211 of 21 December 1987, 43/213 of 21 December 1988 and 44/200 B of 21 December 1989, and taking into account the priorities set by the Assembly;

3. Also requests the Secretary-General to report to the Committee on Information at its thirteenth session, in 1991, on the activities of the Department of Public Information and on the implementation of the recommendations contained in the present resolution;

4. Further requests the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution;

5. Requests the Committee on Information to report to the General Assembly at its forty-sixth session;

6. Decides to include in the provisional agenda of its forty-sixth session the item entitled "Questions relating to information".

General Assembly resolution 45/76 B

11 December 1990 Meeting 65 Adopted without vote

Approved by Special Political Committee (A/45/825 & Corr.1) without vote, 12 November (meeting 12); draft by Chairman of Committee on Information (A/SPC/45/L.9); agenda item 77.

Meeting numbers. GA 45th session: SPC 8-12, 16, 26; plenary 65.

On 21 December, the Assembly, in resolution 45/248 B, section I, took note of the Secretary-General's proposal [A/C.5/45/2] and of the recommendation of the Advisory Committee on Administrative and Budgetary Questions [A/45/7/Add.2] on the financing of a new information centre, in Windhoek, and urged the Secretary-General to facilitate and expedite its establishment.

A draft resolution sponsored by Poland [A/SPC/45/L.12] and another by Yemen [A/SPC/45/L.13/Rev.2], each inviting DPI to establish a UNIC in its capital, were not acted upon at the sponsors' request.

The Assembly adopted other resolutions relating to information issues: resolution 45/35, requesting the Secretary-General to continue to give widespread and continuous publicity to the decolonization work of the United Nations; resolution 45/67 C, requesting DPI to continue its special information programme on the question of Palestine for the remainder of the 1990-1991 biennium, with emphasis on public opinion in Europe and North America; and resolution 45/99, on the development of public information activities in the field of human rights.

Effects of atomic radiation

The United Nations Scientific Committee on the Effects of Atomic Radiation held its thirty-ninth session in Vienna from 14 to 18 May 1990 [A/45/319]. As requested by the General Assembly in resolution 44/45 [YUN 1989, p. 109], the Committee continued its work, including its co-ordinating activities, to increase knowledge of the levels, effects and risks of ionizing radiation from all sources, and to review the major problems of radiation.

The Committee considered recent information on sources of radiation, exposures and their effects, based on 12 documents prepared by the Secretariat on topics selected by the Committee: natural, man-made environmental, medical and occupational radiation exposures; radiation effects on the environment and on the developing

human brain; epidemiological evaluations of radiation effects; dose and dose-rate effects on radiation response; mechanisms of radiation oncogenesis; hereditary effects of radiation; stimulation effects from low-level radiation; and perception of radiation risks. The Committee made suggestions for the further development of those topics, pointing out new and additional information to be considered. From its review, the Committee concluded that natural sources of radiation were the main contributor to the collective dose.

In efforts to obtain more extensive data for exposure evaluations, the Committee distributed a questionnaire on medical radiation usage to the Ministries of Health of all Member States. Further data on natural radiation exposures, in particular levels of radon indoors, and on occupational radiation exposures were also required.

The Committee noted the potential and perceived effects caused by natural sources of radiation and by man-made practices. Of concern to it was the number of unproven claims relative to the radiobiological effects of the 1986 Chernobyl accident in the Ukrainian SSR (see PART THREE, Chapter III, and PART SEVEN, Chapter I). In that regard, it was continuing its work on the document on radiation effects on the environment, realizing the need for timely and authoritative scientific reports and studies in order to avoid misrepresentations of radiation effects.

GENERAL ASSEMBLY ACTION

On 11 December, the General Assembly adopted resolution 45/71.

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 44/45 of 8 December 1989, in which, *inter alia*, it 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,

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,

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 supporting scientific documents on the specialized topics mentioned by the Committee,

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-five 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 intentions and plans of the Scientific Committee for its future activities of scientific review and assessment on behalf of the General Assembly;

5. Also 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-sixth session;

6. Requests the United Nations Environment Programme to continue providing support for the effective conduct of the work of the Scientific Committee 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 future reports of the Scientific Committee to the General Assembly.

General Assembly resolution 43/71

11 December 1990 Meeting 65 Adopted without vote

Approved by Special Political Committee (A/45/687) without vote, 16 October (meeting 4); 30-nation draft (A/SPC/45/L.2); agenda item 72.

Meeting numbers. GA 45th session: SPC 3, 4; plenary 65.

Antarctica

Antarctica and the environment

Pursuant to General Assembly resolution 44/124 B [YUN 1989, p. 110], the Secretary-General, on 8 September 1990, submitted a report [A/45/459] on the question of Antarctica. The report reproduced a communication of 30 April received from Australia, acting on behalf of the Antarctic Treaty Consultative Parties (then 25 States), in reply to the Secretary-General's note verbale of 19 March to those Parties regarding their implementation of the resolution.

Australia, commenting on the resolution's reference to the significant impact that Antarctica exerted on the global environment and ecosystems, pointed out that the Parties were aware of the need for concerted international action to protect the Antarctic environment from external environmental disturbances that could accelerate serious global environmental change. Australia assured the Secretary-General that the Parties, as the countries active in the region, would continue to develop measures to protect the fragile Antarctic environment and dependent associated ecosystems from the impact of human activity within the region. They would also continue to make freely available the results of their Antarctic research bearing upon the global environment. Australia added that any State Member of the United Nations could participate in that work by acceding to the Antarctic Treaty.

Australia further recalled its statement before the First Committee at the 1989 Assembly session, which reflected the views of the States parties to the Antarctic Treaty (numbering 39) and noted, *inter alia*, that most of the parties had decided not to participate in the vote on the draft text of resolution 44/124 B in the continued belief that consideration of Antarctica by the Assembly should proceed only on the basis of consensus. Australia stated that that remained the conviction of the Antarctic Treaty parties.

As to the resolution's reiteration of its call on the Consultative Parties to invite the Secretary-General or his representative to their meetings, the Secretary-General reported that, not having received such invitation, he was in no position to provide any evaluation of the Parties' meetings.

GENERAL ASSEMBLY ACTION

On 12 December, the General Assembly adopted resolution 45/78 A.

The General Assembly,

Having considered the item entitled "Question of Antarctica",

Recalling its resolutions 38/77 of 15 December 1983, 39/152 of 17 December 1984, 40/156 A and B of 16 December 1985, 41/88 A and B of 4 December 1986, 42/46 A and B of 30 November 1987, 43/83 A and B of 7 December 1988 and 44/124 A and B of 15 December 1989,

Recalling also the relevant paragraphs of the final documents adopted by the Ninth Conference of Heads of State or Government of Non-Aligned Countries, held at Belgrade from 4 to 7 September 1989, the second meeting of States of the Zone of Peace and Cooperation of the South Atlantic, held at Abuja, Nigeria, from 25 to 29 June 1990, and the Nineteenth Islamic Conference of Foreign Ministers, held at Cairo from 31 July to 5 August 1990,

Taking into account the debates on this item held since its thirty-eighth session,

Reaffirming the principle that the international community is entitled to information covering all aspects of Antarctica and that the United Nations should be made the repository for all such information in accordance with General Assembly resolutions 41/88 A, 42/46 B, 43/83 A and 44/124 B,

Conscious of the particular significance of Antarctica to the international community in terms, *inter alia* of international peace and security, environment, its effects on global climatic conditions, economy and scientific research,

Conscious also of the interrelationship between Antarctica and the physical, chemical and biological processes that regulate the total Earth system,

Welcoming the increasing recognition of the significant impact that Antarctica exerts on the global environment and ecosystems and of the need for a comprehensive agreement on the protection and conservation of the Antarctic environment and its dependent and associated ecosystems,

Sharing the concern over the environmental degradation of Antarctica and its impact on global environment expressed at the first substantive session of the Preparatory Committee for the United Nations Conference on Environment and Development, held at Nairobi from 6 to 31 August 1990,

Welcoming also the increasing support for the establishment of Antarctica as a nature reserve or world park to ensure the protection and conservation of its environment and its dependent and associated ecosystems for the benefit of all mankind,

Welcoming further the increasing support within the international community for the banning of prospecting and mining in and around Antarctica,

Welcoming the initiative taken by some Antarctic Treaty Consultative Parties in promoting Antarctica as a nature reserve or world park and the banning of prospecting and mining in and around Antarctica,

Welcoming also the ongoing trend in acknowledging the need for internationally co-ordinated scientific research stations in Antarctica in order to minimize unnecessary duplication and logistical support facilities,

Welcoming further the increasing awareness of and interest in Antarctica shown by the international community, and convinced of the advantages to the whole of mankind of a better knowledge of Antarctica,

Affirming its conviction that, in the interest of all mankind, Antarctica should continue for ever to be used exclusively for peaceful purposes and that it should not become the scene or object of international discord,

Reaffirming that the management 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 cooperation for the benefit of mankind as a whole,

Convinced of the need to prevent or minimize any negative impact of human activity resulting from the large number of scientific stations and expeditions in Antarctica on the environment and its dependent and associated ecosystems,

Taking into account all aspects pertaining to all areas covered by the Antarctic Treaty,

Taking note with appreciation of the reports of the Secretary-General on the question of Antarctica of 6 September 1990 and 8 September 1990,

1. Expresses its regret that, despite the numerous resolutions adopted by the General Assembly, the Secretary-General or his representative has not been invited to the meetings of the Antarctic Treaty Consultative Parties, including the special session of the Antarctic Treaty Consultative Meeting at Santiago from 19 November to 7 December 1990, and urges once again the Consultative Parties to invite the Secretary-General or his representative to their future meetings;

2. Culls upon the Antarctic Treaty Consultative Parties to deposit information and documents covering all aspects of Antarctica with the Secretary-General of the United Nations, and requests the Secretary-General to submit a report on his evaluations thereon to the General Assembly at its forty-sixth session;

3. Expresses the conviction that any move to draw up a comprehensive environmental convention on the conservation and protection of Antarctica and its dependent and associated ecosystems as well as establishing a nature reserve or world park must be negotiated with the full participation of the international community, and in this regard stresses that this should be pursued within the context of the United Nations system, including the United Nations Conference on Environment and Development;

4. Urges all members of the international community to support all efforts to ban prospecting and mining in and around Antarctica and to ensure that all activities are carried out exclusively for the purpose of peaceful scientific investigation and that all such activities ensure the maintenance of international peace and security in Antarctica and the protection of its environment and are for the benefit of all mankind;

5. Requests the Secretary-General to undertake a comprehensive study with the help of relevant United Nations programmes and specialized agencies such as the World Meteorological Organization and the United Nations Environment Programme, using available data and resources, on the establishment of a United Nations-sponsored station in Antarctica with a view to promoting co-ordinated international co-operation in scientific research for the benefit of mankind, particularly the importance of Antarctica to the global environment and ecosystems, as well as to act as an early-warning system on climate change and accidents, and submit a report thereon to the General Assembly at its forty-sixth session;

6. Urges all States Members of the United Nations to co-operate with the Secretary-General and to continue consultations on all aspects relating to Antarctica;

7. Also requests the Secretary-General to submit a report, using available data and resources, on the state of the environment in Antarctica and its impact on the global system to the General Assembly at its forty-sixth session;

8. Decides to include in the provisional agenda of its forty-sixth session the item entitled "Question of Antarctica".

General Assembly resolution 45/78 A

12 December 1990 Meeting 66 98-0-7 (roll-call vote)

Approved by First Committee (A/45/789) by roll-call vote (75-0-8), 28 November (meeting 47); 26-nation draft (A/C.1/45/L.63/Rev.2); agenda item 67.

Meeting numbers. GA 45th session: 1st Committee 40-43, 47; plenary 66.

Roll-call vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Central African Republic, Chad, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cyprus, Djibouti, Dominica, Egypt, El Salvador, Ethiopia, Gabon, Gambia, Ghana, Granada, Guatemala, Guinea, Guyana, Haiti, Honduras, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Paraguay, Philippines, Qatar, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Vanuatu, Venezuela, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: None.

Abstaining: Fiji, Ireland, Liechtenstein, Malta, Portugal, Turkey, Ukrainian SSR.

During the roll-call vote in plenary, the following 45 States announced that they were not participating: Argentina, Australia, Austria, Belgium, Bulgaria, Byelorussian SSR, Canada, Chile, China, Colombia, Cuba, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Finland, France, Germany, Greece, Hungary, Iceland, India, Israel, Italy, Japan, Lao People's Democratic Republic, Luxembourg, Netherlands, New Zealand, Nicaragua, Norway, Panama, Papua New Guinea, Peru, Poland, Romania, Solomon Islands, Spain, Sweden, USSR, United Kingdom, United States, Uruguay, Viet Nam.

Participation of South Africa

In a report on Antarctica dated 6 September 1990 [A/45/458], the Secretary-General reproduced a communication of 30 April from Australia, acting on behalf of the States parties to the Antarctic Treaty. The communication was in response to the Secretary-General's note of 19 March regarding the implementation of General Assembly resolution 44/124 A [YUN 1989, p. 1121, appealing to the Antarctic Treaty Consultative Parties to take urgent measures to exclude, at the earliest possible date, the racist apartheid regime of South Africa from continued participation in their meetings.

Australia recalled its previous communication on the subject, as reproduced in a 1987 report of the Secretary-General [YUN 1987, p. 357]. Australia stated that that communication-reflecting the Parties' majority decision in that year not to vote for the resolution calling for South Africa's exclusion, based on their support for the principle of universality in the United Nations and on the view that there was no valid basis under international law for limiting a Party's rights under the Antarctic Treaty--continued fully to reflect the Parties' position.

GENERAL ASSEMBLY ACTION

On 12 December, the General Assembly adopted resolution 45/78 B.

The General Assembly,

Recalling its resolutions 43/83 B of 7 December 1988 and 44/124 A and B of 15 December 1989,

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, has continued to participate in the meetings of the Antarctic Treaty Consultative Parties,

Recalling the resolution adopted by the Council of Ministers of the Organization of African Unity at its fiftieth ordinary session, held at Addis Ababa from 17 to 22 July 1989,

Recalling also the final document on Antarctica adopted by the Ninth Conference of Heads of State or Government of Non-Aligned Countries, held at Belgrade from 4 to 7 September 1989,

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,

Noting that the policy of apartheid practised by the racist minority régime of South Africa, which has been universally condemned, constitutes a threat to regional and international peace and security,

1. Takes note of the report of the Secretary-General, and expresses deep concern that no concrete measures have been taken in accordance with paragraph 2 of resolution 44/124 A;

2. Views with concern the continuing participation of the apartheid regime of South Africa in the meetings of the Antarctic Treaty Consultative Parties;

3. Appeals once again to the Antarctic Treaty Consultative Parties to take urgent measures to exclude the racist apartheid régime from participation in the meetings of the Consultative Parties at the earliest possible date, and invites them to inform the Secretary-General of the measures taken regarding the provisions of the present resolution;

4. Requests the Secretary-General to submit a report in this regard to the General Assembly at its forty-sixth session, taking into account the concern expressed in paragraph 1 of the present resolution;

5. Decides to include in the provisional agenda of its forty-sixth session the item entitled "Question of Antarctica".

General Assembly resolution 45/78 B

12 December 1990 Meeting 66 107-0-7 (roll-call vote)

Approved by First Committee (A/45/789) by roll-call vote (84-0-6), 28 November (meeting 47); draft by Tunisia for African Group (A/C.1/45/L.64/Rev.1), orally revised; agenda item 67.

Meeting numbers. GA 45th session: 1st Committee 40-43, 47; plenary 66.

Roll-call vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Central African Republic, Chad, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan,

Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: None.

Abstaining: Ireland, Liechtenstein, Malawi, Malta, Mauritius, Portugal, Ukrainian SSR.

During the roll-call vote in plenary, the following States announced that they were not participating: Argentina, Australia, Austria, Belgium, Botswana, Bulgaria, Byelorussian SSR, Canada, Chile, Czechoslovakia, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Israel, Italy, Japan, Lesotho, Luxembourg, Netherlands, New Zealand, Norway, Panama, Papua New Guinea, Poland, Romania, Solomon Islands, Spain, Sweden, Turkey, USSR, United Kingdom, United States, Uruguay.

Cyprus question

Under the mandate entrusted to him by the Security Council, the Secretary-General continued in 1990 his mission of good offices concerning Cyprus with the objective of preserving the State of Cyprus and establishing a new constitutional arrangement between the Greek Cypriot and Turkish Cypriot communities. He held further meetings with the leaders of both sides, together and separately, and proposed a plan of action towards the achievement of that objective. He was assisted in that endeavour by his Special Representative in Cyprus, Under-Secretary-General Oscar Héctor Camilión.

Pending achievement of an overall solution to the Cyprus problem, the United Nations Peacekeeping Force in Cyprus (UNFICYP), stationed in the island since 1964, continued to discharge its peace-keeping and humanitarian tasks.

Although the General Assembly, by decision 44/471, included the item on the question of Cyprus in the agenda of its forty-fifth (1990) session, it did not discuss the item. In suspending the session on 21 December, however, the Assembly, by decision 45/455, retained the item on the agenda of its resumed forty-fifth session in 1991.

Throughout the year, Cyprus and Turkey addressed communications to the Secretary-General on various aspects of the situation in the country. Those from Turkey forwarded letters from the Turkish Cypriot community signed by Rauf R. Denktas as "President of the Turkish Republic of Northern Cyprus" or by Ozer Koray as the "representative" of that "Republic".

Secretary-General's good offices

The Security Council, in drawing up its mandate for the Secretary-General's good offices in Cyprus, posited a solution based on the existence of one State of Cyprus comprising two communities. In line with that mandate, the objective of the exercise of good offices was a new constitution for the State of Cyprus that would regulate relations between its two communities on a federal, bi-communal and bi-zonal basis. Each community would participate on an equal footing and would also have the opportunity to express separately its consent to the arrangements reached.

In pursuance of his mandate and of his proposal for an early continuation of the 1989 high-level talks [YUN 1989, p. 1141], the Secretary-General informed the Council on 22 February 1990 that the leaders of the two communities, President George Vassiliou of Cyprus and Mr. Denktas, had accepted the Secretary-General's invitation to hold meetings for an indefinite period, beginning on 26 February, and to make a determined effort to arrive at an agreed outline of an overall agreement.

SECURITY COUNCIL ACTION (February)

On 22 February, after consultations with the members of the Council, the President made the following statement [S/21160] on behalf of the Council:

The members of the Council recall the statement made on their behalf by the President on 14 December 1989. They express their appreciation to the Secretary-General for his briefing on the current situation about his mission of good offices concerning Cyprus and give their full support to his efforts to assist the two communities to reach a just and lasting solution.

The members of the Council stress the importance they attach to an early negotiated settlement of the Cyprus problem.

The members of the Council are pleased that the leaders of the two sides in Cyprus have accepted the Secretary-General's invitation to meet with him for an extended session beginning on 26 February 1990 to complete the work on an outline of an overall agreement, as agreed in June 1989.

The members of the Council call upon the leaders of the two sides to demonstrate the necessary goodwill and flexibility and to co-operate fully with the Secretary-General so that the talks will result in a major step toward the resolution of the Cyprus problem.

The members of the Council request the Secretary-General to report to the Council at the conclusion of the forthcoming meeting to inform them of the results achieved and of his assessment of the situation at that time.

Report of Secretary-General (March). Pursuant to the foregoing Security Council request, the Secretary-General, on 8 March, reported [S/21183] on the outcome of his talks with the leaders of the two communities in New York, from 26 February to 2 March. According to the report, the talks began with the Secretary-General indicating that the task of arriving at an agreed outline of an agreement could be facilitated if at the outset the two sides reflected upon the understandings that underlay a solution to the Cyprus problem.

Those understandings, which the Secretary-General read out to the two leaders, were that Cyprus was the common home of the Greek Cypriot community and of the Turkish Cypriot community, whose relationship was not one of majority and minority but of two communities in the State of Cyprus. The Secretary-General's mission of good offices as mandated by the Council was with the two communities, whose participation in the process to achieve an agreed solution to the Cyprus problem was on an equal footing. Thus the solution sought had to be decided upon by the two communities, had to be acceptable to both and had to be found within the framework set out by the 1977 [YUN 1977, p. 344] and 1979 [YUN 1979, p. 421] high-level agreements between them, as well as by the Secretary-General's mandate. The two communities and the Council had committed themselves to a solution that would ensure the sovereignty, independence, territorial integrity and non-alignment of Cyprus. Both communities had, in the 1979 high-level agreement, specifically rejected as options union in whole or in part with any other country and any form of partition or secession; they had stated their wish to establish a federation that was bi-communal as regards its constitutional aspects and bi-zonal as regards its territorial aspects.

The Secretary-General then suggested that the headings that had emerged from earlier meetings lent themselves to the consideration of all the issues and concerns expressed by each side and should be used as the basis for organizing the talks. Those headings included the overall objectives of the agreement; the guiding principles of the federation-federal union, bi-communality, bi-zonality; the federation's constitutional aspects-powers and functions to be vested in the federal Government, its structure, composition and functioning, and fundamental rights; security and guarantees; territorial adjustments; displaced persons; economic development and safeguards; and transitional arrangements. The Secretary-General further suggested that the first part of the talks should be devoted to a discussion of the issues under each of the headings and the second to the preparation of an outline.

In the course of discussions, however, conceptual difficulties arose when Mr. Denktas stated that the term "communities" should be used in a manner synonymous with the term "peoples", each having a separate right to "self-determination", and proposed certain other terms for the word "communities". The introduction of terminology different from that used by the Council, the Secretary-General pointed out, posed more than a semantic problem and, unless acceptable to both sides, any change in terminology could alter the conceptual framework to which all had thus far adhered. In the circumstances, he concluded that they faced an impasse of a substantive kind, which raised questions regarding the essence of the mandate of good offices given to him by the Council and, therefore, the basis of the talks.

For those reasons, certain substantive comments regarding the outline of an overall agreement made by the leaders could not be pursued. In his concluding statement, the Secretary-General indicated his intention to inform the Council of the current status of the talks and to seek its guidance on how to proceed. On 4 March, Mr. Denktas wrote that the difficulties relating to the terms "communities" or "peoples" had not been correctly reflected in the Secretary-General's statement. He pointed out that the insistence on the use of "community" in a restrictive sense and the refusal to accept any other proposed alternative was tantamount to a rejection of the right of the Turkish Cypriots and the Greek Cypriots—two distinct and separate peoples—freely to determine their political status.

The report noted that, despite the current impasse and his disappointment that it did not prove possible to advance towards drafting the outline of an overall agreement, the Secretary-General stressed the importance that the negotiating process not be allowed to collapse. He remained of the view that a basis for effective negotiations existed provided both leaders were prepared to take into account each other's concerns and were willing to proceed within the framework of the 1977 and 1979 high-level agreements. He stated his intention to continue to spare no effort to assist the two communities to find ways of harmonizing their respective interests and concerns.

SECURITY COUNCIL ACTION (March)

On 12 March, the Security Council adopted resolution 649 (1990).

The Security Council,

Having considered the report of the Secretary-General of 8 March 1990 on the recent meeting between the

leaders of the two communities in Cyprus and on his assessment of the current situation,

Recalling its relevant resolutions on Cyprus,

Recalling also the statement made by the President of the Security Council on 22 February 1990 calling upon the leaders of the two communities to demonstrate the necessary goodwill and flexibility and to co-operate with the Secretary-General so that the talks will result in a major step forward toward the resolution of the Cyprus problem,

Expressing its regret that, in the more than twenty-five years since the establishment of the United Nations Peace-keeping Force in Cyprus, it has not been possible to achieve a negotiated settlement of all aspects of the Cyprus problem,

Concerned that, at the recent meeting in New York, it was not possible to achieve results in arriving at an agreed outline of an overall agreement,

1. Reaffirms in particular its resolution 367(1975) of 12 March 1975 as well as its support for the 1977 and 1979 high-level agreements between the leaders of the two communities in which they pledged to establish a bi-communal Federal Republic of Cyprus that will safeguard its independence, sovereignty, territorial integrity and non-alignment, and exclude union in whole or in part with any other country and any form of partition or secession;

2. Expresses its full support for the current effort of the Secretary-General in carrying out his mission of good offices' concerning Cyprus;

3. Culls upon the leaders of the two communities to pursue their efforts to reach freely a mutually acceptable solution providing for the establishment of a federation that will be bi-communal as regards the constitutional aspects and bi-zonal as regards the territorial aspects, in line with the present resolution and their 1977 and 1979 high-level agreements, and to co-operate, on an equal footing, with the Secretary-General in completing, in the first instance and on an urgent basis, an outline of an overall agreement, as agreed in June 1989;

4. Requests the Secretary-General to pursue his mission of good offices in order to achieve the earliest possible progress and, toward this end, to assist the two communities by making suggestions to facilitate the discussions;

5. Calls upon the parties concerned to refrain from any action that could aggravate the situation;

6. Decides to remain actively seized of the situation and the current effort;

7. Requests the Secretary-General to inform the Security Council, in his report due by 31 May 1990, of the progress made in resuming the intensive talks and in developing an agreed outline of an overall agreement in line with the present resolution.

Security Council resolution 649(1990)

12 March 1990

Meeting 2909 Adopted unanimously

Draft prepared in consultations among Council members (S/21184).

Report of Secretary-General (July). In keeping with the Security Council resolution above, the Secretary-General reported on 12 July [S/21393] that further consultations with the two sides had been held in Nicosia, Cyprus, during

May and June. Acting on his behalf at the consultations was Gustave Feissel. Both leaders confirmed their commitment to all aspects of resolution 649(1990), in accordance with which they affirmed their full co-operation with the Secretary-General and their agreement with the understandings he had read to them at the February/March meeting.

The Secretary-General conveyed his view that, while it was important for the two leaders to meet with him as soon as possible in a renewed attempt to agree on an outline and to launch the negotiation of an overall agreement, it should first be ensured that such a meeting would yield the intended results. To that end, he proposed a plan of action involving separate discussions with the leaders in Nicosia to prepare the ground. He would again submit to the two leaders the headings that had emerged from their talks as a basis for organizing the task of arriving at an agreed outline. He went on to say that, in separate discussions, both sides would be asked, in line with their stated commitment to all aspects of resolution 649(1990) and agreement with the understandings, to indicate their positions on each of those headings and sub-headings, with a view to completing an outline as had been agreed in 1989. He also stated that he intended to make suggestions, as necessary, to assist the two sides so that, once an agreed outline was within reach, he would invite the two leaders to meet with him personally to complete that task and to launch negotiations on an overall agreement.

The Secretary-General noted with concern a general deterioration of the atmosphere and an increasing sense of frustration owing to the lack of progress. He stated that the two communities should make a conscious effort to promote mutual confidence. He urged both leaders to help that process by comments and suggestions that were moderate and amenable to serious negotiations and to give special attention to promoting greater contact between Greek Cypriots and Turkish Cypriots without seeking political advantage for either side. The time had come, he said, to stop mutual recriminations and to concentrate efforts on promoting reconciliation, and for all concerned to give proof that they truly wanted to contribute to a solution of the Cyprus problem.

SECURITY COUNCIL ACTION (July)

At its meeting on 19 July, the Security Council authorized its President to make the following statement [S/21400] on behalf of the Council members:

The members of the Council have considered the Secretary-General's report on his mission of good offices in Cyprus. They are unanimous in giving their full support to the Secretary-General's current effort to assist the two communities to reach a just and lasting solution. They agree with his assessment of recent developments, share his concern about the lack of progress, and endorse his plan of action.

The members of the Council reaffirm resolution 649(1990) of 12 March 1990, which was accepted by both sides, and reiterate the importance they attach to an early negotiated settlement of the Cyprus problem.

The members of the Council call on the leaders of the two communities to co-operate fully with the Secretary-General on the basis of his plan of action and to arrive, on an urgent basis, at an agreed outline of an overall agreement. In line with resolution 649(1990), they request the Secretary-General to make suggestions, as necessary, to assist the two communities arriving at an agreed outline.

The members of the Council again call on the parties concerned to refrain, especially at this sensitive stage in the process, from any action or statement that could aggravate the situation. They express their concern over any action which contravenes paragraph 5 of resolution 550(1984) of 11 May 1984 and paragraph 5 of resolution 649(1990). They call upon both communities to concentrate their efforts on promoting mutual confidence and reconciliation.

The members of the Council request the Secretary-General to inform the Council by 31 October 1990 about the implementation of his plan of action.

Meeting number. SC 2930.

Report of Secretary-General (November). On 7 November, the Secretary-General reported [S/21932] that, during the period under review, the negative attitude on both sides persisted. Each side objected to actions and statements by the other, all of which detracted from his effort. Following a number of meetings with each leader, his Special Representative in Cyprus went to New York at the end of September for a review of the situation and to discuss the continuation of the Secretary-General's effort.

The Secretary-General went on to say that he had written to both leaders, on 4 October, to stress once more the need to ensure that any future meeting would yield concrete results and to advise them that his Special Representative and Mr. Feissel would meet separately with each leader to implement his plan of action. He reaffirmed that resolution 649(1990) confirmed and clarified the lines along which a solution was to be sought and provided the basis for proceeding with the work agreed to in 1989. Accordingly, since mid-October, his two representatives had had a number of meetings with each leader in Nicosia to explore, in line with his plan of action,

the possibility of bringing together the elements of an outline with which the two sides could agree. The representatives had also visited Athens and Ankara, where they had discussed his current effort with the Greek and Turkish Foreign Ministers and other officials, and had considered issues and possible solutions relating to some of the outline headings.

Pending his submission of another progress report within three months, the Secretary-General again appealed to the parties to lend him their full co-operation and to avoid taking any action or making any public statement that could further complicate his effort.

SECURITY COUNCIL ACTION (November)

On 9 November, after consultations with the members of the Security Council, the President issued the following statement [S/21934] on their behalf:

The members of the Council have considered the Secretary-General's report on his mission of good offices in Cyprus. They reiterate their full support of the Secretary-General's current effort and reaffirm their endorsement of his plan of action to complete an outline of an overall agreement covering the critical substantive issues specified in paragraph 7 of his report to the Council of 8 March 1990.

The members of the Council reaffirm resolution 649(1990) of 12 March 1990.

The members of the Council stress the urgent need to arrive at a negotiated settlement of the Cyprus problem and express their regret that an outline of an overall agreement has not yet been completed. They call for renewed political will and commitment by all parties to facilitate a process of negotiations.

The members of the Council request the parties concerned to extend to the Secretary-General during the coming period their full co-operation and to refrain from taking any action or making any public statement that could further complicate his efforts.

The members of the Council request the Secretary-General to report to the Council by 15 February 1991 on the outcome of his effort to arrive at an agreed outline of an overall agreement and to provide the Council with his assessment of the situation at that time. They will examine closely the Secretary-General's report and assessment, particularly as they relate to resolution of the substantive issues in the outline.

Varosha

On 18 July, Cyprus transmitted two letters [S/21399] to the Security Council President requesting that the Council convene to take urgent measures concerning the fenced area of Varosha (a community near the port of Famagusta, just inside the cease-fire line of the Turkish and Turkish Cypriot forces). The first, dated 17 July, drew attention to information that the military

status quo in that fenced area would be altered to facilitate its settlement by people other than its inhabitants, in contravention of Council resolution 550(1984) [YUN 1984, p. 243]. The second letter, dated 18 July, gave notice that the threatened change had taken place earlier that day, making Council action to restore the status quo ante imperative.

In his report of 7 December on the UN operation in Cyprus (see below), the Secretary-General noted that Turkey's transfer of responsibility for the security of the area in question to the Turkish Cypriot security forces on 19 July heightened political tension in the island. In that connection, he recalled his 1987 report [YUN 1987, p. 239] stating that on several occasions he had reiterated to the Turkish and Turkish Cypriot authorities that the United Nations considered the Government of Turkey responsible for maintaining the status quo in the fenced area of Varosha—a position which UNFICYP continued to maintain.

UNFICYP

The United Nations Peace-keeping Force in Cyprus, established by Security Council resolution 186(1964) [YUN 1964, p. 165], continued in 1990 to use its best efforts to prevent a recurrence of the fighting between the Greek Cypriot and Turkish Cypriot communities by supervising the cease-fire lines of the Cyprus National Guard and of the Turkish and Turkish Cypriot forces, to contribute to the maintenance and restoration of law and order, to promote a return to normal conditions and to discharge its humanitarian functions.

The stationing of UNFICYP in the island was twice extended by the Council during the year, each extension for a six-month period: to 15 December 1990 (resolution 657(1990)) and to 15 June 1991 (resolution 680(1990)).

As at 30 November, UNFICYP, under the command of Major-General Clive Milner, had a strength of 2,132 all ranks, contributed by Austria, Australia, Canada, Denmark, Finland, Ireland, Sweden and the United Kingdom. Of that number, 2,094 were military personnel and 38 were civilian police.

Report of Secretary-General (May). Pursuant to Security Council resolution 646(1989) [YUN 1989, p. 114], the Secretary-General, on 31 May, submitted a report [S/21340] on the UN operation in Cyprus, covering developments from 1 December 1989 to 31 May 1990 and updating the record of activities of UNFICYP. Annexed to the report was an 11 April press communique issued by the Committee on Missing Persons in Cyprus, outlin-

ing the Committee's activities and the difficulties it faced in accomplishing its task.

According to the report, UNFICYP continued to maintain the cease-fire and the status quo on the island by keeping the UN buffer zone between the cease-fire lines under constant surveillance through a system of 149 observation posts, 52 of them permanently manned. UNFICYP conducted mobile and standing patrols within a patrol track spanning the length of the buffer zone, using high-powered binoculars and night-vision devices to monitor the cease-fire lines on a continuous basis. It initiated a mine-clearing project covering certain parts of the buffer zone due to the explosion of an anti-tank mine on 3 April that injured two UNFICYP personnel on car patrol. During the period under review, the number of cease-fire violations remained at a very low level. Overflights of the buffer zone included 12 by Turkish forces aircraft and two by National Guard aircraft, two from the north and six from the south by civilian aircraft, and five by civilian or military aircraft of other countries. Two incidents of cease-fire line crossings into the Turkish Cypriot sector occurred: in February, by five Greek Cypriots whom the Turkish Cypriot police arrested, and, in April, by two others on a motorcycle, apparently by accident. UNFICYP assisted in the release of the latter and was given access to the five who had been given gaol terms.

As part of its efforts to promote a return to normal conditions, UNFICYP facilitated economic and other civilian activities, in particular farming, in the areas between and adjacent to the cease-fire lines. It used its good offices in regard to the supply of electricity and water from one part of the island to the other, to the completion of the desilting of the Marathasa dam and repair of the Lefka-Kafizes pipeline, and to the replacement of old water pipes in the buffer zone. It launched an anti-mosquito programme in March and continued to facilitate normal contacts between Greek and Turkish Cypriots. The UN civilian police maintained close co-operation and liaison with the Cyprus and Turkish Cypriot police on matters having intercommunal aspects.

In the discharge of its humanitarian functions, UNFICYP continued to deliver foodstuffs and other supplies provided by the Cyprus Government and Red Cross, 403 tons for the Greek Cypriots living in the north of the island (593 in the Karpass peninsula and four in Kyrenia) and 238 tons for the 269 Maronites there, as well as social welfare and pension cheques. It continued to facilitate the voluntary transfer or visit of Greek Cypriots from the north to the south, effecting five transfers and 608 visits during the reporting period. It periodically visited Turkish Cypriots

living in the south of the island, arranged 22 reunions with their relatives in the north and continued to distribute pension cheques to Turkish Cypriots there who were former government employees. It continued to provide emergency medical services, including medical evacuation, to both communities.

In addition, UNFICYP co-operated with the Office of the United Nations High Commissioner for Refugees, UNDP and specialized agencies in the execution of their projects in the island.

The Secretary-General, concluding that the continued presence of UNFICYP remained indispensable to the achievement of the objectives set by the Council, recommended that it extend the UNFICYP mandate for a further six months beyond 15 June 1990. In making that recommendation, he underlined the chronic and ever-deepening financial crisis facing UNFICYP and suggested that the UN portion of its cost be financed from assessed contributions.

In a 13 June addendum [S/21340/Add.1] to his report, the Secretary-General informed the Council that Cyprus, as well as Greece and the United Kingdom, had indicated their concurrence with the proposed extension. Turkey had indicated its concurrence with and supported the position of the Turkish Cypriot side, which was that the text of the draft resolution on the proposed extension was unacceptable as a basis for extending the stationing of UNFICYP; that position would be expounded at the Council's meeting to consider the draft.

SECURITY COUNCIL ACTION (June)

The Security Council met on 15 June to consider the Secretary-General's report and recommendation. At their request, Cyprus, Greece and Turkey were invited to participate in the discussion. At the same meeting, the Council adopted resolution 657(1990).

The security Council

Taking note of the report of the Secretary-General on the United Nations operation in Cyprus of 31 May and 13 June 1990,

Taking note also of the recommendation by the Secretary-General that the Council extend the stationing of the United Nations Peace-keeping Force in Cyprus for a further period of six months,

Noting that the Government of Cyprus has agreed that in view of the prevailing conditions in the island it is necessary to keep the Force in Cyprus beyond 15 June 1990,

Reaffirming the provisions of resolution 186(1964) of 4 March 1964 and other relevant resolutions,

1. Extends once more the stationing in Cyprus of the United Nations Peace-keeping Force established under resolution 186(1964) for a further period ending on 15 December 1990;

2. Requests the Secretary-General to continue his mission of good offices, to keep the Security Council informed of the progress made and to submit a report on the implementation of the present resolution by 30 November 1990;

3. Calls upon all the parties concerned to continue to co-operate with the Force on the basis of the present mandate.

Security Council resolution 657(1990)

15 June 1990 Meeting 2928 Adopted unanimously

Draft prepared in consultations among Council members S/21357).

At the same meeting, the Council, following consultations among its members, authorized the President to make the statement [S/21361] below on behalf of the Council members:

The members of the Council recall Security Council resolution 649(1990) of 12 March 1990 and other relevant resolutions. They express again their regret that, in the more than 25 years since the establishment of the United Nations Peace-keeping Force in Cyprus, it has not been possible to achieve a negotiated settlement for all aspects of the Cyprus problem. They reiterate their full support for the current effort of the Secretary-General in carrying out his mission of good offices concerning Cyprus.

The members of the Council also recall the statement made by the President on 30 May 1990 on United Nations peace-keeping operations. They reiterate their view expressed in that statement that peace-keeping operations must be launched and maintained on a sound and secure financial basis. They therefore express their concern at the chronic and ever-deepening financial crisis facing the Force, as described in the Secretary-General's report and in his letter of 31 May 1990 addressed to all States Members of the United Nations, and they support his appeal for financial contributions which would enable the Force to continue to carry out the functions for which it was established.

Report of Secretary-General (December). As requested by Security Council resolution 657(1990), the Secretary-General submitted a further report on 7 December [S/21981] covering the activities of UNFICYP from 1 June to 30 November. He informed the Council that, in accordance with his decision, a review team had been sent to Cyprus in November to examine, in co-operation with the Special Representative and the Force Commander, the organization and operations of UNFICYP. The Secretary-General stated that he found the team's recommendations to be sound and would discuss their implementation with troop-contributing countries (see below).

As reported, the number of cease-fire violations increased slightly during the reporting period. UNFICYP continued its efforts to extend the 1989 agreement concerning the unmanning of certain positions in Nicosia, which currently held, but, in other parts of the city and its sub-

urbs, the troops of both sides remained in dangerous proximity to each other. Overflights of the UN buffer zone increased to 23 by Turkish forces aircraft and to 12 by National Guard aircraft. Overflights by civilian aircraft from the north rose to 11 and to 16 from the south; those by civilian or military aircraft of other countries rose to nine. The National Guard's construction programme to improve its defensive positions along its cease-fire line remained viewed by the Turkish forces as provocative and a change to the status quo. Near Kokkina and Famagusta, violations persisted of the seaward extension of the buffer zone known as the "maritime security line", established by UNFICYP for security purposes; UNFICYP continued to report each crossing of the line to the authorities concerned, warning of the dangers involved and of the need for restraint.

The report noted the Secretary-General's concern about the strength and development of the military forces on both sides, which heightened tension and increased possible risks of serious incidents. It also recorded a renewed complaint by Cyprus about the reported destruction of Cypriot cultural heritage in the north.

Through a variety of ongoing economic and humanitarian activities, as recorded in the Secretary-General's May report, UNFICYP continued to promote a return to normal conditions, including fostering relations in the mixed Greek Cypriot/Turkish Cypriot village of Pyla, the only mixed village out of five situated in the buffer zone. The goodwill and understanding generated through these activities facilitated UNFICYP's task in the military area.

The Secretary-General observed that UNFICYP continued to perform its functions in an exemplary manner, often under difficult circumstances, and he had no doubt regarding the indispensability of its continued presence in the island. He thus recommended to the Council an extension of UNFICYP's mandate for a further six months beyond 15 December.

In a 14 December addendum [S/21981/Add.1] to his report, the Secretary-General informed the Council that Cyprus, as well as Greece and the United Kingdom, had indicated their concurrence with the proposed extension. Turkey had indicated that it concurred with and supported the position of the Turkish Cypriot side, which was that the text of the draft resolution on the proposed extension was unacceptable as a basis for extending the stationing of UNFICYP; that position would be expounded during the Council's consideration of the draft.

SECURITY COUNCIL ACTION (December)

The Security Council met on 14 December to consider the foregoing report and recommendation of the Secretary-General. At their request, Cyprus, Greece and Turkey were invited to participate in the discussion. Also invited was Mr. Koray, under rule 39 of the provisional rules of procedure (stating that the Council may invite Secretariat members or other persons to supply it with information or give other assistance). At the same meeting, the Council adopted resolution 680(1990).

The Security Council,

Taking note of the report of the Secretary-General on the United Nations operation in Cyprus of 7 and 14 December 1990,

Taking note also of the recommendation by the Secretary-General that the Security Council extend the stationing of the United Nations Peace-keeping Force in Cyprus for a further period of six months,

Noting that the Government of Cyprus has agreed that in view of the prevailing conditions in the island it is necessary to keep the Force in Cyprus beyond 15 December 1990,

Reaffirming the provisions of resolution 186(1964) of 4 March 1964 and other relevant resolutions,

1. Extends once more the stationing in Cyprus of the United Nations Peace-keeping Force established under resolution 186(1964) for a further period ending on 15 June 1991;

2. Requests the Secretary-General to continue his mission of good offices, to keep the Security Council informed of the progress made and to submit a report on the implementation of the present resolution by 31 May 1991;

3. Culls upon all the parties concerned to continue to co-operate with the Force on the basis of the present mandate.

Security Council resolution 680(1990)

14 December 1990 Meeting 2969 14-0-1

Draft prepared in consultations among Council members (S/22000).

Vote in Council as follows:

In favour: China, Colombia, Côte d'Ivoire, Cuba, Ethiopia, Finland, France, Malaysia, Romania, USSR, United Kingdom, United States, Yemen, Zaire.

Against: None.

Abstaining: Canada.

Review of organization and operations

In accordance with the Secretary-General's decision, a Secretariat review team visited Cyprus from 11 to 21 November 1990 to undertake, in co-operation with the Special Representative and the Force Commander, a review of all aspects of the organization and operations of UNFICYP. Led by Mr. Feissel and accompanied at the beginning by the Under-Secretary-General for Special Political Affairs, Marrack Goulding, the team was asked in particular to consider the continued relevance of the functions entrusted to UNFICYP by Security Council

resolution 164(1964) [YUN 1964, p. 165], possible changes in its method of operation, such as the use of military observers, the possible reduction of its strength and making other economies.

Preparatory work, carried out by UNFICYP and by relevant units at UN Headquarters, included a description of the detailed organizational arrangements of UNFICYP; an examination of military, international civilian and local staffing trends over the last five years; UNFICYP cost and financing since 1980; the extra and extraordinary costs claimed by troop-contributing Governments over the past 10 years; and a survey of incidents along the buffer zone over the past five years. In addition to reviewing the report of the 1980 survey team [YUN 1980, p. 455], which had covered similar ground, the review team consulted the Secretary-General's reports on UNFICYP and on his mission of good offices in Cyprus.

The review team's report was submitted to the Council by the Secretary-General on 7 December [S/21982]. Section I examined the functions of UNFICYP as mandated by the Council and the conditions under which they had to be carried out. The current situation was compared with that of 1980, when the last review had been undertaken, and UNFICYP's current strength and organization were examined in the light of its functions and the prevailing conditions. Section II, on the cost and financing of UNFICYP, examined the cost to the troop-contributing Governments and to the United Nations, described the cost-cutting efforts in past years and assessed the current situation. Section III set out the team's overall evaluation and recommendations.

The team concluded that the current functions of UNFICYP remained valid; the status quo and the prevention of a recurrence of fighting were not self-sustaining and therefore the continued deployment of UNFICYP all along the buffer zone remained necessary; the number of on-line troops could not be further reduced without impairing the effectiveness of the Force; and the cost-cutting measures carried out over the past 10 years had exhausted most possibilities for further reductions. The prevailing situation on the ground did not make converting UNFICYP into an observer mission a viable option. The lack of agreement between UNFICYP and the two sides on the complete delineation of the cease-fire lines, as recorded by UNFICYP, and the lack of agreement on the use and control of the buffer zone made it imperative for UNFICYP to retain both a reactive and a preventive capability. It would be feasible, however, to reduce the number of infantry battalions from four to three without reducing the current level of on-line personnel; that would permit a better ratio of line troops to sup-

port troops, resulting in an overall reduction of some 200, all ranks. The team underlined that continued reliance on voluntary contributions to finance the UN portion of the costs would jeopardize the future of UNFICYP. It also expressed the view that the recommended organizational change could be implemented only if the method of financing was changed to assessed contributions.

Financing

In his May report [S/21340] on the UN operation in Cyprus, the Secretary-General noted that the portion of UNFICYP costs borne by the United Nations was dependent entirely on voluntary contributions from Governments. In that regard, only \$2.4 million had been contributed by Member States, against anticipated expenditures of some \$13.8 million for the mandate period ending 15 June 1990. The Secretary-General drew attention to a joint letter of 7 May [S/21294] from the troop contributors—Australia, Austria, Canada, Denmark, Finland, Ireland, Sweden and the United Kingdom—expressing their grave concern at the growing deficit in the UNFICYP Special Account. He also took note of their joint letter of 14 May [S/21301] in which they expressed the view that, in the absence of adequate voluntary contributions, there could be no alternative to the provision of funding through assessed contributions by all Member States. The Secretary-General stated that he fully shared their concern, adding that an important step towards alleviating the situation would be for the UN portion of the cost to be financed from assessed contributions. He hoped the Security Council would come to accept that measure.

In his December report [S/21981], the Secretary-General further stated that, as at 30 November, only \$4.1 million had been received against anticipated expenditures of some \$13.8 million for the current mandate period ending 15 December 1990. On average, the contributions received per mandate period approximated 59 per cent of UNFICYP costs to the United Nations. As a result, reimbursement claims from troop-contributing countries had been met only up to December 1980. Unless additional contributions were received, the Secretary-General warned, the accumulated deficit in the UNFICYP Special Account was expected to be \$171.6 million from the inception of the Force in 1964 to the end of the current mandate period.

In a 12 December letter [S/21996] to the Council President, Australia, Austria, Denmark, Ireland and Sweden reiterated their concern at the continuing massive shortfall in voluntary contribu-

tions towards the funding of the Force and their belief that there could be no alternative to funding through assessed contributions by Member States. They supported the efforts of those troop contributors who were also Council members—Canada, Finland and the United Kingdom—to have the Council adopt a resolution that would give effect to that overdue reform and urged the Council to adopt the relevant draft text before it without delay.

SECURITY COUNCIL ACTION

On 21 December, the Security Council adopted resolution 682(1990).

The Security Council,

Recalling its resolution 186(1964) of 4 March 1964 establishing the United Nations Peace-keeping Force in Cyprus for an initial period of three months,

Recalling also its subsequent resolutions extending the stationing in Cyprus of the United Nations Peace-keeping Force, most recently its resolution 680(1990) of 14 December 1990,

Reaffirming the statement of the President of the Council of 30 May 1990, in which the members emphasized that United Nations peace-keeping operations must be launched and maintained on a sound and secure financial basis,

Concerned about the chronic and ever-deepening financial crisis facing the Force, as described in the report of the Secretary-General and as expressed in the statement of the President of the Council of 15 June 1990,

1. Decides to examine the problem of the costs and financing of the United Nations Peace-keeping Force in Cyprus in all its aspects, bearing in mind the financial crisis facing the Force and the report of the Secretariat Review Team of 7 December 1990, and to report by 1 June 1991 on alternative arrangements for meeting the costs of the Force for which the United Nations is responsible, in order to place the Force on a sound and secure financial basis;

2. Also decides to consider, not later than early June 1991, comprehensively and favourably the results of the examination mentioned in paragraph 1 above, with a view to putting into effect an alternative method of financing the Force which could, inter alia, include the use of assessed contributions, simultaneously with the extension of the mandate on or before 15 June 1991.

Security Council resolution 682(1990)

21 December 1990 Meeting 2971 Adopted unanimously
Draft prepared in consultations among Council members (S/2/1988/Rev.2), orally amended.

Institutional questions

Admission to UN membership

In 1990, the Security Council unanimously recommended the granting of membership in

the United Nations to the Republic of Namibia and to the Principality of Liechtenstein. Acting on that recommendation, the General Assembly admitted them on 23 April and on 18 September, respectively, bringing the membership of the United Nations to 159 Member States.

Namibia

On 17 April, the Security Council referred the application [S/21241] of the Republic of Namibia for membership in the United Nations to the Committee on the Admission of New Members. (See also PART FOUR, Chapter III.) The Council met again on the same date to discuss the Committee's report [S/21251] on that application. At their request, the Council invited Brazil, Mali and South Africa to participate without vote in the discussion; it also invited the Acting President of the United Nations Council for Namibia, under rule 39 of the provisional rules of procedure (stating that the Council may invite Secretariat members or other persons to supply it with information). The Council adopted resolution 652(1990).

The Security Council,

Having examined the application of the Republic of Namibia for admission to the United Nations.

Recommends to the General Assembly that the Republic of Namibia be admitted to membership in the United Nations.

Security Council resolution 652(1990)

17 April 1990 Meeting 2918 Adopted unanimously

Draft by Committee on the Admission of New Members (S/21251).

Meeting numbers. SC 2917, 2918.

Also on 17 April, the Council submitted the resolution above to the Secretary-General for transmittal to the General Assembly at its eighteenth special session, with a request [A/S-18/3] that an item entitled "Admission of new Members to the United Nations" be included in that session's agenda.

GENERAL ASSEMBLY ACTION

At a meeting on 23 April, the General Assembly, which had before it Namibia's membership application [A/S-18/5], adopted resolution S-18/1.

Admission of the Republic of Namibia to membership in the United Nations

The General Assembly,

Having received the recommendation of the Security Council of 17 April 1990 that the Republic of Namibia should be admitted to membership in the United Nations,

Having considered the application for membership of the Republic of Namibia,

Decides to admit the Republic of Namibia to membership in the United Nations.

General Assembly resolution S-18/1

23 April 1990 Meeting 1 Adopted without vote

152-nation draft (A/S-18/L. 1 & Add 1); agenda item 10.

Liechtenstein

On 13 August, the Security Council referred the application [S/21486] of the Principality of Liechtenstein for membership in the United Nations to the Committee on the Admission of New Members. The Council met again on 14 August to consider the Committee's report [S/21506] on that application, following which it adopted resolution 663(1990).

The Security Council,

Having examined the application of the Principality of Liechtenstein for admission to the United Nations,

Recommends to the General Assembly that the Principality of Liechtenstein be admitted to membership in the United Nations.

Security Council resolution 663(1990)

14 August 1990 Meeting 2936 Adopted unanimously

Draft by Committee on the Admission of New Members (S/21506).

Meeting numbers. SC 2935/2936.

Also on 14 August, the Council wrote to the Secretary-General requesting transmittal of the above resolution to the General Assembly [A/45/419].

GENERAL ASSEMBLY ACTION

At a meeting on 18 September, the General Assembly, which had before it Liechtenstein's membership application [A/45/408-S/21486], adopted resolution 45/1.

Admission of the Principality of Liechtenstein to membership in the United Nations

The General Assembly,

Having received the recommendation of the Security Council of 14 August 1990 that the Principality of Liechtenstein should be admitted to membership in the United Nations,

Having considered the application for membership of the Principality of Liechtenstein,

Decides to admit the Principality of Liechtenstein to membership in the United Nations.

General Assembly resolution 45/1

18 September 1990 Meeting 1 Adopted without vote

69-nation draft (A/45/L.1 & Add.1); agenda item 19.

By decision 45/455 of 21 December, the Assembly decided to retain on the agenda of its forty-fifth (1990) session one sub-item and 13 items, among them the item on the admission of new Members to the United Nations.

Single membership in the UN

Yemen

In a note verbale of 21 May [A/44/946], the Secretary-General transmitted to the General Assembly a 19 May letter from the Ministers for Foreign Affairs of the Yemen Arab Republic and the People's Democratic Republic of Yemen informing him that on 22 May 1990 the two States would merge in a single sovereign State called the "Republic of Yemen", with Sana'a as its capital. The Republic of Yemen would have a single membership in the United Nations and be bound by the provisions of the Charter of the United Nations. All treaties and agreements concluded between either the Yemen Arab Republic or the People's Democratic Republic of Yemen and other States and international organizations in force on that date would remain in effect, and international relations existing between those two States and other States would continue.

The Ministers requested the Secretary-General to circulate the contents of their letter to all UN Member States, organs and specialized agencies, and related organizations.

The Secretary-General stated that he would take action, within the limits of his administrative responsibilities, to give effect to the declaration by the two States, without prejudice to and pending such action as other organs of the United Nations might take.

Germany

In a note verbale of 28 September [A/45/557], the Secretary-General notified Member States of the information received on 27 September from the German Democratic Republic concerning its accession, as of 3 October 1990, to the scope of the Basic Law of the Federal Republic of Germany so as to unite Germany in a single State. With that accession the prerequisites under international law for continued membership of the German Democratic Republic in the United Nations and in other intergovernmental organizations ceased to apply. Consequently, it would be for the united Germany as a member of the United Nations to remain committed thenceforth to the Charter.

In a further note verbale of 3 October [A/45/567], the Secretary-General transmitted to Member States, UN organs and specialized agencies, and other UN-affiliated organizations the information received from the Federal Republic of Germany that, through the accession on 3 October of the German Democratic Republic to the Federal Republic of Germany, the two German States had united to form one sovereign State,

which, as a single Member of the United Nations, remained bound by the Charter. As from the date of unification, the Federal Republic of Germany would act in the United Nations under the designation "Germany".

The Secretary-General stated that he would take action to give effect, from 3 October 1990, to the notification.

Institutional machinery

Security Council

The Security Council held 69 meetings in 1990 and adopted 37 resolutions. One meeting was devoted to each of the following: Afghanistan, Cambodia, Cuba, Nicaragua, Western Sahara, the termination of the applicability of the Trusteeship Agreement to the Federated States of Micronesia, the Marshall Islands and the Northern Mariana Islands, UN peace-keeping operations, and the Council's annual report to the General Assembly (held privately). Four meetings were devoted to the Middle East and 21 to the occupied Arab territories, 6 to Central America, 5 to Cyprus, 4 to the Iran-Iraq situation, 15 to the Iraq-Kuwait situation, 4 to the admission of new UN members, and 2 to elections to fill vacancies in the International Court of Justice.

Agenda

The Security Council considered 15 agenda items during 1990 (see APPENDIX IV). It continued the practice of adopting at each meeting the agenda for that meeting.

By a note of 14 September [A/45/501], the Secretary-General notified the General Assembly, in accordance with Article 12, paragraph 2, of the Charter, of 14 matters relative to the maintenance of international peace and security that the Council had discussed during the period since his previous annual notification. He listed another 134 matters not discussed during the period but of which the Council remained seized.

By decision 45/411 of 27 November, the Assembly took note of the Secretary-General's note.

Report for 1989/90

At a meeting held in private on 23 November, the Security Council considered its draft report covering the period from 16 June 1989 to 15 June 1990 [A/45/2] and adopted it unanimously. An official communiqué [S/PV.2958] to that effect was issued and circulated in place of a verbatim record.

On 10 December, the General Assembly, by decision 45/420, took note of the Council's report.

Membership

Although the item entitled "Question of equitable representation on and increase in the membership of the Security Council" was inscribed on the agenda of the General Assembly's forty-fifth (1990) session, it was not considered. (Draft resolutions proposing an increase in membership from 15 to 21 had been put forward in 1979 [YUN 1979, p. 435] and in 1980 [YUN 1980, p. 461] but were not acted upon.)

By decision 45/421 of 10 December, the Assembly decided to include that item in the provisional agenda of its forty-sixth (1991) session.

General Assembly

The General Assembly met in four sessions during 1990: to resume and conclude its forty-fourth (1989) session, for the major part of its forty-fifth (1990) session, and for its seventeenth and eighteenth special sessions.

The first part of the forty-fourth session, held from 19 September to 29 December 1989, resumed in 1990, from 20 February to 17 September. The seventeenth special session, on international co-operation against the illicit production, supply, demand, trafficking and distribution of narcotic drugs and psychotropic substances, was held from 20 to 23 February. The eighteenth special session, on international economic co-operation, in particular the revitalization of economic growth and development of the developing countries, ran from 23 April to 1 May.

Credentials

At its first meeting on 24 October, the Credentials Committee examined a memorandum of the previous day from the Secretary-General indicating that credentials had been submitted by 134 Member States for their representatives to the General Assembly's forty-fifth session. The Legal Counsel explained that the memorandum related solely to the Member States that had submitted formal credentials.

At its second meeting on 17 December, the Committee examined a further memorandum by the Secretary-General, as orally updated by the Legal Counsel, reporting that, since the Committee's first meeting, formal credentials from 14 other Member States had been received. In addition, information concerning the appointment of their representatives to the session had been communicated to the Secretary-General by six Member States by means of a facsimile communi-

cation, letter or note verbale. The Committee Chairman proposed that the Committee accept the credentials of those Member States, on the understanding that the six that had communicated by facsimile, letter or note verbale would submit formal credentials as soon as possible.

At each meeting, the Committee, acting without vote on a proposal by the Chairman, adopted a resolution by which it accepted the credentials received. The Committee also recommended the adoption of two draft resolutions by which the Assembly would approve the Committee's first [A/45/674] and second [A/45/674/Add.1] reports. The Assembly took no action on those draft resolutions.

The Assembly, by decision 45/455 of 21 December, decided to retain on the agenda of its forty-fifth session the item on the report of the Credentials Committee.

Organization of the 1990 session

By decision 45/401 of 21 September, the General Assembly, on the recommendation of the General Committee as set forth in its first report [A/45/250], adopted a number of provisions concerning the organization of the forty-fifth (1990) session.

The Committee's recommendations concerned the rationalization of the Assembly's work, the closing date of the session, the scheduling of meetings, the general debate, explanations of vote, right of reply and length of statements, meeting records, concluding statements, questions related to the programme budget, documentation, resolutions, special conferences, and meetings of subsidiary organs.

Subsidiary organs

By decisions 45/403 A, B, C and D, adopted on the recommendation of the Committee on Conferences as set out in its letters of 30 August, 5 September, 18 October and 2 November [A/45/475 & Add1-3], the General Assembly authorized the following subsidiary organs to hold meetings during its 1990 session: Committee for Programme and Co-ordination; Ad Hoc Committee of the Whole for the Preparation of the International Development Strategy for the Fourth United Nations Development Decade; Advisory Committee on the United Nations Educational and Training Programme for Southern Africa; Committee of Trustees of the United Nations Trust Fund for South Africa; Committee on Relations with the Host Country; Committee on the Exercise of the Inalienable Rights of the Palestinian People; Special Committee against Apartheid; Working Group on the Financing of the United

Nations Relief and Works Agency for Palestine Refugees in the Near East; International Civil Service Commission; Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa.

Agenda

At its resumed forty-fourth session, the General Assembly, on the proposals of the Secretary-General, adopted decisions 44/402 B and C on 2 April and 28 June 1990, by which it reopened for plenary consideration, respectively, the agenda item on the pattern of conferences and the sub-item on special programmes of economic assistance. By decision 44/402 D of 20 July, the Assembly, on the proposal of its President following a request of the Bahamas, Colombia and Haiti [A/45/965 & Corr.1 & Add.1], also reopened consideration, in plenary, of the item on enhancing the effectiveness of the principle of periodic and genuine elections. In the light of Namibia's independence, the Assembly, by decision 44/469 of 11 September, changed the title of item 115 to read "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 Territories under colonial domination and efforts to eliminate colonialism, apartheid and racial discrimination in southern Africa".

At its forty-fifth session, on the recommendations of the General Committee as set forth in its first and second reports [A/45/250 & Add.1], the Assembly, by decision 45/402, adopted the agenda and allocation of agenda items for that session on 21 and 28 September. Under the same decision, on 21 September, it deferred consideration of the item "Judgment of the International Court of Justice of 27 June 1986 concerning military and paramilitary activities in and against Nicaragua: need for immediate compliance". On 15 October, it decided: that the debate on the review and appraisal of the implementation of the Substantial New Programme of Action for the 1980s for the Least Developed Countries should be held directly in plenary, on the understanding that appropriate action on that sub-item would be taken by the Second (Economic and Financial) Committee; and to include in the agenda the item on the prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons. On the proposals of the Secretary-General, the Assembly further decided to include in its current agenda, on 11 and 21 December, respectively, additional sub-items: on the election of a member of the Governing Council of the United Na-

tions Environment Programme and on the appointment of a member of the Consultative Committee on the United Nations Development Fund for Women; and on the election of the United Nations High Commissioner for Refugees, as well as to amend the elections item to read "Elections to fill vacancies in subsidiary organs and other elections".

On 21 December, by decision 45/455, the Assembly retained 13 items and one sub-item on the agenda, for consideration at its resumed forty-fifth session in 1991.

1991 agenda

At its forty-fifth session, the General Assembly adopted a number of decisions by which it included items in the provisional agenda of its forty-sixth (1991) session. Three items were on the question of the Malagasy islands of Glorieuses, Juan de Nova, Europa and Bassas da India, the question of East Timor, and development and strengthening of good-neighbourliness between States-all on the recommendation of the General Committee (decision 45/402); another three were on the questions of equitable representation on and an increase in the membership of the Security Council (decision 45/421), the Falklands Islands (Malvinas) (decision 45/424) and peace, stability and co-operation in South-East Asia (decision 45/425).

Other items, consideration of which had been deferred, were also included: declaration of the Assembly of Heads of State and Government of the Organization of African Unity on the aerial and naval military attack against the Socialist People's Libyan Arab Jamahiriya by the present United States Administration in April 1986 (decision 45/429); 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 (decision 45/430); launching of global negotiations on international economic co-operation for development (decision 45/435); and implementation of the resolutions of the United Nations (decision 45/454).

The items on international arms transfers (decision 45/415), naval arms and disarmament (decision 45/416), and conventional disarmament on a regional scale (decision 45/418) were included on the recommendation of the First Committee. The question of the composition of the relevant organs of the United Nations (decision 45/423) was included on the recommendation of the Special Political Committee.

Co-operation with other organizations

League of Arab States

In accordance with General Assembly resolution 44/7 [YUN 1989, p. 118], the Secretary-General reported in September 1990 [A/45/481] on co-operation between the United Nations and the League of Arab States (LAS). He described consultations and exchanges of information that had taken place between the two organizations since 1989 and summarized follow-up action on proposals for co-operation in accordance with their 1983 [YUN 1983, p. 394] and 1988 [YUN 1988, p. 126] agreements.

In an addendum [A/45/481/Add.I] to his report, the Secretary-General further gave an account of a joint meeting between the two organizations in Geneva, from 18 to 20 July, to review co-operation and appraise progress, with particular reference to their 1988 agreements, and to consider proposals for a two-year programme of co-operation. He set out the six sectoral areas established by the meeting—international peace and security; food and agriculture; labour, trade, industry and environment; social affairs; education, science, culture and information; and communications—and detailed the specific activities agreed upon under each sector.

The Secretary-General also indicated other areas of co-operation as identified by the meeting, namely, between the Arab Monetary Fund and UN specialized agencies; between the Secretariat's Department of Technical Co-operation for Development and LAS regarding increasing the numbers of experts from the region's developing countries to serve in UN programmes of technical assistance; and between the World Intellectual Property Organization and LAS in the field of intellectual property systems.

GENERAL ASSEMBLY ACTION

On 13 December, the General Assembly adopted resolution 45/82.

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 resolution 44/7 of 17 October 1989,

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

Recalling also the Articles of the Charter of the United Nations which encourage activities through re-

gional 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 Lebanon and 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,

Taking note with satisfaction of the conclusions and recommendations adopted at the joint meeting of the representatives of the organizations of the United Nations system and the representatives of the League of Arab States and its specialized organizations, held at Geneva from 18 to 20 July 1990,

Convinced that the maintenance and further strengthening of co-operation between the United Nations system and the League of Arab States contribute to the promotion of the purposes and principles of the United Nations,

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,

Having heard the statement of the Acting Permanent Observer of the League of Arab States of 25 October 1990 on co-operation between the United Nations and the League of Arab States, and having noted the emphasis placed therein on follow-up actions and procedures on the recommendations in the political, social and cultural fields adopted at the meetings between the 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, at Geneva from 29 June to 1 July 1988 and from 18 to 20 July 1990, as well as on the recommendations relating to political matters contained in the relevant resolutions of the General Assembly,

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

2. Expresses its appreciation to the Secretary-General for the follow-up action taken by him to implement the proposals adopted at the meetings between the representatives of the secretariats of the United Nations and other organizations of the United Nations system and the General Secretariat of the League of Arab States and its specialized organizations held at Tunis, Amman and Geneva;

3. Expresses its appreciation also to the Secretary-General for his efforts to implement Security Council

resolution 425(1978) of 19 March 1978 and commends the League of Arab States and its Tripartite High Committee for their endeavours to resolve the crisis in Lebanon;

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. Also requests the Secretary-General to continue his efforts to strengthen co-operation and co-ordination between the United Nations and other 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. Further requests the Secretary-General to continue to co-ordinate the follow-up action to facilitate the implementation of the proposals of a multilateral nature adopted at the Tunis meeting in 1983, and to take appropriate action regarding the multilateral proposals adopted at the Amman meeting in 1985, and at the Geneva meetings in 1988 and 1990, including the following:

(a) Promotion of contacts and consultations between the counterpart programmes of the United Nations system;

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

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 associate whenever possible with organizations and institutions of the League of Arab States in the execution and implementation of development projects in the Arab region;

(d) To inform the Secretary-General, not later than 15 May 1991, 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 Tunis, Amman and Geneva meetings;

9. Decides that, in order to intensify co-operation and for the purpose of review and appraisal of progress as well as to prepare comprehensive periodic reports, a general meeting between the United Nations system and the League of Arab States should take place once every two years and inter-agency sectoral meetings should be organized annually on areas of priority and wide importance in the development of the Arab States and the meeting of the sectoral co-ordinators should be held during 1991, the time and place to be determined by consultations between the United Nations and the League of Arab States;

10. Recommends that the United Nations and the other organizations of the United Nations system should utilize Arab expertise to the extent possible in projects undertaken in the Arab region;

11. Requests the Secretary-General of the United Nations, in co-operation with the Secretary-General of the League of Arab States, to encourage periodic consultations between representatives of the Secretariat of the United Nations and of the General Secretariat of the League of Arab States to review and strengthen co-ordination mechanisms with a view to accelerating implementation and follow-up action of multilateral projects and proposals adopted by the general meeting of the two organizations;

12. Recommends that a joint meeting between representatives of the organizations of the United Nations system and of the League of Arab States and its specialized organizations should be organized in 1992 in order to review the progress achieved in the implementation of the two-year plan of action adopted at the 1990 meeting;

13. Further requests the Secretary-General to submit to the General Assembly at its forty-sixth session a progress report on the implementation of the present resolution;

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

General Assembly resolution 45/82

13 December 1990 Meeting 67 147-2-1 (recorded vote)

IS-nation draft (A/45/L.11/Rev.2); agenda item 25.

Meeting numbers. GA 45th session: plenary 35, 67.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United

Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against Israel, United States.

Abstaining: Dominica.

Organization of the Islamic Conference

In response to General Assembly resolution 44/8 [YUN 1989, p. 120], the Secretary-General submitted a report in September 1990 [A/45/526] on co-operation between the United Nations and the Organization of the Islamic Conference (OIC).

The report described consultations which had taken place between representatives of the two organizations and their representation at meetings of the Security Council and of the Assembly and summarized follow-up action on the recommendations in the priority sectors agreed upon by the third United Nations/OIC meeting [YUN 1988, p. 128]. The sectors were development of science and technology, outer space, development of trade, technical co-operation among Islamic countries, assistance to refugees, food security and agriculture, education and eradication of illiteracy, and investment mechanisms and joint ventures.

The report further described co-operation in economic, social and cultural development with a number of bodies, programmes and specialized agencies of the UN system, giving details of the contacts they maintained with OIC, as well as their ongoing and new technical co-operation projects and other forms of assistance to OIC members. The UN entities involved were the Departments of International Economic and Social Affairs and of Technical Co-operation for Development, the Economic and Social Commission for Western Asia, the United Nations Relief and Works Agency for Palestine Refugees in the Near East, the United Nations Centre for Human Settlements, the Office of the United Nations Disaster Relief Co-ordinator, the World Food Programme, the International Labour Organization, the World Health Organization, the World Bank, the International Monetary Fund, the International Fund for Agricultural Development and the General Agreement on Tariffs and Trade.

In an addendum [A/45/526/Add.1] to his report, the Secretary-General submitted the conclusions and recommendations of the co-ordination meeting of the focal points of the lead agencies of the UN system and OIC held in Vienna from 12 to 14 September aimed at enhancing co-operation.

On 19 September [A/45/421-S/21797], Egypt transmitted to the Secretary-General the text of the final communique and of other documents adopted by the Nineteenth Islamic Conference

of Foreign Ministers (Cairo, Egypt, 31 July-5 August).

GENERAL ASSEMBLY ACTION

On 25 October, the General Assembly adopted resolution 45/9.

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,

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 and its specialized institutions,

Noting with satisfaction the co-ordination meeting of the focal points of the lead agencies of the United Nations system and the Organization of the Islamic Conference and its specialized institutions, held in Vienna from 12 to 14 December 1989, as called for in General Assembly resolution 44/8 of 18 October 1989,

Noting also the encouraging progress made in the seven priority areas of co-operation as well as in the identification of other areas of co-operation,

Convinced that the strengthening of co-operation between the United Nations and other organizations of the United Nations system and the Organization of the Islamic Conference 'contributes to the promotion of the purposes and principles of the United Nations,

Noting with appreciation the desire of both organizations to strengthen further the existing co-operation by developing specific proposals in the designated priority areas of co-operation,

Recognizing the need for closer co-operation between the specialized agencies and other organizations of the United Nations system and the Organization of the Islamic Conference and its specialized institutions in the implementation of the proposals adopted at the co-ordination meeting of the focal points of the lead agencies of the two organizations,

Recalling its resolutions 37/4 of 22 October 1982, 38/4 of 28 October 1983, 39/7 of 8 November 1984, 40/4 of 25 October 1985, 41/3 of 16 October 1986, 42/4 of 15 October 1987, 43/2 of 17 October 1988 and 44/8 of 18 October 1989,

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 and the Organization of the Islamic Conference;

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 the focal points for co-operation in priority areas of interest to the United Nations and the Organization of the Islamic Conference;

6. Recommends that a general meeting between representatives of the secretariats of the United Nations system and the Organization of the Islamic Conference and its specialized institutions, as called for in resolution 44/8, be organized in 1991 at a date and place to be determined through consultations with the concerned organizations;

Urges the organizations of the United Nations system, especially the lead agencies, to provide increased technical and other forms of assistance to the Organization of the Islamic Conference and its specialized institutions in order to enhance co-operation;

8. 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;

9. Requests the United Nations and the Organization of the Islamic Conference to arrange for the holding of consultations, as and when appropriate, between representatives of the Secretariat of the United Nations and the General Secretariat of the Organization of the Islamic Conference on the implementation of projects and follow-up action;

10. Also requests the Secretary-General of the United Nations, in co-operation with the Secretary-General of the Organization of the Islamic Conference, to encourage the convening of sectoral meetings on the priority areas of co-operation, including the areas of human resources development, environment and disaster relief, as recommended by the 1989 and 1990 meetings of the focal points of the two organizations;

11. 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;

12. Further requests the Secretary-General to report to the General Assembly at its forty-sixth session on the state of co-operation between the United Nations and the Organization of the Islamic Conference;

13. Decides to include in the provisional agenda of its forty-sixth session the item entitled "Co-operation

between the United Nations and the Organization of the Islamic Conference".

General Assembly resolution 45/9

25 October 1990

Meeting 35

Adopted without vote

Draft by Egypt (A/45/L.8); agenda item 26.

Observer status for ICRC

In a letter of 16 August [A/45/191 & Add.1], 21 Member States requested that the General Assembly include in the agenda of its forty-fifth session an item on observer status for the International Committee of the Red Cross (ICRC), in consideration of its special role and mandate conferred upon it by the 1949 Geneva Conventions for the protection of war victims. Annexed to the letter was an explanatory memorandum stating that the tasks of ICRC and the United Nations increasingly complemented one another and co-operation between the two institutions was closer, both in their field activities and in efforts to enhance respect for international humanitarian law. ICRC and the United Nations also co-operated on legal matters, as reflected in resolutions of the Security Council, the Assembly and its subsidiary bodies, and in the Secretary-General's reports. Participation of ICRC as an observer at Assembly proceedings would further enhance co-operation between the two organizations and facilitate the work of ICRC.

GENERAL ASSEMBLY ACTION

On 16 October, the General Assembly adopted resolution 45/6.

Observer status for the International Committee of the Red Cross, in consideration of the special role and mandates conferred upon it

by the Geneva Conventions of 12 August 1949

The General Assembly,

Recalling the mandates conferred upon the International Committee of the Red Cross by the Geneva Conventions of 12 August 1949,

Considering the special role carried on accordingly by the International Committee of the Red Cross in international humanitarian relations,

Desirous of promoting co-operation between the United Nations and the International Committee of the Red Cross,

1. Decides to invite the International Committee of the Red Cross to participate in the sessions and the work of the General Assembly in the capacity of observer;

2. Requests the Secretary-General to take the necessary action to implement the present resolution.

General Assembly resolution 45/6

16 October 1990

Meeting 31

Adopted without vote

138-nation draft (A/45/L.7 & Add.1); agenda item 149.

Other institutional questions

Composition of UN organs

In 1990, as in every year since 1979, consideration of the question of the composition of the relevant organs of the United Nations was deferred, on the recommendation of the Special Political Committee, which reported on 19 November [A/45/725] that, as none of its members had requested to speak on the substance of the item, consideration of it should be deferred until

the General Assembly's forty-sixth (1991) session. Acting on that recommendation on 11 December, the Assembly adopted decision 45/423, by which it included the item in the provisional agenda of its forty-sixth session.

Implementation of UN resolutions

On 21 December, by decision 45/454, the General Assembly deferred consideration of the item on the implementation of the resolutions of the United Nations and included it in the provisional agenda of its forty-sixth session.

PART TWO

Regional questions

Chapter I

Africa

During the year, United Nations efforts to secure the end of apartheid in South Africa continued to dominate the Organization's activities regarding the continent of Africa.

In 1990, South Africa entered into a process of change that the Special Committee against Apartheid stated might lead to the end of that institutionalized system of racial discrimination. Among positive developments were the lifting of the ban on political opposition organizations; the release of some political prisoners, including Nelson Mandela, leader of the African National Congress of South Africa (ANC), after decades of imprisonment on 11 February 1990; and talks between ANC and the Pretoria regime. The ANC leader visited the United Nations in June, when he addressed a special meeting of the Special Committee against Apartheid. A United Nations team which visited South Africa concluded that it had reached the threshold of a new era with the current political process holding encouraging prospects, leading to the dismantling of apartheid. Despite these advances, there was limited political activity and most pillars of apartheid remained.

The General Assembly adopted a number of resolutions aimed at strengthening international pressure on South Africa while promoting the new dialogue.

Despite some problems early in 1990, the 1988 agreements between Angola, Cuba and South Africa were being implemented and the withdrawal of Cuban troops from Angola was on schedule. The United Nations Angola Verification Mission (UNAVEM) had operated successfully, the Secretary-General said, demonstrating what could be achieved by a UN peace-keeping operation when it received full co-operation from the parties concerned.

Namibia, the former territory of South-West Africa under South African control for decades and since 1976 under the legal administration of the United Nations, became an independent nation on 21 March 1990 (see PART FOUR, Chapter III). During the year, the United Nations continued its efforts to implement the 1988 settlement plan for Western Sahara (see PART FOUR, Chapter I).

In other areas, the Secretary-General remained informed about developments regarding the conflict in Liberia and of the efforts of the Economic Community of West African States to

resolve it. The Libyan Arab Jamahiriya, Chad and the Sudan exchanged charges of military action. Libya in December requested a Security Council meeting regarding allegations that the United States had transported Libyan detainees from Chad to an unknown destination. The General Assembly again reaffirmed the sovereignty of the Comoros over the Indian Ocean island of Mayotte. Increasing co-operation between the Organization of African Unity and the United Nations resulted in a meeting of the two secretariats to draw up a specific recommendation for future co-operation in priority fields.

South Africa

In 1990, South Africa made further tentative steps towards the dismantling of apartheid and the establishment of a non-racial, democratic society. On 2 February, the South African President, F. W. de Klerk, announced a series of measures aimed at the creation of a climate conducive to negotiations. These included a request to the South African Law Commission to identify models of democratic constitutions to support negotiations towards a new constitution; reform of the death penalty to limit its use to extreme cases and with the automatic right to appeal; rescinding of the prohibition of the African National Congress (ANC), the Pan Africanist Congress of Azania (PAC) and the South African Communist Party (SACP) and release of those imprisoned because of their membership in those parties; abolition of the media and education emergency regulations; removal of emergency regulations on 33 organizations and the 374 persons released from prison; and limitation to six months of the period of detention under emergency regulations. Mr. de Klerk also announced the termination of the state of emergency as soon as circumstances justified it and the unconditional release of Nelson Mandela. He repeated his invitation for all sides to take their place at the negotiating table. In keeping with Mr. de Klerk's announcement, Mr. Mandela was released on 11 February after 27 years of imprisonment.

Other important developments followed. At Groote Schuur, from 2 to 4 May, South African authorities and ANC leaders held the first talks in 78 years in what was considered as the beginning of a process to clear all obstacles to negotiations. Following the talks, the two sides agreed on the Groote Schuur Minute, which stated among other things their commitment towards a resolution of the climate of violence and intimidation, and to stability and peaceful negotiations. The two parties agreed to establish a joint working group to make recommendations on political prisoners, their release and indemnity. Also, temporary indemnity was granted for members of the ANC National Executive Committee and others outside South Africa to permit them to return for talks with the authorities.

On 4 May, the end of racial segregation in public hospitals was announced and the authorities declared that the Group Areas Act and the Land Acts were to be repealed early in 1991. A 12-point plan on the constitutional future of the country was introduced in Parliament, which included State support for racially separate schools, the holding of regular elections, a bill of individual human rights, the preservation of the free market system and an independent judiciary. On 7 June, the state of emergency was lifted in all areas of the country, except Natal province. Also in June, the Parliament adopted the Discriminatory Legislation Regarding Public Amenities Repeal Act, which abolished the Reservation of Separate Amenities Act of 1953. The measure came into effect on 15 October. Further talks between the South African authorities and ANC resulted on 6 August in the Pretoria Minute, a salient feature of which was the ANC decision to suspend all armed actions and related activities with immediate effect. The regime undertook, among other things, to begin a phased release of political prisoners and to continue reviewing security legislation with a view to its amendment. On 18 October, President de Klerk announced the lifting of the state of emergency in Natal province, including the KwaZulu bantustan.

Against that background, violence continued at all levels and was a major cause of concern. The number of persons killed and injured as a result of police action increased. On 16 July, ANC sent a report to President de Klerk on police violence, demanding an end to the "shocking inhumanity" of police action in rural areas. It also criticized the search and seizure sweeps in the townships known as "Operation Watchdog". Attacks by hit-squads, allegedly run by the South African Police and the South African Defence Force against anti-apartheid activists and organizations, seriously hindered political activity. At-

tacks by extreme-right groups escalated dramatically after President de Klerk's speech of 2 February. Those groups announced plans to form an army of 30,000 in Pretoria "to protect white property, women and children against blacks". The violent confrontation between political organizations (mainly between the Inkatha Freedom Party and the supporters of the United Democratic Front and the Congress of South African Trade Unions) in Natal province worsened in 1990, spreading to the black townships of the Transvaal province. By April, more than 12,000 people had fled their homes as a result of the wave of violence. The violence posed a serious threat to the process towards negotiations.

The lifting of the ban and restrictions on political organizations and individuals allowed national liberation movements to emerge into open political activity and to focus their efforts on rebuilding their structures and creating the political space for debate and consultation on the future South Africa.

Concerning negotiations to end apartheid, even though Pretoria had invited PAC to join the talks on negotiations, PAC stated that it would not be part of the pre-bargaining stage. ANC began discussion of constitutional proposals as well as a post-apartheid economy. While progress was being made towards negotiations, struggles continued at the mass level, whether against municipalities, apartheid education or intransigent employers.

In November, the National Conference of Church Leaders in South Africa adopted the Rustenburg Declaration in which they stated their unequivocal rejection of apartheid and the need for restitution to its victims. In December, PAC held its first national conference in South Africa since 1959. It called for a constituent assembly to devise a new constitution and for the creation of a climate conducive to negotiations. During the same month, ANC held a national consultative conference, which concluded that internal and external pressure needed to be maintained on South Africa until a new constitution was adopted. The conference decided that ANC would suspend the entire negotiation process if all obstacles, including violence, were not removed by 30 April 1991. The Azanian Peoples' Organization (AZAPO) also held its congress in December.

Efforts to eliminate apartheid

On 20 July, the General Assembly, by decision 44/468, decided to meet from 12 to 14 September 1990 to consider the report of the Secretary-General submitted pursuant to its resolution S-16/1 [YUN 1989, p. 129].

Report of Secretary-General. Pursuant to that resolution, the Secretary-General submitted a July 1990 report with later addenda [A/44/960 & Add.1-3] on progress made in the implementation of the 1989 Declaration on Apartheid and its Destructive Consequences in Southern Africa [GA res. S-16/1]. The Declaration laid down internationally agreed steps towards a negotiating climate and principles for a united, non-racial and democratic South Africa, prescribing a programme of work to achieve that end.

As requested by the Assembly, the Secretary-General personally transmitted copies of the Declaration on 12 January 1990 to the Permanent Representative of South Africa to the United Nations and on 7 February to the Permanent Observers of ANC and PAC. Since it was important for the Secretary-General's report to be as factual as possible, the Secretary-General, while in Windhoek, Namibia, on 20 March 1990, sought the agreement of the South African President for a team of senior UN officials to visit the Republic. While agreeing to that suggestion, the President made it clear that acceptance was without prejudice to his Government's position on the question of non-interference in South Africa's internal affairs. A UN team visited South Africa from 9 to 19 June, to obtain first-hand information on the latest developments and to meet with government ministers and representatives of political parties and movements and concerned organizations. The Secretary-General himself, at other times, met with President de Klerk and Mr. Mandela, the former informing him of the new policy that the South African Government had begun to implement to dismantle the apartheid system, and the latter giving an assessment of the situation and his movement's position on some of the Declaration's salient features.

In its report to the Secretary-General, the UN team said it had met eight Cabinet Ministers and representatives of 39 political parties, movements and organizations. It reported in detail on progress made towards creating a climate conducive to negotiations, views relating to the question of negotiations for a new constitution and matters enhancing or obstructing the process of ending apartheid. The team concluded that South Africa had reached the threshold of a new era. The political process on which it had embarked held encouraging prospects of leading to the dismantling of apartheid. There was a general perception that the path taken by the Government offered real promise for constructive political discussions, representing a significant change from the position of its predecessors. Yet, there was also a widespread belief that a number of additional steps were required to establish an atmosphere

favourable to free political activity. Apartheid laws, repressive security regulations and persistent violence, including that prevailing in Natal, continued to affect adversely domestic tranquility, as well as the sense of security and well-being of the people. So long as racial attitudes persisted and apartheid structures at local levels remained, the process for change would encounter difficulties. Those matters needed urgent attention.

In his own conclusions, the Secretary-General said he had been greatly encouraged by the positive developments that had taken place in 1990 within South Africa. The bold and courageous policy to which President de Klerk had committed his Government opened up distinct possibilities for the dismantling of the apartheid system. Equally encouraging and statesmanlike had been the vision and forbearance displayed by the black leadership, which, despite long years of injustice and oppression, had renewed its commitment to a peaceful process for ending apartheid and building a non-racial and democratic society.

Among the measures outlined in the Declaration to create a climate for free political activity, the lifting of the ban on political parties and movements had been implemented in full. Other measures had been implemented in part. While it was evident that an important process had been set in motion, many believed the Government should implement all measures in their totality.

The issue of violence, not least in Natal, urgently needed addressing at the highest level since, if it were allowed to continue unrestrained, the consequences could well present serious difficulties for the political process. The Secretary-General appealed to all parties to end the violence and to work together to build a peaceful South Africa. He said that he would strongly endorse any measure aimed at redressing the social and economic imbalances, particularly in housing, education, employment and health, noting that grave injustice had been inflicted by apartheid on the black population.

The Secretary-General's report also contained information provided by Governments relating to progress made in implementing the Declaration; excerpts from President de Klerk's address to Parliament on 2 February; and a statement by Mr. Mandela, Deputy President of ANC, to a meeting of the Special Committee against Apartheid on 22 June.

Communication. In an 11 September letter [A/44/976] to the Secretary-General, the South African Minister for Foreign Affairs reiterated his Government's position that the Declaration on Apartheid and its Destructive Consequences in Southern Africa constituted intervention in South Africa's internal affairs and had no

validity. The current debate in the General Assembly was incongruous in the light of the initiatives and irreversible changes introduced by President de Klerk since 2 February. The Secretary-General's report on the implementation of the Declaration had acknowledged the positive signs as a step in the right direction. The Foreign Minister also referred to the agreements reached with ANC as outlined in the Pretoria Minute of 6 August. Since then, the joint Government/ANC working group had completed its report on the release of prisoners and the granting of indemnity and the Minister of Justice had announced a further release of prisoners as from 1 September. A second joint working group was appointed to resolve outstanding questions arising from ANC's decision to suspend armed action. The Government and ANC had created communication structures to curb violence in the townships. On 29 August it was announced that the Government was prepared to consider an interim arrangement which would allow ANC and other parties an opportunity to influence decisions of Parliament while negotiations were under way. A meeting was held on 10 August between the Government and First and Second Tier Governmental Institutions to address questions relating to the future of regional government, ways of participation in the future negotiating process and the level of violence in the country. The meeting set up a working group to explore further the principles and concepts concerning regional government.

The Government on 24 August restated its preference for all political groups with recognized support to be represented at the negotiating table and had invited PAC and AZAPO to do so. Other action taken by the Government included the removal of more than a hundred discriminatory laws and regulations, and the last three major ones were to receive Parliament's attention in 1991. Security legislation was to be reviewed, and membership of the National Party had been opened to all South Africans. Strenuous efforts were being made to control violence in the townships. Ending the violence between ANC and Inkatha was a major priority, and it had been announced that a meeting between the two organizations would take place to discuss the issue. The Foreign Minister said that it was not the time to speak of a continuation of sanctions since, with a depressed economy and a shortage of investment capital, South Africa would be faced with an explosive situation which would have serious consequences for the negotiation process. There was no turning back on the road to a new and just South Africa. What was at issue was the economic future of South Africa and in fact the African continent.

The General Assembly had a historic opportunity to recognize the changes that had taken place in South Africa and to reaffirm that it was for South Africans to determine their future. To continue to interfere would be counter-productive and risk upsetting the serious efforts to get negotiations under way.

GENERAL ASSEMBLY ACTION

On 17 September, the General Assembly adopted resolution 44/244.

Policies of apartheid of the Government of South Africa

The General Assembly,

Recalling the Declaration on Apartheid and its Destructive Consequences in Southern Africa, adopted by consensus on 14 December 1989 at the sixteenth special session of the General Assembly,

Bearing in mind that the Declaration called upon the South African régime, *inter alia*, to undertake certain measures in order to create a climate suitable for negotiations in South Africa,

Recalling that the Declaration called upon the international community not to relax existing measures aimed at encouraging the South African régime to eradicate apartheid until there is clear evidence of profound and irreversible changes, bearing in mind the objectives of the Declaration,

Noting that the States Members of the United Nations and the members of the international community have generally adhered to the programme of action contained in the Declaration and expressing its concern over any departures that have occurred from the international consensus reflected in the Declaration,

Taking careful note of the report of the Secretary-General on the progress made in the implementation of the Declaration and welcoming his contributions,

Taking note of the report of the Monitoring Group of the Ad Hoc Committee on Southern Africa of the Organization of African Unity,

Taking note also of other statements and reports from Member States and regional groups on this issue,

Noting that while some significant measures in the right direction have been undertaken by the South African régime, such as the unbanning of the African National Congress of South Africa, the Pan Africanist Congress of Azania and other political organizations and the release of some political prisoners, including Nelson Mandela, and the régime's declared commitment to abolish the apartheid system, continued efforts are needed to establish a climate fully conducive to negotiations and free political activity,

Welcoming the ongoing talks between the African National Congress of South Africa and the South African régime aimed at eliminating obstacles to the commencement of negotiations towards a peaceful settlement in South Africa, and the results achieved thus far as set out in the Groote Schuur Minute of 4 May 1990 and the Pretoria Minute of 6 August 1990,

Gravely concerned with the escalating 'violence in South Africa resulting largely from continued existence of the apartheid policies, practices and structures, and actions of those opposed to the democratic transformation of South Africa,

1. Reaffirms the provisions of the Declaration on Apartheid and its Destructive Consequences in Southern Africa and the need for their full and immediate implementation;

2. Determines that further steps need to be undertaken by the South African régime to implement the profound and irreversible changes called for in the Declaration;

3. Calls upon all Governments and intergovernmental organizations to adhere strictly to the programme of action contained in the Declaration by maintaining existing measures aimed at encouraging the South African regime to eradicate apartheid until there is clear evidence of profound and irreversible changes, bearing in mind the objectives of the Declaration;

4. Calls upon the South African regime to proceed without delay to establish a climate fully conducive to negotiations by taking all the steps stipulated in the Declaration, in particular, to implement its commitment to repeal all legislation, such as the Internal Security Act, designed to circumscribe political activity;

5. Calls for an immediate end to violence and urges the South African authorities to take urgent action to end it, specifically by dismantling the apartheid structures as well as ensuring effective and impartial action by the security forces and calls upon all parties concerned to contribute to the establishment of a climate free of violence;

6. Welcomes the fact that the African National Congress of South Africa and the South African régime have engaged in talks which have thus far resulted in the Groote Schuur and the Pretoria minutes aimed at facilitating the commencement of substantive negotiations;

7. Commends the African National Congress of South Africa for having taken the initiative in calling for talks with the South African regime and for its landmark decision to suspend the armed struggle;

8. Urges the international community and the Secretary-General, through the relevant United Nations agencies, to provide all possible assistance to facilitate the re-establishment of previously banned political organizations in South Africa as well as the reintegration of released political prisoners;

9. Requests the Secretary-General, through the relevant United Nations agencies, to provide all necessary assistance for the voluntary repatriation of the South African refugees and political exiles in safety and dignity, and requests the South African régime, the liberation movements and other organizations in South Africa and the international community to extend their full support to this endeavour;

10. Also requests the Secretary-General to remain actively seized of developments in South Africa and to submit by 30 June 1991 to the forty-fifth session of the General Assembly a report on further progress in the implementation of the Declaration.

General Assembly resolution 44/244

17 September 1990 Meeting 100 Adopted without vote

Draft by Nigeria (A/44/L.68); agenda item 28.

Meeting numbers. GA 44th session: plenary 95, 97-100.

GENERAL ASSEMBLY ACTION

On 19 December, the General Assembly adopted resolution 45/176 A.

International efforts to eradicate apartheid

The General Assembly,

Reaffirming the Declaration on Apartheid and its Destructive Consequences in Southern Africa, contained in the annex to its resolution S-16/1 of 14 December 1989, and its resolution 44/244 of 17 September 1990,

Having considered the report of the Special Committee against Apartheid, and the report of the Secretary-General on progress made in the implementation of the Declaration,

Convinced that the total eradication of apartheid and the establishment, through broad-based negotiations, of a non-racial democracy based on a new constitutional order providing for universal, equal suffrage under a non-racial voters' roll can lead to a peaceful and lasting solution to the problems facing the people of South Africa,

Also convinced that the policy and practice of apartheid breeds violence and its continuation would be detrimental to the vital interests of all the people of South Africa,

Gravely concerned at the continuing repression of the majority population in South Africa through the apartheid system, manifested, inter alia, by detentions without trial, continued possibility of executions of political prisoners, absence of full implementation of agreements regarding the return of political exiles without restrictions and repressive provisions in the Internal Security Act,

Noting that, while some significant measures in the right direction have been undertaken by the South African authorities, including the recent repeal of the Separate Amenities Act and the lifting of the state of emergency throughout the country, continuing effort is needed to facilitate free political activity and to foster a climate fully conducive to negotiations,

Welcoming the ongoing talks between the African National Congress of South Africa and the South African authorities aimed at facilitating the commencement of substantive broad-based negotiations,

Noting that the African National Congress, in an effort to contribute to an atmosphere free of violence, which is in accordance with the guidelines of the Declaration, and further to the agreements set out in the Pretoria Minute of 6 August 1990, has suspended its armed activities,

Gravely concerned that the recurring violence resulting largely from the persistence of apartheid and other factors, including actions of those opposed to the democratic transformation of South Africa, poses a threat to the negotiating process,

Noting with serious concern the continuing effects of the acts of aggression and destabilization that have been committed by South Africa against neighbouring independent African States, in particular against Angola and Mozambique,

Noting that the international community has generally adhered to the programme of action contained in the Declaration, and expressing its concern over any departures that have occurred from the international consensus reflected in the Declaration,

Recognizing the responsibility of the United Nations and the international community to take all necessary measures aimed at the eradication of apartheid through peaceful means, in particular by adhering to the programme of action contained in the Declaration by

maintaining the measures aimed at encouraging the South African authorities to eradicate apartheid and to promote profound and irreversible change,

1. Reaffirms its support for the legitimate struggle of the South African people for the total eradication of apartheid and the establishment of a united, non-racial and democratic society in South Africa in which all its people, irrespective of race, colour, sex or creed, will enjoy the same fundamental freedoms and human rights;

2. Takes note of Pretoria's declared commitment to abolish the apartheid system;

3. Reaffirms the provisions of the Declaration on Apartheid and its Destructive Consequences in Southern Africa and the need for their full and immediate implementation;

4. Fully supports the efforts of the South African people to arrive at a peaceful settlement of the problems in their country through genuine negotiations, and welcomes the fact that the African National Congress of South Africa and the South African régime have engaged in talks that have thus far resulted in the Groote Schuur Minute of 4 May 1990 and in the Pretoria Minute, aimed at facilitating the commencement of substantive negotiations;

5. Calls upon the South African authorities to continue their efforts to foster a climate fully conducive to negotiations and free political activity, in particular by repealing all repressive legislation, such as provisions in the Internal Security Act, by ending detentions without trial, by allowing the return of all political exiles without restrictions and by fully implementing all agreements reached so far with the African National Congress, including the release of all remaining political prisoners;

6. Calls for a speedy and full implementation of the agreements reached so far between the South African régime and the African National Congress;

7. Welcomes the progress made thus far aimed at facilitating the commencement of substantive broad-based negotiations and encourages all parties concerned, taking into account the guidelines to the process of negotiations contained in the Declaration, to participate fully in future negotiations, in order to secure the adoption of a new constitution and the establishment of a united, non-racial and democratic South Africa;

8. Calls for an immediate end to violence, which has resulted largely from the continued existence of the apartheid policies, practices and structures;

9. Calls upon the South African authorities to redouble their efforts to end recurring violence by ensuring effective and impartial actions by all branches of government and all competent authorities against all those responsible for violence, including vigilante groups, and calls upon all parties concerned to contribute to the establishment of an atmosphere free of violence;

10. Considers that while the South African authorities have declared their intention to eradicate apartheid and embark on negotiations for a new constitution, the process of change in South Africa remains at an early stage and further substantive progress needs to be made to promote the profound and irreversible changes called for in the Declaration;

11. Calls upon all Governments and intergovernmental organizations to adhere strictly to the programme of action contained in the Declaration by maintaining the measures aimed at applying pressure on the South African régime to eradicate apartheid and to promote profound and irreversible changes, bearing in mind the objectives of the Declaration, namely, the speedy eradication of apartheid and the establishment of a united, democratic, non-racial South Africa;

12. Calls upon all Governments, intergovernmental organizations and financial institutions to use concerted and effective measures, particularly in the areas of economic and financial relations with apartheid South Africa, aimed at applying pressure to ensure a speedy end to apartheid;

13. Calls upon all Governments to observe fully the mandatory arms embargo and requests the Security Council to monitor effectively the strict implementation of the arms embargo;

14. Appeals to all Governments and organizations to render all possible assistance to the front-line States, particularly Angola and Mozambique, to enable them to reconstruct their economies, which have been devastated from years of destabilization;

15. Appeals to all States, organizations and institutions to increase economic, humanitarian, legal, educational and other assistance and support to the victims of apartheid and to all those, including previously banned organizations, who oppose apartheid and promote a united, non-racial, democratic society in South Africa;

16. Urges the international community and the Secretary-General, through the relevant United Nations agencies, to provide all possible assistance to facilitate the re-establishment of previously banned political organizations in South Africa as well as the reintegration of released political prisoners and returning South African refugees and exiles;

17. Requests the Secretary-General to ensure the coordination of activities of the United Nations system in the implementation of the Declaration and report thereon to the General Assembly at its forty-sixth session, and to continue monitoring the implementation of the Declaration as well as pursuing appropriate initiatives to facilitate all efforts leading to the peaceful eradication of apartheid.

General Assembly resolution 45/176A

19 December 1990 Meeting 70 Adopted without vote

Draft by Nigeria (A/45/L.38); agenda item 34.

Financial implications. 5th Committee, A/45/871; S-G, A/C.5/45/68.

Meeting numbers. GA 45th session: 5th Committee 47; plenary 55-59, 69, 70.

Special Committee against Apartheid

The Special Committee against Apartheid, in its annual report [A/45/22 & Add.1] covering the period from September 1989 to mid-October 1990, reviewed the political developments and economic and social conditions in South Africa and international action against apartheid. Developments later in the year were described in the Committee's 1991 report [A/46/22].

During the period under review, the Special Committee continued to monitor and analyse the important developments taking place in South

Africa and the response of the international community. In promoting the maintenance of pressure on the regime, the Committee focused on activities that could have potential for influencing decision-making. It gave special emphasis to targeted action against apartheid and to the promotion of a peaceful solution of the conflict through negotiations. It organized, sponsored and co-sponsored conferences, seminars and other meetings, promoted contacts with the opponents of apartheid and assisted the anti-apartheid movements within and outside South Africa. It welcomed the lifting of the ban on ANC, PAC, SACP and other anti-apartheid organizations, the release of certain political prisoners and the decision to lift partially the four-year-old state of emergency. The Committee expressed deep concern at the continuing violence in the townships. It convened a special meeting on 16 February to mark the release of Nelson Mandela and another on 22 June to welcome him to the United Nations.

In its conclusions, the Special Committee noted that a process of change had been set in motion in South Africa; however, continued efforts were necessary to ensure the realization of the eradication of apartheid. Despite the significant break with the past by lifting the ban and restrictions on political organizations and persons, and by ending the state of emergency, a climate conducive to negotiations had not yet been fully established. It was fundamental that conditions for a debate be created and that organizations be allowed the freedom to define further their political and economic programme for a post-apartheid South Africa. The support of the international community for the anti-apartheid forces in South Africa was therefore indispensable, and premature relaxation would be detrimental to the process of change.

The Special Committee recommended that the General Assembly reaffirm the 1989 Declaration; note the positive measures taken so far; call on South Africa to create a climate fully conducive to negotiations as set out in the Declaration; call on the South African regime to repeal repressive legislation and remove the pillars of apartheid; reaffirm full support for the current process towards negotiations in which the South African authorities and ANC were engaged; call for an immediate end to violence and urge the South African authorities to end it, specifically by dismantling the apartheid structures, as well as by ensuring effective and impartial action by the security forces; and reiterate that pressure must be maintained on South Africa, particularly with regard to restrictive measures on trade, investment and finance, until the General Assembly deter-

mined that there was clear evidence of profound and irreversible changes, bearing in mind the Declaration's objectives.

The Special Committee also recommended an appeal for increased all-round support and assistance to the national liberation movements and other organizations engaged in the struggle against apartheid and for increased assistance to the front-line States, particularly Angola and Mozambique.

Committee work programme

In its 1990 report [A/45/22 & Add.1], the Special Committee against Apartheid recommended that the General Assembly authorize it to continue as a focal point in monitoring the situation in South Africa, particularly the need for maintaining pressure on South Africa, and to continue mobilizing international action against apartheid. That mobilization would include collection, analysis and dissemination of information, liaison and consultation with Governments, intergovernmental and non-governmental organizations and relevant individuals and groups able to influence public opinion and decision-making, as well as hearings, conferences, missions, publicity and other relevant activity.

GENERAL ASSEMBLY ACTION

On 19 December, the General Assembly adopted resolution 45/176 E.

Programme of work of the Special Committee against Apartheid

The General Assembly,

Having considered the report of the Special Committee against Apartheid,

1. Commends the Special Committee against Apartheid for the diligent manner in which it has discharged its responsibilities in monitoring the situation in South Africa and promoting international action against apartheid;

2. Takes note of the report of the Special Committee and endorses its recommendations relating to its programme of work;

3. Authorizes the Special Committee, in accordance with its mandate and acting, with the support services of the United Nations Centre against Apartheid, as the focal point for the international campaign against apartheid and the promotion of the implementation of the Declaration on Apartheid and its Destructive Consequences in Southern Africa:

(a) To continue monitoring closely developments in South Africa and the actions of the international community, particularly regarding the need for maintaining pressure on South Africa as called for in the Declaration;

(b) To continue mobilizing international action against apartheid, inter alia, through collection, analysis and dissemination of information, through liaison and consultations with Governments, intergovernmental and non-governmental organizations and relevant

individuals and groups, both inside and outside South Africa, able to influence public opinion and decision-making, and through missions, hearings, conferences, publicity and other relevant activities;

(c) To publish an interim annual report during the first half of 1991 on developments in South Africa and on the international response thereto and, in this context, undertake, as appropriate, consultations with the parties concerned;

4. Appeals to all Governments, intergovernmental and non-governmental organizations to increase their co-operation with the Special Committee and the Centre in the discharge of their mandates;

5. Requests all United Nations bodies, organs and agencies to co-operate with the Special Committee and the UN Centre in their activities in order to ensure consistency, improve co-ordination and efficient use of available resources and avoid duplication of efforts in the implementation of the relevant resolutions of the General Assembly and the Security Council;

6. Requests Governments and organizations to provide financial and other assistance for the special projects of the Special Committee and to make generous contributions to the Trust Fund for Publicity against Apartheid;

7. Appeals to all Governments, intergovernmental and non-governmental organizations, information media and individuals to co-operate with the Centre and the Department of Public Information of the Secretariat in their activities relating to apartheid and, in particular, in disseminating information on the evolving situation in South Africa;

8. Decides to continue the authorization of adequate financial provision in the regular budget of the United Nations to enable the African National Congress of South Africa and the Pan Africanist Congress of Azania to maintain offices in New York in order to participate effectively in the deliberations of the Special Committee and other appropriate bodies;

9. Decides to make a special allocation of 480,000 United States dollars to the Special Committee for 1991 from the regular budget of the United Nations to cover the cost of special projects to be decided upon by the Committee.

General Assembly resolution 45/176 E

19 December 1990 Meeting 70 133-0-14 (recorded vote)

Draft by Nigeria (A/45/L.33); agenda item 34.

Financial implications. 5th Committee, A/45/871; S-G, A/C.5/45/68.

Meeting numbers. GA 45th session: 5th Committee 47; plenary 55-59, 69, 70.

Recorded vote in Assembly as follows:

In favour Afghanistan, Albania, Algeria, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gabon, Gambia, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Ireland, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, USSR, United Arab

Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: None.

Abstaining: Belgium, Czechoslovakia, France, Germany, Hungary, Israel, Italy, Japan, Luxembourg, Netherlands, Poland, Portugal, United Kingdom, United States.

On 17 September 1990, by decision 44/407 B, the Assembly took note of a report [A/44/709/Add.I] of the Special Political Committee on hearings of organizations and individuals in connection with South Africa's apartheid policies. The Committee heard statements by six persons.

On 4 December, the Assembly, by decision 45/419, took note of the Special Political Committee's report [A/45/815] on hearings of 12 persons.

Political prisoners and detainees

The Special Committee against Apartheid stated that the South African regime's response to the call for the release of all political prisoners had been fraught with ambiguities. The release of political prisoners announced by President de Klerk on 2 February 1990 covered only a small proportion of those prisoners, namely, those persons serving prison sentences for membership in those organizations which were no longer banned or for offences which were illegal only because of such bans, and it excluded those sentenced for other offences such as murder, terrorism or arson. The Human Rights Commission of South Africa, in a special report published at the end of May 1990, noted that, while the official figure released in Parliament concerning "security prisoners" was 347, its own records indicated that there were still between 2,500 and 3,000 political prisoners in the country's jails. The report included a list of 1,522 names of political prisoners, imprisoned as a direct result of opposition to apartheid.

The issue of the release of political prisoners had been central to the discussions held by ANC and the authorities in Groote Schuur from 2 to 4 May and in Pretoria on 6 August 1990. A joint working group was established to make recommendations on the definition of political offences and to consider mechanisms for their release and indemnity. The working group's report included a plan for the phased release of prisoners and the granting of indemnity for political offences to all exiles. According to the plan, the Special Committee said, only a narrow range of political exiles would likely be granted unconditional indemnity in the near future, while thousands of future returnees would have to submit to a process of individual scrutiny in which President de Klerk would make the final decision. Between 2 February and 22 October 1990, 177 politi-

cal prisoners were released. The Human Rights Commission pointed out that, between January and August 1990, a further 69 persons were convicted for political offences. Under the Internal Security Act, a senior member of the ANC National Executive Committee was arrested on 25 July and had been detained incommunicado since then. During 1990, seven persons died while in police custody.

Trade union rights

The Special Committee against Apartheid said that the enforcement of apartheid laws, in particular those regulating labour relations, had had a distorting effect on the labour market. In 1990, the International Labour Organisation (ILO) estimated that there were 4.5 million unemployed, nearly all black. Enforcement of the Labour Relations Act remained a cause of militant confrontation between workers and employers throughout 1990. The two largest trade union federations—the Congress of South African Trade Unions (COSATU) and the National Council of Trade Unions (NACTU)—pointed out that the Act curtailed freedom of association, entrenched racial unionism and limited further the freedom to withhold labour, all of which contravened international labour standards recognized by ILO.

In May 1990, COSATU, NACTU and the South African Employers' Consultative Committee on Labour Affairs (SACCOLA) reached an agreement recognizing that all workers were entitled to basic rights, including collective bargaining, freedom of association and the right to withhold labour, and suggesting specific amendments to the Act. The agreement marked the first time that workers and employers had jointly proposed labour legislation. Nevertheless, the authorities refused to enact the accord during 1990. However, an agreement between COSATU, NACTU, SACCOLA and the Ministry of Manpower was reached on 20 September, clearing the way for several 1988 amendments to the Act to be removed and setting in motion a process of extending basic trade union rights to all workers.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 25 May, the Economic and Social Council, in resolution 1990/44, demanded the abolition of legislation impeding trade union rights in contravention of international labour standards, the immediate unconditional release of all trade unionists imprisoned for exercising legitimate trade union rights and cessation of the persecution of trade unionists and repression of the independent black trade union movement.

In decision 1990/228 of 25 May, the Council agreed that the Ad Hoc Working Group of Experts on southern Africa should continue to investigate and study violations of human rights in South Africa as well as infringements of trade union rights.

(See also PART THREE, Chapter X.)

Women and children under apartheid

In resolution 1990/13 of 24 May, the Economic and Social Council commended the tenacity and bravery of South African women, both inside and outside the country, resisting oppression; demanded the immediate and unconditional release of all political prisoners and detainees, among whom were many women and children; unequivocally condemned the South African regime for imposing the state of emergency, the forcible separation of black families and detention and imprisonment of women and children; appealed for support for educational, health and social welfare programmes and for increased assistance for women and children refugees; and requested the Secretary-General to submit a report in 1991 on achieving the goals of the Nairobi Forward-looking Strategies for the Advancement of Women with regard to women and children living under apartheid.

In October, the Secretary-General submitted a report [A/45/615] regarding the torture and inhuman treatment of children in detention in South Africa, in response to General Assembly resolution 44/143 [YUN 1989, p. 497]. The report contained relevant excerpts from the latest report of the Ad Hoc Working Group of Experts on southern Africa of the Commission on Human Rights (see PART THREE, Chapter X). On 23 February 1990, the Commission condemned South Africa in that regard [E/1990/22 (res. 1990/11)].

The General Assembly, in resolution 45/144, condemned the apartheid racist regime for the continued detention, torture and inhuman treatment of children in South Africa; reiterated its demand for their unconditional release; and called on UN bodies and non-governmental organizations (NGOs) to intensify the world-wide campaign to monitor and expose those practices.

Economic developments

In an overview of the economic situation in South Africa, the Special Committee against Apartheid, in its annual report [A/45/22 & Add.1], said South Africa's economic situation in 1990 continued to be precarious. As new capital inflows in the form of bank loans and foreign investment had virtually stopped, largely as a consequence of sanctions and the unfavourable

climate for business in the country, South Africa had become a capital-exporting nation. The rate of economic growth had declined to 2.1 per cent in 1989 compared to 3.7 per cent in 1988, and a growth of gross domestic product of approximately 0.2 per cent was forecast for 1990, indicating that a modest recession had begun. Inflation continued to grow, while the rand's exchange rate declined. It was generally estimated that a real economic growth rate of 5 per cent a year was required to absorb new entrants to the labour market, let alone reduce existing unemployment, yet the 1990-1991 budget projected a growth rate of just 1 per cent.

Direct foreign investment

The Special Committee against Apartheid, in its annual report, said the weakening trend in fixed investment in South Africa underlined the prevailing climate of low business confidence. In view of the uncertain political situation, business seemed to be less interested in investing its capital in new factories and new machinery and more in exporting its capital overseas. The external debt burden remained a serious constraint in the South African economy and was regarded as a significant factor influencing political change.

The 1989 Third Interim Agreement with major creditor banks [YUN 1989, p. 138] had eased the situation, but the quantities of new trade credit being extended to South Africa were limited. The Agreement came into force on 1 July 1990, with South Africa committed to repaying a further 20.5 per cent of the outstanding capital. Under the Agreement, creditors continued to receive the slightly higher interest rate. South Africa proposed that any creditor opting to convert debt into a 10-year loan would be paid until the end of 1993 (the end of the Agreement) at the same rate as for holders of frozen debt. Some \$6 billion would still be frozen at 31 December 1993 and would require further rescheduling. Withdrawal of transnational corporations (TNCs) continued in 1990, although the number withdrawing decreased sharply. As of mid-1990, 209 TNCs based in the United Kingdom, 127 based in the United States and 106 based in the Federal Republic of Germany retained equity interests in South Africa. Disinvestment had been most pronounced in the case of United States-based corporations.

In October, the Secretary-General, in response to General Assembly resolution 44/27 E [YUN 1989, p. 139], reported [A/45/539] on financial links of Governments and private financial institutions with South Africa. The report concluded that South Africa's ability to engage in interna-

tional trade had not been seriously inhibited by trade credit restrictions, since its main trading partners in Europe and Japan had continued credit or trade had been facilitated by other means, such as open accounts. Also, the structure of the South African economy was such as to make it relatively impervious to trade credit restrictions, since the export sector was highly corporatized and the small number of firms involved had often acquired banking connections abroad or were themselves subsidiaries of international corporations. An international embargo on credits for trade with South Africa, while not preventing trade, would add to South Africa's economic difficulties, making trade credit finance more expensive and thus leading to higher, less competitive export prices, and cash transactions would involve building up reserves of foreign exchange, thus limiting necessary imports.

On the question of whether the rescheduling agreements of international banks had reduced pressure for meaningful political reform, the report said opinion varied, but the recent progress in political dialogue appeared to confirm the analysis that the pressure of debt repayment in the absence of new capital inflow had become progressively more onerous year by year.

Transnational corporations

Among the documents considered at the April 1990 session of the Commission on Transnational Corporations [E/1990/26] was the report and recommendations of the Panel of Eminent Persons established to conduct the second public hearings on the activities of TNCs in South Africa and Namibia [A/44/576-S/20867], and a report by the Secretary-General [E/c. 10/1990/8] concerning measures relating to trade, finance, investment and responsibilities of home countries with respect to technology transfers to South Africa.

In July, the Economic and Social Council, by resolution 1990/70, condemned the United Kingdom decision to lift unilaterally the ban of the Commission of the European Communities on new investments in South Africa and Hungary's reprehensible decision to initiate commercial, economic and political links with the apartheid regime, calling on both Governments to rescind the decisions involved. All TNCs were urged to stop immediately any operations in South Africa and all forms of trade and economic links with the racist minority regime.

(For further details on TNCs, see PART THREE, Chapter V.)

Sanctions and boycotts

Sanctions restricting exports to South Africa were less successful than those restricting imports from that country, according to the Special Committee. The five major trading partners of South Africa, each with a total trade of more than \$3 billion in 1989, were, in order of magnitude, the Federal Republic of Germany, Japan, Italy, the United States and the United Kingdom. Italy had emerged as the leading customer of South African goods, with an import growth of 27.5 per cent over the previous year, predominantly gold, importing at least one third of all South African gold exports. African countries having or about to establish trade and transport links with South Africa were Côte d'Ivoire, Madagascar, Morocco and Zaire. Commercial relations with Eastern Europe were growing, including those with Hungary, Poland and the USSR. Shipping companies based in Hong Kong, Greece and the United Kingdom had been oil carriers to South Africa, while Amsterdam, Netherlands, was reportedly the major channel for delivery of petroleum products.

It was concluded that without sanctions South Africa's economy would be 20 to 35 per cent more than it was in 1990. The oil embargo alone had cost the South African economy an estimated \$22.1 billion in 1979-1988. When that was added to the cost of evading the arms embargo and the virtual exclusion since 1985 from international loans, the total cost of economic sanctions could be estimated at \$27 billion. Sanctions were explicitly cited as the crucial factor leading to the legalization of the banned political opposition and the freeing of Nelson Mandela.

In November, the Secretary-General, in response to General Assembly resolution 44/27 D [YUN 1989, p. 140], submitted a report [A/45/670] on measures to monitor sanctions against South Africa undertaken by the United Nations system, Governments and NGOs. He concluded that monitoring of the implementation of sanctions by Governments was, overall, limited. Intelligence data were not readily available. However, NGOs were generally a useful source of information about sanctions violations, being in many cases the prime source of such information. A rather weak co-ordination in the application of sanctions and the different approaches to their implementation by Governments had created a number of loopholes used to evade sanctions and reduce their effect. As for UN system monitoring, despite shortcomings, the combined initiatives provided an important response mechanism to the objective of monitoring. However, since the great majority of States had not replied to the General Assembly request for information

on monitoring, it was not possible to provide a global picture. The monitoring process would be enhanced if States adopted enforcement mechanisms. There was, moreover, a need for periodic reports on progress made in the implementation of sanctions.

Oil embargo

In response to General Assembly resolution 44/27 H [YUN 1989, p. 137], the Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa, established in 1986 [YUN 1986, p. 137], submitted in November 1990 its fourth report to the General Assembly [A/45/43], expressing the belief that the positive developments that had taken place in South Africa since its last report could not have been achieved without international pressure, including the oil embargo. The Group earlier submitted, in June 1990, an addendum to its third report [A/44/44/Add.1] on the status of its inquiry into monitoring calls of ships with petroleum-bearing capabilities at South African ports. Continuing its work on the same lines as previous years, the Group considered information received on alleged violations. It also considered those port calls which had come to its attention since its 1989 survey and adopted a draft model law regarding imposition of the oil embargo, which it annexed to its report.

The Group remained of the view that the most effective way of enforcing the oil embargo was still the Security Council's option of invoking the mandatory provisions of Chapter VII of the United Nations Charter. Until such time as profound and irreversible change had been effected in South Africa, and pending Security Council mandatory action, the General Assembly should call on Member States to adhere strictly to the oil embargo; commend the draft model law to States; request all States to co-operate fully with the Intergovernmental Group, particularly in its investigation of alleged violations of the oil embargo or of port calls of ships capable of carrying oil or petroleum products; and call on all Governments to discourage ships capable of carrying oil or petroleum products from engaging in activities giving rise to violations of the embargo.

GENERAL ASSEMBLY ACTION

On 19 December, the General Assembly adopted resolution 45/176 F.

Oil embargo against South Africa

The General Assembly,

Having considered the report of the Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa, as well as its

interim report, which was adopted unanimously on 12 June 1990,

Recalling its resolution 44/244 of 17 September 1990, in which it reaffirmed the Declaration on Apartheid and its Destructive Consequences in Southern Africa, which was adopted by consensus on 14 December 1989 by the General Assembly at its sixteenth special session,

Recalling also its resolutions on the oil embargo against South Africa, in particular resolution 44/27 H of 22 November 1989,

Recognizing the importance of the oil embargo and other existing measures imposed by the international community on the apartheid regime towards the elimination of apartheid through negotiations, as well as the importance of maintaining these measures until there is clear evidence of profound and irreversible changes, bearing in mind the objectives of the Declaration,

Noting that, while oil-exporting States have committed themselves to an oil embargo against South Africa, very few major shipping States have done so,

Concerned that the oil embargo against South Africa is still being violated and that South Africa, because of loopholes in the embargo, such as lack of effective legislation, has been able to acquire oil and petroleum products,

Convinced that an effective oil embargo against South Africa would contribute to the efforts of the international community to bring about a negotiated settlement and the establishment of a united, non-racial and democratic South Africa,

1. Takes note of the report of the Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa and endorses its recommendations;

2. Commends the proposed model law for the effective enforcement of the oil embargo against South Africa annexed to the annual report of the Intergovernmental Group to States for their attention, including consideration of the adoption of the general principles of the draft within the context and framework of their own legal practices;

3. Urges the Security Council to take action under appropriate provisions of the Charter of the United Nations to ensure an effective embargo on the supply and shipping of oil and petroleum products to South Africa in order to effect a speedy and peaceful eradication of apartheid;

4. Requests all States, pending such decisions, to adopt effective measures and/or legislation to broaden the scope of the oil embargo in order to ensure the complete cessation of the supply and shipping of oil and petroleum products to South Africa, whether directly or indirectly, and in particular:

(a) To apply strictly the "end users" clause and other conditions concerning restriction on destination to ensure compliance with the embargo;

(b) To compel the companies originally selling or purchasing oil or petroleum products, as appropriate to each nation, to desist from selling, reselling or otherwise transferring oil and petroleum products to South Africa, whether directly or indirectly;

(c) To establish strict control over the supply of oil and petroleum products to South Africa by intermediaries, oil companies and traders by placing responsibility for the fulfilment of the contract on the first buyer

or seller of oil and petroleum products who would, therefore, be liable for the actions of these parties;

(d) To prevent access by South Africa to other sources of energy, including the supply of raw materials, technical know-how, financial assistance and transport;

(e) To prohibit all assistance to apartheid South Africa, including the provision of finance, technology, equipment or personnel for the prospecting, development or production of hydrocarbon resources, the construction or operation of oil-from-coal or oil-from-gas plants or the development and operation of plants producing fuel substitutes and additives such as ethanol and methanol;

(f) To prevent South African corporations from maintaining or expanding their holdings in oil companies or properties outside South Africa;

(g) To terminate the transport of oil and petroleum products to South Africa by ships flying their flags, or by ships that are ultimately owned, managed or chartered by their nationals or by companies within their jurisdiction;

(h) To develop a system for registration of ships, registered or owned by their nationals, that have unloaded oil or petroleum products in South Africa in contravention of embargoes imposed, and to discourage such ships from calling at South African ports;

(i) To impose penal action against companies and individuals that have been involved in violating the oil embargo, and to publicize cases of successful prosecutions in conformity with their national laws;

(j) To gather, exchange and disseminate information regarding violations of the oil embargo, including ways and means to prevent such violations, and to take concerted measures against violators;

(k) To discourage ships capable of carrying oil or petroleum products in their national registries or owned or managed by companies or individuals within their jurisdiction from engaging in activities that give rise to violation of the oil embargo against South Africa, taking into account legislative and other measures already adopted;

5. Authorizes the Intergovernmental Group to take action to promote public awareness of the oil embargo against South Africa, including, when necessary, sending missions and participating in relevant conferences and meetings;

6. Requests the Intergovernmental Group to submit to the General Assembly at its forty-sixth session a report on the implementation of the present resolution;

7. Requests all States to extend their co-operation to the Intergovernmental Group in the implementation of the present resolution, including submission of proposals for strengthening the mechanism to monitor the supply and shipment of oil and petroleum products to South Africa;

8. Requests the Secretary-General to provide the Intergovernmental Group with all necessary assistance for the implementation of the present resolution.

General Assembly resolution 45/176 F

19 December 1990 Meeting 70 125-2-19 (recorded vote)

13-nation draft (A/45/L.31 & Add.1); agenda item 34.

Financial implications. 5th Committee, A/45/871; S-G, A/C.5/45/68.

Meeting numbers. GA 45th session: 5th Committee 47; plenary 55-59, 69, 70.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriva, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: United Kingdom, United States.

Abstaining: Belgium, Botswana, Bulgaria, Canada, France, Germany, Greece, Hungary, Israel, Japan, Lesotho, Liechtenstein, Luxembourg, Malawi, Netherlands, Poland, Portugal, Romania, Swaziland.

Sports and cultural embargo

The Special Committee against Apartheid released in June 1990 the Register of Sports Contacts with South Africa containing information on such contacts during 1989. Some 3,515 sports persons from 57 different countries were mentioned, compared with 3,404 on the 1989 Register. The increase was due to a greater number of athletes competing in minor sports in South Africa, often for lucrative pay. Of those on the 1990 Register, 498 had participated in sports activities in South Africa. The highest numbers of those on the Register came from the United States (1,029) and the United Kingdom (672).

During 1989, the International Olympic Committee (IOC) had announced that any athlete competing in South Africa would be disqualified from taking part in the Olympic Games. In January, a meeting was held between advisers of IOC and the South African National Olympic Committee. IOC said it could not consider reviewing South Africa's position until there were genuine non-racial sports federations in that country, covering all Olympic disciplines. A consultative meeting of the IOC Commission on Apartheid and Olympism met on 19 and 20 February. The Commission proposed to IOC that it study the possibility of providing technical assistance to the less-favoured South African sports persons to help prepare them to address sports issues they might face in the future.

The Fourth International Conference against Apartheid in Sports met in Stockholm (4-6 September 1990), organized by the Special Committee in co-operation with the Swedish Sports Federation, the Swedish National Olympic Committee, the South African Non-Racial Olympic Committee and the International Campaign against Apartheid in Sports, with 190 participants

from more than 40 countries attending. The Conference focused on assistance for the disadvantaged section of South African sport and on action to counter apartheid propaganda: assessment of the isolation campaign and a future strategy.

The International Cricket Conference and the International Motorcycle Federation banned sports contacts with South Africa. At the same time, however, a British rebel cricket tour took place in 1990, but was interrupted by protests and a proposed follow-up tour was cancelled.

The Commission against Apartheid in Sports, in a report on its 1990 session (New York, 27 August) [A/45/45], said the 1985 International Convention against Apartheid in Sports [GA res. 40/64 G], which entered into force on 4 April 1988, had been ratified or acceded to by 47 States and signed by 32. The Commission concluded that the sports boycott and other sanctions must be maintained until profound and irreversible changes took place in South Africa, as should the Register of Sports Contacts. It appealed for material support and technical assistance to non-racial South African sports organizations and athletes sponsored by them and for support for the efforts of IOC to strengthen the structural, administrative and other organizational aspects of black sports organizations in South Africa. The Commission recommended that the General Assembly urge all States which had signed the Convention but not ratified it to do so and all States which had not signed it to accede to it, while urging States, organizations and individuals to maintain the sports boycott.

With respect to the cultural boycott, the Special Committee said it remained an essential component of the concerted international action aimed at isolating the apartheid regime. The long tradition of cultural resistance to apartheid had burgeoned in virtually every artistic field to become one of the most dynamic forms of creative expression in South Africa.

GENERAL ASSEMBLY ACTION

On 19 December, the General Assembly adopted resolution 45/176 G.

Support for the work of the Commission
against Apartheid in Sports

The General Assembly,

Recalling its resolutions on the boycott of apartheid in sports and in particular resolution 32/105 M of 14 December 1977 by which it adopted the International Declaration against Apartheid in Sports, resolution 40/64 G of 10 December 1985, the annex to which contains the International Convention against Apartheid in Sports, and resolution 44/27 L of 22 November 1989,

Having considered the report of the Commission against Apartheid in Sports and the relevant sections of the report of the Special Committee against Apartheid,

Reiterating that the sports boycott of South Africa should be maintained until profound and irreversible changes aimed at the total eradication of apartheid take place in that country,

1. Takes note of the report of the Commission against Apartheid in Sports;

2. Calls upon the States that have signed the International Convention against Apartheid in Sports to ratify it and also calls upon other States to accede to it as soon as possible;

3. Commends those Governments, organizations and individual sportsmen and sportswomen who have taken action in accordance with the Register of Sports Contacts with South Africa with a view to achieving the total isolation of apartheid in sports;

4. Requests the Special Committee against Apartheid to continue issuing the Register of Sports Contacts with South Africa;

5. Calls upon those international sports organizations and federations which have not yet expelled South Africa or suspended its membership to do so without further delay;

6. Calls upon all Governments and sports organizations to maintain the sports boycott of South Africa until profound and irreversible changes take place in that country;

7. Urges Governments and the international sporting community to assist the non-racial sports movement in South Africa to redress the structural inequalities created and sustained by the apartheid State;

8. Requests the Secretary-General to provide the Commission against Apartheid in Sports with all needed assistance.

General Assembly resolution 45/176 G

19 December 1990 Meeting 70 113-1-26 (recorded vote)

B-nation draft (A/45/L.42 & Add.1); agenda item 34.

Sponsors: Barbados, Ghana, Iran, Iraq, Philippines.

Financial implications. 5th Committee, A/45/871; S-G, A/C.5/45/68.

Meeting numbers. GA 45th session: 5th Committee 47; plenary 55-59, 69, 70.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against United States.

Abstaining: Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Lesotho, Liechtenstein, Luxembourg, Malta, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, United Kingdom.

The Assembly in resolution 45/176 B appealed to all Governments, organizations and individuals to refrain from any sports relations with South Africa and not entertain any cultural or academic links unless any particular activity in the cultural and academic fields had the intent and effect of opposing apartheid in line with UN policy, and to assist anti-apartheid forces and the disadvantaged sections of South African society.

Other international action

In June, at its twenty-seventh session, the International Labour Conference reiterated its appeal to Governments to bring about an embargo on South African coal, effective financial sanctions, appropriate legislation to prevent the sale and transportation of oil to South Africa and the effective severance of air links. In that regard, the Conference called for special target campaigns, with the fullest participation by all International Labour Organisation (ILO) members. In addition, the Committee on Discrimination reviewed, at the May/June 1990 session of the ILO Governing Body, the most recent information supplied by Governments and employers' and workers' organizations regarding their action against apartheid.

In May, the Commonwealth Committee of Foreign Ministers on Southern Africa adopted the Abuja Commitment, welcoming the developments that had taken place in South Africa but reiterating that sanctions should remain until there was clear evidence of irreversible change. The Committee agreed to convey its views to other Governments, particularly in the European Community (EC) and the Group of Seven industrialized nations, as well as in Eastern Europe, urging them not to reduce their pressure on South Africa before changes in substance had occurred.

The Ministers for Foreign Affairs of the Nordic countries (Norway, 11-12 September) pledged to maintain pressure on the South African Government, including economic sanctions, until there was clear evidence of profound and irreversible changes in South Africa. At their summit (Dublin, Ireland, 25-26 June), the EC leaders agreed to maintain sanctions despite an effort by the United Kingdom to have them relaxed. They agreed also to consider a gradual relaxation of the punitive measures when there was clear evidence that the process of change initiated continued.

A gradual change of policy occurred in some EC States. The United Kingdom, in particular, stated in February that the changes in South Africa vindicated a policy of contact rather than isolation. It did not see that cultural, scientific or academic boycotts made sense or contributed to

the weakening of apartheid. In future, it would not discourage artists, scientists or academics from going to South Africa or from joining in meetings with South Africans. The British Foreign Secretary also announced the unilateral decision of the Government to end voluntary restraint on new investment in effect since 1986.

The ANC leader, Mr. Mandela, visited several countries and the United Nations advocating, among other things, that pressure should be maintained on South Africa. Anti-apartheid movements and NGOs also campaigned world wide against the relaxation of sanctions.

GENERAL ASSEMBLY ACTION

On 19 December, the General Assembly adopted resolution 45/176 B.

Concerted and effective measures aimed at eradicating apartheid

The General Assembly,

Recalling the Declaration on Apartheid and its Destructive Consequences in Southern Africa, adopted by consensus on 14 December 1989 at its sixteenth special session, and its resolution 44/244 of 17 September 1990,

Recalling also its resolution 44/27 K of 22 November 1989 and other relevant resolutions,

Taking note of the report of the Special Committee against Apartheid and of the reports of the Secretary-General on international financial pressure on the apartheid economy of South Africa and measures to monitor sanctions undertaken by the United Nations system, Governments and non-governmental agencies,

Gravely concerned that, in spite of recent positive developments in South Africa, the system of apartheid and most of its main pillars, namely, the Land Acts, the Group Areas Act, the Population Registration Act, the Bantu Education Act and the acts establishing the tricameral Parliament and the bantustan system, still remain intact,

Convinced that sanctions and other restrictive measures have had a significant impact on recent developments in South Africa and remain a most effective and necessary instrument of pressure towards the peaceful resolution of the conflict in that country,

Strongly convinced that the imposition of comprehensive and mandatory sanctions by the Security Council under Chapter VII of the Charter of the United Nations remains the most appropriate and effective means to bring about a peaceful end to apartheid,

Noting that the States Members of the United Nations and the members of the international community have generally adhered to the programme of action contained in the Declaration and expressing its concern over any departures that have occurred from the international consensus reflected in the Declaration,

Gravely concerned that some Member States and transnational corporations have continued economic relations with South Africa, while others continue to undermine the sanctions imposed by other States, by establishing and/or increasing their trade with that

country, as borne out in the report of the Special Committee,

Noting with concern that sanctions and other measures adopted by the General Assembly, as well as measures introduced unilaterally by a number of States, lack co-ordination, monitoring and enforcement mechanisms,

Considering that measures taken by States individually or collectively, while commendable, vary in coverage and degree of monitoring and enforcement, and are not always addressed to those areas of the South African economy which are responsive to international pressures,

Noting with concern the recent talks between the International Monetary Fund and representatives of the South African regime and any consideration by the Fund of loans to South Africa,

Commending those States which have not relaxed their existing measures and maintained their commitment to the international consensus expressed in the programme of action contained in the Declaration, whereby Member States of the United Nations decided that the international community should not relax existing measures,

1. Reaffirms that apartheid is a crime against the conscience and dignity of humankind and a threat to international peace and security, and that it is a primary responsibility of the United Nations to assist in efforts to eliminate it without further delay;

2. Calls upon all States, especially those States which have increased or initiated trade, financial and other links with South Africa, in particular the leading trading partners of South Africa, as indicated in the annual report of the Special Committee against Apartheid, to adhere fully to the programme of action contained in the Declaration on Apartheid and its Destructive Consequences in Southern Africa;

3. Calls upon all States to maintain existing measures aimed at applying pressure on apartheid South Africa, particularly in the following areas:

(a) Supply of all products, in particular computer and communications equipment, technologies, skills and services, including military intelligence, that can be used for the military and nuclear industry of South Africa;

(b) Import of coal, gold and other minerals and agricultural products from South Africa;

(c) Effective withdrawal of transnational corporations, banks and financial institutions from South Africa by ceasing equity investment and by cutting off non-equity links, particularly those involving transfer of high technology and know-how;

(d) Provision of new credits and loans;

(e) Double taxation agreements with South Africa and any form of tax relief in respect of income from investments in that country;

(f) Landing and port rights to South Africa, air and sea carriers and direct air, sea and other transport links with South Africa;

4. Appeals to all Governments, organizations and individuals to refrain from any sports relations with South Africa and not entertain any cultural or academic links unless any particular activity in the cultural and academic fields has the intent and effect of opposing apartheid in line with United Nations policy on this matter, and to give appropriate assistance in these

fields to the anti-apartheid forces and to the disadvantaged sections of South African society;

5. Urges Governments and private financial institutions, as well as the International Monetary Fund and the World Bank, not to extend loans and credits to South Africa, whether to the public or private sector, until there is clear evidence of profound and irreversible changes in South Africa, bearing in mind the objectives of the Declaration;

6. Urges all States to close existing loopholes in their existing measures, monitor strictly their implementation and adopt and apply, when necessary, legislation providing for penalties on individuals and enterprises violating those measures;

7. Requests the Special Committee to continue to monitor the implementation of existing measures aimed at the eradication of apartheid, and to report thereon to the General Assembly and the Security Council as appropriate;

8. Requests the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

General Assembly resolution 45/176 B

19 December 1990 Meeting 70 115-11-19 (recorded vote)

30-nation draft (A/45/L.39 & Corr.1 & Add.1); agenda item 34.

Financial implications. 5th Committee, A/45/871; S-G, A/C.5/45/68.

Meeting numbers. GA 45th session: 5th Committee 47; plenary 55-59, 69, 70.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Antigua and Barbuda, Argentina, Australia, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guyana, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Belgium, France, Germany, Israel, Italy, Japan, Luxembourg, Netherlands, Portugal, United Kingdom, United States.

Abstaining: Austria, Botswana, Bulgaria, Canada, Czechoslovakia, Denmark, Finland, Greece, Hungary, Iceland, Ireland, Liechtenstein, Malawi, New Zealand, Norway, Poland, Romania, Spain, Sweden.

Military and nuclear collaboration

The Special Committee against Apartheid continued to monitor the implementation of the arms embargo against South Africa. It reported that for the first time in many years South Africa was reducing its budget allocation for defence expenditures. While in 1989 defence expenditures accounted for 15.4 per cent of the total budget, or 4.2 per cent of gross national product, in 1990 they represented 14 per cent and 3.7 per cent respectively, resulting in an overall 15 per cent reduction in military expenditures in 1990. Nevertheless, the defence budget remained larger than the allocation for social welfare.

While the regime claimed it was no longer dependent on foreign markets for military hardware and technology, reports continued regarding the extent of military collaboration with other countries and companies, including those of Chile, the Federal Republic of Germany, Iraq, Israel (see below), the United Kingdom and the United States.

The Special Committee was informed that, owing to the efforts of the new Government of Chile, South Africa was unable to participate in the International Aeronautic Air Fair 1990. The Special Committee also reported that Chile had informed it that contracts with South Africa would not be renewed when they expired at the beginning of 1991. The Federal Republic of Germany had instituted formal proceedings against individuals from firms involved in the submarine blueprints affair breaking the arms embargo and Iraq denied relations of any kind with South Africa. It was reported that the United States and the United Kingdom were investigating the activities of certain companies alleged to be involved in sanctions-busting, such as International Signal and Control and the Ferranti Corporation.

GENERAL ASSEMBLY ACTION

On 19 December, the General Assembly adopted resolution 45/176 C.

Military collaboration with South Africa

The General Assembly,

Recalling the Declaration on Apartheid and its Destructive Consequences in Southern Africa, adopted by consensus on 14 December 1989 at its sixteenth special session, and its resolution 44/244 of 17 September 1990,

Recalling its resolutions and those of the Security Council on the arms embargo, as well as other resolutions on collaboration with South Africa,

Taking note of the report of the Special Committee against Apartheid and the report of the Security Council Committee established by Council resolution 421(1977) of 9 December 1977 concerning the question of South Africa on its activities during the period 1980-1989,

Noting with grave concern that the mandatory sanctions imposed by the Security Council in its resolution 418(1977) of 4 November 1977 lack an effective monitoring and enforcement mechanism,

Noting with appreciation the resolve and coerciveness of the Security Council in its handling of questions relating to the preservation of international peace and security,

Reiterating that the full implementation of the arms embargo against South Africa is an essential element of international action against apartheid,

Expressing serious concern at the increasing number of violations of the mandatory arms embargo, particularly by those countries which surreptitiously continue to trade in arms with South Africa and allow South Africa to participate in international arms exhibitions,

Gravely concerned at the practice carried out by certain oil-producing States whereby oil is exchanged for South African arms,

Noting concern that South Africa's external military relations, especially in the area of military technology and, in particular, in the production and testing of nuclear missiles, continue unabated,

1. Strongly deplores the actions of those States which, directly or indirectly, continue to violate the arms embargo and collaborate with South Africa in the military, nuclear, intelligence and technology fields, and calls upon those States to terminate forthwith such hostile acts and honour their obligations under Security Council resolution 421(1977);

2. Urges all States to adopt strict legislation relating to the implementation of the arms embargo and prohibit the supply to South Africa of all products, in particular computers and communications equipment, technologies, skills and services, including military intelligence, that can be used for the military and nuclear industry of that country;

3. Urges the Security Council to consider immediate steps to ensure the scrupulous and full implementation and the effective monitoring of the arms embargo imposed by Council resolutions 418(1977) and 558(1984) of 13 December 1984, to consider strengthening the monitoring and the reporting of violations of the arms embargo and to provide information on a regular basis to the Secretary-General for general distribution to Member States;

4. Also urges the Security Council to implement the recommendations of the report of the Committee established under Council resolution 421(1977) concerning appropriate measures against those States violating the mandatory arms embargo against South Africa;

5. Request the Special Committee against Apartheid to keep the matter under constant review and to report thereon to the General Assembly and the Security Council as appropriate.

General Assembly resolution 45/176 C

19 December 1990 Meeting 70 116-2-29 (recorded vote)

26-nation draft (A/45/L.40 & Corr.1 & Add.1); agenda item 34.

Financial implications. 5th Committee, A/45/871; S-G, A/C.5/45/68.

Meeting numbers. GA 45th session: 5th Committee 47; plenary 55-59, 69, 70.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guyana, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: United Kingdom, United States.

Abstaining: Australia, Austria, Belgium, Bulgaria, Canada, Czechoslovakia, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Lesotho, Liechtenstein, Luxembourg, Malawi, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Spain, Sweden.

Israel-South Africa relations

The Special Committee against Apartheid, in the second part of its report (A/45/2 Add.1) responding to General Assembly resolution 44/27 F [YUN 1989, p. 144], examined recent developments concerning relations between Israel and South Africa. It concluded that despite repeated Israeli statements that its relations with South Africa had been curtailed, reports still pointed to on going collaboration, especially in the military and nuclear fields. The Special Committee was deeply concerned that Israel had not yet revealed its existing secret agreements and arrangements with South Africa for the supply of weapons and military technology and that all such arrangements had not been abrogated. The provision of Israeli arms and arms technology, especially the persistent reports about Israeli collaboration with South Africa in developing the latter's missile technology, with its nuclear implications, constituted a very grave danger to international peace and security and, in particular, jeopardized the security of African States. The Special Committee was also concerned that trade relations were increasing between the two countries, contrary to Israeli claims. It recommended that the General Assembly call on Israel to cease its continuing collaboration with South Africa, particularly in the military and nuclear fields, and authorize the Special Committee to continue monitoring relations between Israel and South Africa and to report as appropriate.

Report of Secretary-General. In response to General Assembly resolution 44/113 B [YUN 1989, p. 58], the Secretary-General reported [A/45/57] & Corr.1] in October on reports that collaboration between Israel and South Africa had resulted in South Africa's development of a nuclear-tipped missile. The report was prepared with the assistance of a panel of three experts.

The Secretary-General said that the preparation of the report coincided with critical and potentially far-reaching developments within South Africa with the Government, for the first time, providing hope for real change. Those developments had significantly affected previous motivations of South Africa's reliance on force and military might to preserve the status quo. South Africa might no longer wish to pursue vigorously its programmes of nuclear-weapons capability or ballistic missiles and instead might wish to gear its efforts towards the peaceful application of nuclear energy. In that context, South Africa's long-standing co-operation with Israel, particularly in the military field, might not have the same significance and relevance as it had in the past. A tangible proof of South Africa's determination to abandon the policy of military intimi-

dation against neighbouring States would be expeditious accession to the 1968 Treaty on the Non-Proliferation of Nuclear Weapons [GA res. 2373(XXII)] and the opening of all its nuclear facilities to international inspection. Recent statements in that regard were most encouraging, but until implemented fully the concerns would not be completely put to rest. (See PART ONE, Chapter II, for more details.)

GENERAL ASSEMBLY ACTION

On 19 December, the General Assembly adopted resolution 45/176 D.

Relations between South Africa and Israel

The General Assembly,

Recalling its previous resolutions concerning the relations between South Africa and Israel and, in particular, its resolution 44/27 F of 22 November 1989,

Having considered the report of the Special Committee against Apartheid on recent developments concerning relations between South Africa and Israel, and the report of the Secretary-General on South Africa's nuclear-tipped ballistic missile capability,

Noting with concern that the military relations between South Africa and Israel, especially in the area of military technology and in particular the collaboration in the recent production and testing of nuclear missiles, continue unabated,

1. Condemns the collaboration of Israel with the South African regime in the military and nuclear fields;

2. Reiterates its demand that Israel desist from and terminate forthwith all forms of collaboration with South Africa, particularly in the military and nuclear fields;

3. Urges the Security Council to take appropriate measures against Israel for its violation of the mandatory arms embargo against South Africa;

4. Requests the Special Committee against Apartheid to continue to monitor the relations between South Africa and Israel and keep them under constant review and report to the General Assembly and the Security Council as appropriate.

General Assembly resolution 45/176 D

19 December 1990 Meeting 70 99-28-19 (recorded vote)

22-nation draft (A/45/L.41 & Add.1); agenda item 34.

Financial implications. 5th Committee, A/45/871; S-G, A/C.5/45/68.

Meeting numbers. GA 45th session: 5th Committee 47; plenary 55-59, 69, 70.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Antigua and Barbuda, Argentina, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Byelorussian SSR, Cape Verde, Chad, Chile, China, Colombia, Comoros, Congo, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Ecuador, Egypt, El Salvador, Ethiopia, Gabon, Gambia, Ghana, Guatemala, Guinea, Guyana, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Namibia, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Rwanda, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Australia, Austria, Belgium, Bulgaria, Canada, Czechoslovakia, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Liechtenstein, Luxembourg, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Spain, Sweden, United Kingdom, United States.

Abstaining: Bahamas, Belize, Cameroon, Central African Republic, Costa Rica, Dominican Republic, Fiji, Grenada, Honduras, Japan, Kenya, Malawi, Malta, Myanmar, Nepal, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Uruguay.

In resolution 45/56 A, the Assembly condemned South Africa's continued pursuit of a nuclear capability and all forms of nuclear collaboration; called on States, corporations, institutions and individuals to desist from further collaboration with the racist regime; and appealed to those States and organizations with the ability 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.

In resolution 45/56 B, the Assembly welcomed the report on South Africa's nuclear-tipped ballistic missile capability and called on all States, corporations, institutions and individuals to terminate all forms of military and nuclear collaboration with the racist regime.

Aid programmes

United Nations aid to victims of apartheid was provided through national liberation movements recognized by the Organization of African Unity and directly to individuals for education and training. Legal assistance, relief and education grants were given by the United Nations Trust Fund for South Africa to persons persecuted under repressive and discriminatory South African legislation. The United Nations Educational and Training Programme for Southern Africa offered additional educational assistance.

UN Trust Fund for South Africa

In September 1990 [A/45/550], the Secretary-General reported that the United Nations Trust Fund for South Africa had made four grants totalling \$1,850,000 during the preceding 12 months and had extended two grants of \$1,350,000. It had received contributions totalling \$3,376,876. Since its inception in 1965 [GA res. 2054 B (XX)], the Fund's total income was \$40,617,461, with grants awarded for legal assistance, relief and education of refugee victims of South Africa and Namibia amounting to \$39,121,560. Pledges of \$280,617 were outstanding.

The Committee of Trustees of the Fund continued to encourage direct contributions to voluntary organizations providing assistance to victims of apartheid. While noting the positive measures taken by the South African Govern-

ment to create a climate conducive to negotiation, the Committee was concerned that the pillars of apartheid remained in place and continued to create havoc in the lives of the black majority. Of equal concern was the increasing application of criminal proceedings to cases that were clearly of a political nature, while many political trials were still in progress and political imprisonment continued. At the same time, the Committee welcomed Nelson Mandela's release and that of some other political prisoners, the unbanning of 36 political organizations, including ANC and PAC, the repeal of certain emergency regulations and the non-renewal of the country-wide state of emergency, with the exception of Natal province.

GENERAL ASSEMBLY ACTION

On 19 December, the General Assembly adopted resolution 45/176 H.

United Nations Trust Fund for South Africa

The General Assembly,

Recalling its resolutions on the United Nations Trust Fund for South Africa, in particular resolution 44/27 J of 22 November 1989,

Having considered the report of the Secretary-General on the United Nations Trust Fund for South Africa, to which is annexed the report of the Committee of Trustees of the Trust Fund,

Taking note of resolution 44/244 adopted by consensus by the General Assembly on 17 September 1990, and in particular of its paragraph 8 relating to the reintegration of released political prisoners into the South African society,

Welcoming the release of Nelson Mandela and some other political prisoners; the suspension of executions and the unbanning of a number of political organizations, including the African National Congress of South Africa and the Pan Africanist Congress of Azania, and the lifting of the nation-wide state of emergency and the repeal of certain emergency regulations,

Remaining seriously concerned by the continued existence of basic laws sustaining the apartheid system and other discriminatory and repressive laws, rules and regulations in South Africa,

Concerned by the large number of political trials in 1990 and the continued application of criminal proceedings to cases that are clearly of a political nature,

Reaffirming that continued humanitarian and legal assistance by the international community is necessary to alleviate the plight of those persecuted under repressive and discriminatory legislation in South Africa and to facilitate the reintegration of released political prisoners,

Strongly convinced that continued contributions to the Trust Fund and to the voluntary agencies concerned are necessary to enable them to meet the extensive needs for humanitarian, legal and relief assistance in this crucial period,

1. Endorses the report of the Secretary-General on the United Nations Trust Fund for South Africa;

2. Decides, in view of the independence of Namibia, to delete paragraph (e) of the terms of reference of the Trust Fund;

3. 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 in South Africa;

4. Appeals for generous contributions to the Trust Fund;

5. Also appeals for direct contributions to the voluntary agencies engaged in rendering assistance to the victims of apartheid and racial discrimination in South Africa;

6. Commends the Secretary-General and the Committee of Trustees of the Trust Fund for their persistent efforts to promote humanitarian and legal assistance to persons persecuted under repressive and discriminatory legislation in South Africa, as well as assistance to their families and to refugees from South Africa.

General Assembly resolution 45/176 H

19 December 1990 Meeting 70 Adopted without vote

34-nation draft (A/45/L.32 & Add.1); agenda item 34.
Meeting numbers GA 45th session: plenary 55-59.69.70.

UN Educational and Training Programme for Southern Africa

Scholarships awarded under the United Nations Educational and Training Programme for Southern Africa totalled 1,200 in 1989/90, according to the Secretary-General's September report [A/45/553]. The Programme was administered by the Secretary-General in consultation with the Advisory Committee on the Programme and was financed from a Trust Fund made up of voluntary contributions from States, organizations and individuals. For the 1989/90 period, there were 361 scholarship holders from Namibia and 839 from South Africa. Assistance to Namibian students was provided for a transitional period, of one year following Namibia's independence.

For the period 1 September 1989 to 31 August 1990, a total of \$3,737,895 was received from 22 countries. In addition, pledges for 1990 amounted to \$1,103,149, bringing contributions and pledges for 1990 to \$4,841,044, an increase from \$4,699,374 in the previous period.

In view of the increasing interest of tens of thousands of South African students for educational and training opportunities abroad, as well as the growing cost of such education and training, the Secretary-General appealed to all States, institutions, organizations and individuals to offer the Programme continued generous financial and other support. It was generally recognized that a large trained cadre of black South Africans would play a critical role in facilitating a smooth transition to a post-apartheid society.

In accordance with its 1989 decision [YUN 1989, p. [58], the Advisory Committee re-evaluated the

Programme, further developing its co-operation with scholarship agencies, educational institutions, foundations and government agencies, and starting some new co-sponsored programmes.

GENERAL ASSEMBLY ACTION

On 20 November, the General Assembly adopted resolution 45/19.

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 44/86 of 11 December 1989,

Having considered the report of the Secretary-General 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 September 1989 to 31 August 1990,

Noting with satisfaction that the recommendations of the evaluation of the Programme undertaken in 1989 as endorsed by the Advisory Committee are being implemented,

Recognizing the valuable assistance rendered by the Programme to the peoples of South Africa and Namibia,

Also noting with satisfaction that educational and technical assistance for southern Africa has become a growing concern of the international community,

Fully recognizing the need to provide continuing educational opportunities and counselling abroad to a greater number of students from South Africa and, during a transitional period, to students from Namibia, 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 postgraduate levels in priority fields of study,

Strongly convinced that the continuation and steady expansion of the Programme is essential in order to meet the ever-increasing demand for educational and training assistance to students from South Africa and, during a transitional period, to students from 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 continuing efforts to develop the Programme and further 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 to southern Africa;

3. Expresses its appreciation to all those that have supported the Programme by providing contributions, scholarships or places in their educational institutions;

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.

General Assembly resolution 45/19

20 November 1990 Meeting 44 Adopted without vote
Approved by Fourth Committee (A/45/683) without vote, 25 October
(meeting 151; 67-nation draft A/C.4/45/L.5); agenda item 114.
Meeting numbers. GA 45th session: 4th Committee 7-15; plenary 44.

National liberation movements

In June 1990, the Governing Council of the United Nations Development Programme (UNDP) decided [E/ 1990/29 (dec. 90/28) that technical co-operation provided by UNDP to national liberation movements during the remainder of the fourth programming cycle (1987- 1991) should continue to be guided by its 1987 decision (YUN 1987, p. 159] It requested the Administrator to continue the projects benefiting ANC and PAC members, and to report on trends, developments and the effectiveness of that assistance, as well as relevant issues pertaining to management, including proposals for the establishment of a fifth cycle indicative planning figure.

The Council decided [dec. 90/34] that that figure should be established at \$12 million.

Information programmes

In 1988 [YUN 1988, p. 156], the General Assembly had requested the Secretary-General to expand UN anti-apartheid broadcasts to South Africa, as well as the production of audio-visual material, and to provide technical and financial assistance to radio stations of those States broadcasting or willing to broadcast to South Africa. In March 1990, he submitted a report [A/45/162] containing a study of existing and potential interest in broadcasting UN anti-apartheid radio programmes and the extent to which audiences in selected urban centres in South Africa listened to them. It appeared that all UN radio programmes in English that were targeted to South Africa had an audience ranging from 0.1 per cent of blacks to 2 per cent of whites. Three programmes had audiences in other languages. Only four countries-Angola, the United Republic of Tanzania, Zambia and Zimbabwe-had expressed total readiness to transmit UN anti-apartheid radio programmes to South Africa. The Secretary-General recommended, among other things, that: programmes in English, Zulu and Setswana be continued; Radio Lesotho be persuaded to resume the use of programmes in Sesotho; the United Nations explore why only one programme in Xhosa had an audience; an attempt be made to persuade major broadcasting organizations heard in South Africa to use at least the English programmes; and the Department of Public Information implement the recommen-

dations regarding the dissemination of information against apartheid and how to make it more effective.

Angola

In 1990, the withdrawal of Cuban troops from Angola continued, in accordance with the 1988 agreement [YUN 1988, p. 159] involving Angola, Cuba and South Africa and between Cuba and Angola. Cuba said [S/21113] that by 24 January 1990 Cuba had withdrawn over half its forces in Angola, from which 31,179 combatants had returned. By 1 April 1990, 33,000 troops were scheduled to have been withdrawn, testifying to the seriousness and rigour with which Cuba had been complying with its commitments. However, on 21 January in Angola four Cuban soldiers were killed and five wounded in an attack by forces of the National Union for the Total Independence of Angola (UNITA). As a result, the Governments of Angola and Cuba had decided to suspend temporarily the withdrawal of Cuban military personnel until such time as Cuba received a satisfactory explanation of the incident and was convinced that continuing reduction of its forces would not be misused by terrorist bands, armed and advised by the United States, sabotaging the agreements so laboriously arrived at between Angola, Cuba and South Africa.

On 20 February, Angola and Cuba, in a joint declaration [S/21158], announced the resumption, as of 25 February, of the withdrawal of Cuban troops, the original schedule of withdrawal having been delayed 30 days following the UNITA action against Cuban troops. The joint declaration said that the decision on the resumed withdrawal took account that the United States would adopt appropriate measures to prevent the repetition of such acts. It also welcomed with seriousness and confidence the efforts of the President of Côte d'Ivoire, before whom UNITA pledged not to attack or to carry out any bombings against Cuban troops.

UNAVEM

In April [S/21246 & Add.1], the Secretary-General reported on developments relating to the United Nations Angola Verification Mission (UNAVEM), established in 1988 [SC res. 626(1988)] to verify the re-deployment northwards and the total withdrawal of Cuban troops from the territory of Angola.

He said that the Mission was composed of 60 military observers, 6 each from 10 countries, with 20 international and 15 local civilian staff. After

the suspension of Cuban withdrawals in January, he had undertaken a number of initiatives with the parties directly concerned, and with others in a position to influence events, in order to obtain the earliest possible resumption of withdrawal. While the reduction target of 33,000 troops by 1 April 1990 had not been achieved, the Cuban authorities in Angola stated that the scheduled net reduction of 38,000 would be achieved by the end of the next phase of the withdrawal agreement, i.e., 30 September 1990. UNAVEM later confirmed the scheduled reduction of 33,000 Cuban troops by 25 April, with net departures at 33,261 since withdrawals began 10 January 1989.

In addition to withdrawal of military personnel, armoured vehicles, guns, artillery pieces, other military vehicles, engineering equipment, aircraft including helicopters, ammunition and other war-like stores belonging to the Cuban forces in Angola had been withdrawn. Since 9 November 1989, UNAVEM had received no reports of the presence or suspected presence of Cuban troops at any location south of the adjusted 13th parallel.

In October [S/21860], the Secretary-General said UNAVEM observer strength was 59, together with 19 international and 15 local civilian staff. Net departure of Cuban military personnel between 1 April and 30 September 1990 was 6,262, giving a total net withdrawal since commencement of 38,643, thus achieving the agreed schedule of 38,000 troops (or 76 per cent of the 50,000-strong Cuban force) by 1 October 1990.

Financing of UNAVEM

In November, the Secretary-General, reporting [A/45/718] on the financing of UNAVEM, noted that in 1989 the General Assembly had appropriated \$9,193,000 gross (\$8,962,000 net) for UNAVEM's operation from 3 January 1989 to 2 January 1990 [GA res. 43/231] and a further \$5,826,400 gross (\$5,616,400 net) for 33 January 1990 to 2 January 1991 [GA res. 44/190]. Out of approved assessments totalling \$14,713,910, contributions totalling \$11,333,895 had been received by 31 October 1990, with unpaid assessments amounting to \$3,380,015. As at 31 October, revised expenditure was \$8,193,000 gross (\$8,012,500 net) for the period ending in January 1990, resulting in an unencumbered balance of \$1,000,000 gross (\$949,500 net). Estimated costs from 3 January to 2 August 1991 were \$4,613,800 gross (\$4,455,800 net). Based on the recorded and projected expenditures for the period from UNAVEM's inception to 2 January 1991, it was currently estimated that there would be a cash deficit of \$2,168,000 unless outstanding contributions were received by 2 January 1991.

In December, the Advisory Committee on Administrative and Budgetary Questions recommended reductions of \$231,900 to the Secretary-General's estimate of \$4,613,800 gross for the seven-month period 3 January to 2 August 1991, and that the Assembly approve an estimate of \$4,381,900 gross for UNAVEM's last phase [A/45/827].

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/246.

Financing of the United Nations Angola Verification Mission

The General Assembly,

Having considered the report of the Secretary-General on the financing of the United Nations Angola Verification Mission, and the related report of the Advisory Committee on Administrative and Budgetary Questions,

Bearing in mind Security Council resolution 626(1988) of 20 December 1988, by which the Council established the United Nations Angola Verification Mission for a period of thirty-one months,

Reaffirming that the costs of the Verification Mission are expenses of the Organization to be borne by Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations,

Recalling its previous decisions regarding the fact that, in order to meet the expenditures caused by the Verification Mission, a different procedure is required from the one 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 such an operation,

Bearing in mind the special responsibilities of the States permanent members of the Security Council, as indicated in General Assembly resolution 1874(S-IV) of 27 June 1963, in the financing of such operations.

Noting with appreciation that voluntary Contributions have been made to the Verification Mission by a Government,

Mindful of the fact that it is essential to provide the Verification Mission with the necessary financial resources to enable it to fulfil its responsibilities under the relevant resolution of the Security Council,

1. Concurs with the observations, recommendations and conclusions contained in the report of the Advisory Committee on Administrative and Budgetary Questions;

2. Urges all Member States to make every possible effort to ensure payment of their assessed contributions to the United Nations Angola Verification Mission in full and on time;

3. Decides, taking into account the outstanding assessed contributions due to the Special Account for the United Nations Angola Verification Mission, to defer any action on the estimated unencumbered balance of the appropriations as may be called for until its forty-sixth session;

4. Decides also to appropriate to the Special Account an amount of 4,381,900 United States dollars for the operation of the Verification Mission for the period from 3 January to 2 August 1991;

5. Decides further, as an ad hoc arrangement, to apportion the amount of 4,381,900 dollars for the above-mentioned period among Member States in accordance with the composition of groups set out in paragraphs 3 and 4 of General Assembly resolution 43/232 of 1 March 1989, as adjusted by the Assembly in its resolution 44/192 B of 21 December 1989 and taking into account the scale of assessments for the years 1989, 1990 and 1991;

6. 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 5 of the present resolution, their respective share in the Tax Equalization Fund of the estimated staff assessment income of 158,000 dollars approved for the period from 3 January to 2 August 1991, inclusive;

7. Approves the request of the Secretary-General that he proceed with the disposition of the assets of the Verification Mission as proposed in paragraph 9 of his report and paragraph 12 of the report of the Advisory Committee;

8. Decides that Liechtenstein shall be included in the group of Member States set out in paragraph 3 (b) of General Assembly resolution 43/232 and that its contribution to the Verification Mission shall be calculated in accordance with the provisions of the resolution to be adopted by the Assembly at its forty-fifth session regarding the scale of assessments;

9. Decides also that Namibia shall be included in the group of Member States set out in paragraph 3 (d) of General Assembly resolution 43/232 and that its contribution to the Verification Mission shall be calculated in accordance with the provisions of the resolution to be adopted by the Assembly at its forty-fifth session regarding the scale of assessments;

10. Decides further that, in accordance with regulation 5.2 (c) of the Financial Regulations of the United Nations, the contributions to the Verification Mission until 2 January 1991 of the Member States referred to in paragraphs 8 and 9 above shall be treated as miscellaneous income to be set off against the apportionments authorized in paragraph 5 above;

11. Invites voluntary contributions to the Verification Mission in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure established by the General Assembly in its resolution 44/192 A of 21 December 1989;

12. Requests the Secretary-General to take all necessary action to ensure that the Verification Mission is administered with a maximum of efficiency and economy.

General Assembly resolution 45/246

21 December 1990 Meeting 72 Adopted without vote

Approved by Fifth Committee (A/45/882) without vote, 18 December (meeting 49); draft by Chairman (A/C.5/45/L.12); agenda item 131.

Meeting numbers. GA 45th session: 5th Committee 42,49; plenary 72.

Liberia

On 9 August, Nigeria reported [S/21485] to the Secretary-General on the efforts of the Economic Community of West African States (ECOWAS) to resolve the conflict in Liberia. Its Standing Mediation Committee on the conflict, in a statement issued at the end of its first session (Freetown, Sierra Leone, 5-20 July 1990), said that at the meeting the Government side, the National Patriotic Front of Liberia (NPFL), other political parties and interest groups made efforts to restore the country to normalcy. However, it was not possible to bridge the gap between the Government and the rebel forces. The carnage continued as no agreement could be reached on a cease-fire agreement.

The ECOWAS Authority of Heads of State and Government, at its first summit (Banjul, Gambia, 6-7 August), in an effort to end the Liberian tragedy, decided that there should be an immediate cease-fire: a cease-fire Monitoring Group (ECOMOG) would be established, comprising military contingents from member States of the ECOWAS Standing Mediation Committee, as well as from Guinea and Sierra Leone, to supervise implementation of the cease-fire; and a broad-based interim government would be set up to administer the country and to organize elections. A special emergency fund would be established to receive contributions for the \$50 million projected to be needed for financing the military operations and for immediate humanitarian needs. The ECOMOG role was to stop the senseless killing of Liberian nationals and foreigners and to restore democratic institutions.

Guinea informed [S/21490] the Secretary-General that on 9 August rebel elements had broken into its diplomatic mission in Monrovia, Liberia, prompting the evacuation of some 5,000 persons taking refuge there.

The Organization of African Unity (OAU) Ad Hoc Committee of Heads of State and Government, at its fifth session (Kampala, Uganda, 8 September), issued a statement [A/45/496-s/21743] expressing concern at the continuing conflict and calling on the warring parties to put an immediate end to the killings. It noted the efforts of ECOWAS to end the conflict and called on all parties to observe the cease-fire and to co-operate with ECOWAS in normalizing the situation. It also expressed concern at the hundreds of thousands of refugees or displaced persons and the imminent mass starvation. The Ad Hoc Committee reiterated the appeal launched by ECOMOG for urgent humanitarian assistance.

In further efforts to resolve the conflict, the ECOWAS Authority of Heads of State and Government, at its first extraordinary session (Bamako, Mali, 27-28 November), endorsed [A/45/894-S/22025] the ECOWAS peace plan of 7 August, noting that the plan had received the widest support from Liberians and the international community. The Authority commended the two warring parties—the Armed Forces of Liberia and the Independent National Patriotic Front of Liberia—which had signed a cease-fire agreement at Banjul on 24 October. At the extraordinary session, the third party, NPFL, expressed readiness to join in the search for a peaceful solution. The Authority noted the acceptance by NPFL and the other parties of the ECOWAS peace plan and their declaration of a cease-fire to come into effect immediately. It urged that the details of the cease-fire be worked out as soon as possible. The Authority called on ECOWAS members to contribute troops to ECOMOG and to make contributions to the special emergency fund for the operations in Liberia; it also appealed for contributions from the international community. The Authority invited the parties to enter into talks within the framework of the ECOWAS peace plan, and called on its members to refrain from any action that might prejudice or undermine the smooth and speedy implementation of that plan. The Authority appealed to the international community to step up humanitarian relief efforts and to contribute generously to the efforts of the Interim Government in the rehabilitation and reconstruction of the Liberian economy.

Other States

Libya-United States

In January [A/45/87-S/21094], the Libyan Arab Jamahiriya informed the Secretary-General that the United States had arbitrarily reimposed economic sanctions against it, alleging that it was encouraging terrorism and thus endangering United States security. It said that evidence had established the falsity of the allegations, called on the international community to take practical measures against the United States action and expressed the hope that the Secretary-General would take such measures as he was able. In March [A/45/163-S/21185], Libya transmitted a statement repudiating the United States charges that it was producing chemical weapons.

The Nineteenth Islamic Conference of Foreign Ministers (Cairo, Egypt, 31 July-5 August) condemned the continuing United States

aggression, threats and plots against Libya, including the economic boycott and the shooting down of two Libyan aircraft on 4 January 1989 [A/45/421-S/21797].

In December, Libya said the United States Air Force had on 7 December transferred 200 Libyan prisoners from Chad to an unknown destination, against their will and against their wishes, under the protection of French forces stationed in N'Djamena [A/45/834-S/21991]. On 8 December, Libya requested the Security Council to meet on the United States action in abducting Libyan prisoners of war in Chad [S/21989].

GENERAL ASSEMBLY ACTION

On 14 December, the General Assembly, by decision 45/429, decided to defer consideration of an item on the 1986 Declaration [YUN 1986, p. 257] of the Assembly of Heads of State and Government of OAU on the aerial and naval military attack against the Libyan Arab Jamahiriya by the United States in April of that year and to include it in the provisional agenda of the forty-sixth (1991) session.

Chad-Libya

On 26 January, Chad submitted to the Security Council a memorandum [S/21114] in which it said that, despite a framework agreement on the peaceful settlement of the territorial dispute between Chad and the Libyan Arab Jamahiriya of 31 August 1989 and direct talks between the two States, there was a widening gap between the public statements and actions on the Libyan side, in military terms and at the negotiating table. In reality, subsequent events had shown that Libya would never change its position. The situation was worrying, negotiations were not progressing, and the cease-fire was periodically violated by acts of aggression from the Sudanese territory of Darfour.

On 5 February, the Sudan sent [S/21126] a letter to the President of the Security Council, stating that there was total order and security in Darfour, where the Sudanese Government exercised full authority and sovereignty, and categorically refuting the Chadian allegations. The Chadian opposition used jumping-off bases inside Chad and had no presence on the Sudanese side of the frontier. The Sudan regretted that Chad was trying to involve the Sudan in the dispute between it and Libya and in the hostilities in Chad. On 19 February, Chad stated [S/21165] that the Islamic Legion, heavily equipped by Tripoli, was organizing itself in Darfour in the Sudan, under the new name of Green Force, for a further armed attack on Chad. Chad warned the Sudan regarding its

support for Libya against Chad from Darfour. Chad charged that on 25 March it had once again been subjected to a Libyan act of aggression in a region adjacent to the Sudanese region of Darfour [S/21208]; Libya had not abandoned its plan to destabilize and dismantle Chad and the Sudanese leaders had chosen the camp of Chad's enemies.

On 29 March, Libya refuted the Chadian claims [S/21223] and reaffirmed its previous request that OAU send an investigative committee to visit the locations where Chad said fighting had taken place to ascertain and verify the unfoundedness of the Chadian allegations that there was Libyan intervention in the fighting. On 4 April, the Sudan categorically denied [S/21229] Chadian assertions regarding the role of the Sudan in the ongoing fighting in eastern Chad, and reaffirmed its unswerving support for the stability and territorial integrity of Chad and its will to work for the strengthening of the traditional relations of brotherliness between the two peoples. Libya and Chad in May made further charges of aggression against each other [S/21295, S/21299], the latter stating that Chad had undertaken an act of self-defence. The Sudan accused [S/21296] Chad of aggression, kidnapping of Sudanese and Libyan nationals and looting of properties inside the Sudan. On 23 May, Chad reported [S/21333] the release of 10 Libyan prisoners of war captured in the counter-offensive on the frontier between Chad and the Sudan, stating that it was a further example of the Chadian people's determination to achieve peace.

On 31 July, Chad stated [S/21421] that there were preparations for further Libyan-Sudanese aggression against Chad from the borders of the Sudan. Chad appealed to the United Nations, OAU, the Organization of the Islamic Conference and all countries that espoused the cause of peace and justice to assume their full responsibility in the face of the new war situation. Libya, on 6 August, replied [S/21442] that the allegations were groundless and Libya had no intention of ever engaging in aggression against Chad. It was in no way associated with the extension of the civil war waged by Chadian secessionists. Chad said [S/21474] there was no longer a civil war in Chad. The periodic violent fighting on the Chadian-Sudanese border was caused by the Islamic Legion, a Libyan creation operating in the Sudan.

Libya transmitted an International Committee of the Red Cross press communique of 10 December [S/21992], stating that it had not been able to carry out protection work as it would have wished regarding the transfer or repatriation of a number of prisoners of war in Chad, in particular not being able to interview them.

Mayotte

The question of the Comorian island of Mayotte—one of a group of four islands in the Indian Ocean Comoro Archipelago—was the subject of further consideration by the General Assembly in 1990. The Islamic Federal Republic of the Comoros acceded to independence on 6 July 1975, following a referendum in 1974. France, the former colonial Power, had since continued to administer the island of Mayotte.

Report of Secretary-General. In a September report to the General Assembly [A/45/540], the Secretary-General said he had addressed a note verbale to the Comoros and France, drawing attention to Assembly resolution 44/9 on the question of the island of Mayotte [YUN 1989, p. 154] and inviting them to provide him with any pertinent information for inclusion in his report. A similar communication had been sent to the Organization of African Unity (OAU).

France, in its response, reiterated that, since December 1976, Mayotte had had the status of a territorial collectivity of France, which did not preclude subsequent changes. The President of France had stated that his country was prepared actively to seek a solution in accordance with national and international law, France's Constitution and the wishes of the people concerned. A constructive ongoing dialogue was being conducted at the highest level with the Comoros, as reflected in the meeting of Presidents Said Mohamed Djohar of the Comoros and François Mitterrand of France in June 1990 in Moroni.

The Comoros, in its reply, said that the tragic events in the Comoros in 1989 [YUN 1989, p. 155] had led to the convening of a round table at which representatives of all shades of political opinion in the country unanimously affirmed that Mayotte belonged to the Comoros and called for its reintegration into the body politic. President Djohar, following meetings in Paris and Moroni with the French President, announced a new approach comprising tripartite discussion involving the French and Comorian authorities, as well as the people of Mayotte. The demonstration of Comorian and French political will for a solution had to be supported by the international community, and the United Nations in particular, so that dialogue could be initiated between the parties aimed at finding a just and lasting solution to the Comorian claim. However, since scarcely any progress had been made, the Comorian Government once again called on the Secretary-General to continue his role as mediator with a view to bringing the parties together in the search for a just and equitable settlement that respected Comorian territorial integrity and sovereignty.

The OAU response quoted a resolution adopted by the Assembly of Heads of State and Government of OAU, reaffirming the sovereignty of the Comoros over Mayotte; appealing to France to satisfy the Comoros legitimate claims; inviting OAU member States to extend utmost effort to inform and sensitize French and international public opinion about the Comorian island of Mayotte with a view to inducing France to end the situation; appealing for categorical rejection of any form of consultation organized by France on Mayotte regarding the legal international status of the island, since the 1974 self-determination referendum remained the only valid consultation applicable to the entire archipelago; and requesting the OAU Ad Hoc Committee of Seven on the question, as well as the OAU secretariat, to resume the dialogue with the French authorities with a view to restoring as early as possible Mayotte to the Comoros.

GENERAL ASSEMBLY ACTION

On 1 November 1990, the General Assembly adopted resolution 45/11.

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, 39/48 of 11 December 1984, 40/62 of 9 December 1985, 41/30 of 3 November 1986, 42/17 of 11 November 1987, 43/14 of 26 October 1988 and 44/9 of 18 October 1989, in which, *inter alia*, it 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 also 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 that 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,

Bearing in mind also 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 accelerate the process of 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. Also requests the Secretary-General to report on this matter to the General Assembly at its forty-sixth session;

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

General Assembly resolution 45/11

1 November 1990 Meeting 36 118-1-30 (recorded vote)

29-nation draft (A/45/L.13); agenda item 27.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Cuba, Djibouti, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: France.

Abstaining: Austria, Belgium, Bulgaria, Canada, Cyprus, Czechoslovakia, Denmark, Dominica, Dominican Republic, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Liechtenstein, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Saint Vincent and the Grenadines, Spain, Turkey,* United Kingdom, United States,

*Later advised the Secretariat it had intended to vote in favour.

Malagasy islands

The item on the question of the Malagasy islands of Glorieuses, Juan de Nova, Europa and Bassas da India was included in the provisional agenda of the General Assembly's 1990 regular session in accordance with a 1989 Assembly decision [YUN 1989, p. 157].

On 21 September, by decision 45/402, the Assembly, on the recommendation of the General Committee, included the item in the agenda of its forty-sixth (1991) session.

Co-operation between OAU and the UN system

In a September report [A/45/364 & Add.1], prepared in response to General Assembly resolution 44/17 [YUN 1989, p. 159], the Secretary-General outlined the nature and extent of co-operation between the United Nations and the Organization of African Unity (OAU) during 1990, as well as the UN response to the measures called for by the Assembly. Co-operation covered three major areas: consultations and exchange of information; the situation in southern Africa; and economic and social development.

A major development was a meeting between the secretariats of the two organizations in Addis Ababa, Ethiopia, from 2 to 5 April 1990 to discuss ways of expanding and strengthening areas of co-operation in the social and economic sectors; the meeting was also attended by representatives of 15 specialized agencies. The meeting identified the following issues as areas of priority: economic co-operation and integration with special focus on the African economic community; food and agriculture; refugees, displaced persons and emergencies in Africa; environment and development; human resources and development; and science and technology. The meeting underlined the need to devise a mechanism for harmonizing and co-ordinating UN assistance to OAU.

GENERAL ASSEMBLY ACTION

On 7 November, the General Assembly adopted resolution 45/13.

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,

Recalling its previous resolutions on the enhancement of co-operation between the United Nations and

the Organization of African Unity and the practical measures taken for their implementation,

Recalling also its resolutions S-13/2 of 1 June 1986, the annex to which contains the United Nations Programme of Action for African Economic Recovery and Development 1986-1990, 43/12 of 25 October 1988 and 43/27 of 18 November 1988 on the mid-term review and appraisal of the implementation of the Programme of Action,

Recalling further its resolution 44/17 of 1 November 1989 on co-operation between the United Nations and the Organization of African Unity which, *inter alia*, called for the increased support of the United Nations and the relevant agencies of the United Nations system for the establishment of an African economic community,

Taking note of the relevant resolutions, decisions and declarations adopted by the Council of Ministers of the Organization of African Unity at its fifty-second ordinary session, held at Addis Ababa from 3 to 8 July 1990, and by the Assembly of Heads of State and Government of that organization at its twenty-sixth ordinary session, held at Addis Ababa from 9 to 11 July 1990,

Considering the important statement made by the current Chairman of the Assembly of Heads of State and Government of the Organization of African Unity before the General Assembly on 1 October 1990,

Mindful of the need for continued and closer co-operation between the United Nations and the specialized agencies and the Organization of African Unity,

Also mindful of the current political development in South Africa and conscious of the need to provide increased assistance to the people of South Africa and to their national liberation movements in their legitimate struggle to eradicate the policies of apartheid,

Deeply concerned that the critical economic situation persists in Africa despite the policies of reform being implemented by African countries,

Also concerned that some constraints continue to pose critical obstacles to African economic growth and development, including those in the external arena, such as the collapse of prices of Africa's primary commodities, severe debt-servicing burdens and limited availability of finance,

Aware of the efforts under way by the Organization of African Unity and its member States in the area of economic integration and, in particular, towards the establishment of an African economic community,

Conscious of its responsibilities to provide economic, material and humanitarian assistance to independent States in southern Africa to help them cope with the situation resulting from the acts of aggression and destabilization committed by the apartheid regime of South Africa,

Deeply concerned at the gravity of the situation of the refugees and displaced persons in Africa and the urgent need for increased international assistance to help African countries of asylum,

Recognizing the important role that the United Nations information system could 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,

Expressing its gratitude for the continued financial and other support extended to Africa by the international community and especially by the donor countries,

1. Takes note of the report of the Secretary-General on co-operation between the United Nations and the Organization of African Unity and of his efforts to strengthen this 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. Notes also with appreciation the efforts undertaken by the Secretary-General to implement General Assembly resolutions 43/12, 43/27 and 44/17 which, *inter alia*, led to the establishment of a group of experts to undertake an in-depth assessment of the question of commodities of interest to Africa and the scope for export diversification;

4. Notes further with appreciation the efforts undertaken by the Secretary-General of the United Nations and the Secretary-General of the Organization of African Unity to reactivate the consultative mechanism between the two organizations;

5. Commends the continued efforts of the Organization of African Unity to promote multilateral co-operation among African States and requests the United Nations system to continue to lend its support;

6. Reaffirms that the implementation of the United Nations Programme of Action for African Economic Recovery and Development 1986-1990 is the responsibility of the international community as a whole and decides that the final review and evaluation of its implementation by the United Nations General Assembly at the forty-sixth session in 1991 should be prepared by an *ad hoc* committee of the whole of the General Assembly;

7. Calls upon the Secretary-General of the United Nations to continue to strengthen co-operation and co-ordination with the Secretary-General of the Organization of African Unity in the preparation of the final review of the Programme of Action by the General Assembly at its forty-sixth session;

8. Also calls upon the Secretary-General of the United Nations, notwithstanding the competence of the multilateral financial institutions, to co-operate with the Secretary-General of the Organization of African Unity to contribute to the implementation of measures aimed at a lasting solution to Africa's debt and debt-servicing burden, taking into account Africa's common position on its external debt, adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its third extraordinary session, held at Addis Ababa on 30 November and 1 December 1987;

9. Urges all Member States and regional and international organizations, in particular those of the United Nations system, to continue to extend maximum support to those projects and programmes undertaken by African countries within the framework of the Lagos Plan of Action for the Implementation of the Monrovia Strategy for the Economic Development of Africa and the Final Act of Lagos and Africa's Priority Programme for Economic Recovery 1986-1990;

10. Requests all Member States, United Nations bodies, the specialized agencies and all other relevant organs of the United Nations, as well as non-

governmental organizations, to contribute to African economic integration and co-operation by reactivating and increasing financial and technical assistance to programmes and projects of regional economic integration and co-operation of African regional and sub-regional organizations such as the Preferential Trade Area for Eastern and Southern African States, Southern African Development Co-ordination Conference, Economic Community of Central African States, Economic Community of West African States, Arab Maghreb Union as well as those for drought and desertification such as the Permanent Inter-State Committee on Drought Control in the Sahel and the Intergovernmental Authority for Drought and Development;

11. Reiterates its appreciation to the Secretary-General for his continued efforts to mobilize international support for special programmes of economic assistance to African States facing grave economic difficulties, as well as to the front-line States and other independent States of southern Africa to help them to withstand the effects of the acts of aggression and destabilization committed by the apartheid regime of South Africa;

12. Requests the Secretary-General to continue to keep the Organization of African Unity informed periodically of measures taken by the United Nations system and by the international community in support of the implementation of special programmes of economic assistance in Africa;

13. Also request the Secretary-General of the United Nations and the relevant agencies of the United Nations system to continue to extend their support and co-operation through the Secretary-General of the Organization of African Unity to the member States of that organization in their efforts to enhance African economic integration by the establishment of an African economic community, in accordance with relevant resolutions of the Organization of African Unity;

14. Expresses its appreciation to the United Nations system and the international community 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, and urges them to increase this assistance;

15. Urges all Member States and regional and international organizations, in particular those of the United Nations system, as well as non-governmental organizations to provide material and economic assistance to African countries of asylum to enable them to withstand the heavy burden imposed on their limited resources and weak infrastructure by the presence in their countries of large numbers of refugees;

16. 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;

17. Urges the international community to contribute generously to the Assistance Fund for the Struggle against Colonialism and Apartheid, established by the Organization of African Unity, and to the Action for Re-

sisting Invasion, Colonialism and Apartheid Fund, established by the Movement of Non-Aligned Countries;

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

19. Endorses the agreement reached between the organizations of the United Nations system and the Organization of African Unity for the convening of a mid-term review meeting between the secretariats of those organizations, to be held at the headquarters of the Organization of African Unity during April 1991 in order to evaluate the progress achieved in the implementation of the proposals and recommendations agreed upon in April 1990 on the co-operation between the Organization of African Unity and the United Nations system-for 1990/1991 and to adopt new measures for their effective implementation;

20. Requests the United Nations and the Organization of African Unity to continue to hold regular consultations, as and when appropriate, between representatives of the Secretariat of the United Nations and the General Secretariat of the Organization of African Unity on the implementation of the present resolution;

21. Calls upon the competent organs of the United Nations system to continue to ensure the just and equitable representation of Africa at senior and policy levels at their respective headquarters and in their regional and field operations;

22. Calls upon the 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 and the Special Committee against Apartheid—to continue to associate closely the Organization of African Unity with all the activities concerning Africa;

23. Request the Secretary-General of the United Nations to continue to invite the representative of the Secretary-General of the Organization of African Unity to participate in the meetings of the United Nations Steering Committee and its Inter-Agency Task Force and working groups on the final review of the implementation of the United Nations Programme of Action for African Economic Recovery and Development 1986-1990;

24. Also requests the Secretary-General to ensure that adequate facilities continue to be made available to enhance continued liaison and consultations on matters of common interest as well as the provision of technical assistance to the General Secretariat of the Organization of African Unity, as required;

25. Further requests the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution and on the development of co-operation between the Organization of African Unity and the organizations within the United Nations system.

General Assembly resolution 45/13

7 November 1990 Meeting 37 Adopted without vote

Draft by Tunisia (A/45/L.14 & Corr.1,2); agenda item 30.

Meeting numbers. GA 45th session: plenary 15, 37.

Chapter II

Americas

During 1990, the United Nations continued to play a central role in assisting the Central American countries to achieve peace. UN peace-keeping operations in the region required adjusted mandates to cope with their expanding roles. The United Nations Observer Group in Central America (ONUCA), set up originally to promote compliance with agreements reached by the five Central American Presidents, was instrumental in the voluntary demobilization of the Nicaraguan resistance. On five occasions during the year, the Security Council enlarged and extended ONUCA's mandate: on 27 March, 20 April, 4 May, 8 June and 5 November. The United Nations Observer Mission for the Verification of the Electoral Process in Nicaragua (ONUVEN) monitored preparations for and the holding of free and fair elections in February, the first such operation authorized and conducted by the Organization internally in a Member State. ONUVEN's success led to a central role for the Organization in the peaceful transfer of power in a region where, in the past, such transfers had been the exception rather than the rule.

In El Salvador, the Government and the Frente Farabundo Martí para la Liberación Nacional (FMLN) agreed in April to launch a negotiating process, under the Secretary-General's auspices, for the purpose of speedily ending, through political means, an armed conflict that had torn that nation apart for more than a decade, as well as to promote democratization of the country, guarantee unrestricted respect for human rights and reunify Salvadorian society. In June, the parties concluded an agreement on human rights, providing for an unprecedented scheme for long-term, nation-wide UN human rights monitoring.

At the end of March, a process was launched with the central purpose of seeking a political solution to the internal armed conflict in Guatemala. The Secretary-General appointed an observer to attend the talks among representatives of the Government and the Unidad Revolucionaria Nacional Guatemalteca.

The General Assembly expressed strongest support for the peace agreements concluded by the five Central American Governments and requested the Secretary-General to continue to afford them his fullest support in their efforts to consolidate peace.

Haiti's first free and democratic elections in December were monitored by the United Nations Observer Group for the Verification of Elections in Haiti (ONUVEH), authorized by the General Assembly by consensus in October.

The Security Council met in January to consider Nicaragua's complaint about United States occupation of its Embassy in Panama and in February convened at Cuba's request regarding an alleged attack by the United States Coast Guard on a vessel manned by Cuban nationals. The Council took no action on either matter.

Central America

The United Nations undertook a wide range of endeavours pertaining to peace in Central America in 1990 in pursuance of the goals of the 1987 Agreement entitled "Procedure for the establishment of a firm and lasting peace in Central America", known as Esquipulas II [YUN 1987, p. 188]. In his annual report to the General Assembly on the work of the Organization [A/43/1], the Secretary-General said that UN involvement in the region was complex and varied and required versatility and constant adaptation, using frequently innovative means.

The Organization played a major role in resolving the conflict in Nicaragua, with a United Nations Observer Mission (ONUVEN) monitoring the preparation and holding of free and fair elections in February. In the context of the International Support and Verification Commission (CIAV), established jointly by the United Nations and the Organization of American States (OAS) pursuant to the Tela accord of August 1989 [YUN 1989, p. 1621, the United Nations assumed a key role in the voluntary demobilization of the Nicaraguan resistance. With the operational support of the Office of the United Nations High Commissioner for Refugees (UNHCR), CIAV was assisting in the resettlement of resistance members in Nicaragua, as well as the voluntary repatriation of refugees. The United Nations Observer Group in Central America (ONUCA)—the first UN peace-keeping operation in the region, whose original mandate was to verify compliance

by the five Central American Governments with their security commitments entered into in Esquipulas II—received and destroyed the weapons of the resistance members and verified the cease-fire.

With the Secretary-General's assistance, the Government of El Salvador and the Frente Farabundo Marti para la Liberación Nacional (FMLN) agreed in April to launch a negotiating process aimed at ending the armed conflict and promoting democratization of the country. With the full and active participation of the Secretary-General's representative, a partial accord was reached on a text regarding respect for human rights, which provided for an unprecedented scheme of long-term UN monitoring.

In March, a process was launched with the purpose of finding a political solution to the internal armed confrontation in Guatemala, with an observer appointed by the Secretary-General attending the talks between the Government and the Unidad Revolucionaria Nacional Guatemalteca (URNS).

On 31 July, in San Jose, Costa Rica, the five Central American countries—Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua—concluded the Security Commission Agreement, designed to create an equilibrium among the regional armies and to define a new model for security relations based on co-operation, co-ordination, communication and prevention. A copy of the Agreement was submitted to the UN Secretary-General [A/44/970-s/21504], who, together with the Secretary-General of OAS, was to provide the scales of equivalence for determining each country's military needs, terms for drawing up inventories of weapons and military personnel, verification and control mechanisms, and advisory services. The Commission was to meet at regular intervals. At its second meeting (San Salvador, El Salvador, 12-13 September), a technical sub-commission was established, which prepared a draft model for inventories.

Among other developments in the region, a Central American Economic Plan of Action was approved at a June summit in Antigua, Guatemala. In resolution 45/231, the General Assembly, reaffirming its conviction that peace, development and democracy were inseparable, stressed the importance of the new directions in regional development that had emerged from the summit meetings of the Central American Presidents, in particular from the Antigua summit.

A First International Meeting of the Follow-up Committee to the 1989 International Conference on Central American Refugees, at which contributions of \$156.2 million were pledged, was held

in June in New York (see PART THREE, Chapter XV). In resolution 45/141, the General Assembly reaffirmed its conviction that the voluntary repatriation of refugees and the return of displaced persons to their countries or communities of origin was one of the most positive signs of the progress of peace in the region.

Report of Secretary-General. Responding to Security Council resolution 637(1989) and General Assembly resolution 44/10 [YUN 1989, pp. 163 & 164], the Secretary-General presented in November 1990 a report [A/45/706-S/21931] on the situation in Central America, stating that in the past 10 months the pace of events and UN involvement in the region had accelerated considerably. In his report, the Secretary-General covered developments relating to ONUVEN, ONUCA and CIAV (for details, see below), as well as the overall situation.

With the peaceful transfer of power in Nicaragua following UN-monitored Presidential elections, the task of ONUVEN was completed. In the post-electoral atmosphere, the demobilization of the Nicaraguan resistance, an essential element in the Central American peace process, became a high priority. To that end, the Secretary-General, in early March, reached an agreement with the OAS Secretary-General on the *modus operandi* of CIAV in the demobilization and voluntary repatriation of members of the Nicaraguan resistance and their families. ONUCA's mandate was enlarged in March to enable it to play a part in the voluntary demobilization and in April to allow it to monitor the cease-fire and separation of forces in Nicaragua. By the end of June, demobilization of the Nicaraguan resistance was essentially completed, but the country still faced a daunting task of reconciliation and reconstruction, which, the Secretary-General said, deserved the international community's support.

Assistance to and repatriation of members of families of former combatants, as well as thousands of Nicaraguan refugees and "indocumentados" living in Honduras and Costa Rica, was a wider task awaiting the United Nations, the Secretary-General stated. Following his appeal to support that task to be undertaken by CIAV/UN, a pledging conference took place on 25 April, and on 1 May CIAV/UN initiated its activities in Honduras, assisting, with the help of UNHCR and the United Nations Development Programme (UNDP), over 60,000 people. Assistance to former members of the Nicaraguan resistance and their families was taken over from the United States Agency for International Development (USAID) in co-ordination with Honduran authorities and the Honduran Red Cross. The voluntary repatriation of 36,684 registered former combatants

and their families began on 5 July, and was scheduled to conclude by the end of 1990. In addition, CIAV/UN conducted a census of 23,463 Nicaraguan refugees, 20,385 of whom were repatriated as at the beginning of November. Assistance and follow-up activities continued to be provided in Nicaragua by UNHCR on behalf of CIAV/UN.

The Secretary-General pursued his efforts to find a negotiated settlement to the conflict in El Salvador where, under his auspices, the two parties signed in April an agreement to end the armed conflict as speedily as possible (see below) and in July concluded an agreement on human rights (see PART THREE, Chapter X). However, considerable problems continued to be encountered in the ensuing negotiations, particularly with regard to the issue of the armed forces.

An observer appointed by the Secretary-General was present at the meetings convened pursuant to a "Basic Agreement for the Search for Peace by Political Means" concluded in March, with a view to initiating a process to bring about a peaceful solution in Guatemala (see below). That Agreement was annexed to the Secretary-General's report, as were a general agenda and schedule for the comprehensive negotiation process in El Salvador, issued in Caracas, Venezuela, on 21 May, and a press communique issued following the April Geneva meeting presided over by the Secretary-General between the Government of El Salvador and FMLN.

The Central American Presidents, and the President of Panama as an observer, attended a summit meeting in Antigua, Guatemala, in June. In the Antigua Declaration of 17 June [A/44/958], they agreed to pursue negotiations on security, verification and control and limitation of weapons, in accordance with the Esquipulas II agreement, and to seek technical advice from the secretariats of the United Nations and OAS. In order to provide such advice, UN Secretariat officials participated as observers in the meetings of the Security Commission, established under Esquipulas II, held in San Jose on 31 July and in San Salvador on 12 and 13 September.

At the San Jose meeting, the members of the Security Commission agreed that its objectives were to ensure the defensive nature of armed forces of the countries of the region, establish a reasonable balance among them, define a new model for security relations and secure commitments with respect to the foreign military presence in the region [A/44/970]. At its second meeting [A/45/642], the Commission established a technical sub-commission for the purpose of drawing up a draft format or model for conducting inventories of the military installations, per-

sonnel and weapons of the military and security forces of the Central American countries. The sub-commission, at a meeting held in Guatemala City in mid-October, prepared, with the assistance of Secretariat representatives, such a model, to be considered by the Security Commission at its next meeting scheduled for November in Honduras.

ECONOMIC AND SOCIAL COUNCIL ACTION

The Economic and Social Council, in resolution 1990/7 on Central American women, expressed its satisfaction at the progress made in implementing the commitments made in the Esquipulas II agreement and in subsequent agreements. It again called on the Central American Presidents to persevere in their joint efforts to reach peace in Central America and urged all States to support the peace process.

GENERAL ASSEMBLY ACTION

On 20 November, the General Assembly adopted resolution 45/15.

The situation in Central America:
threats to international peace and
security and peace initiatives

The General Assembly,

Recalling Security Council resolutions 530(1983) of 19 May 1983, 562(1985) of 10 May 1985, 637(1989) of 27 July 1989, 644(1989) of 7 November 1989, 650(1990) of 27 March 1990, 653(1990) of 20 April 1990, 654(1990) of 4 May 1990, 656(1990) of 8 June 1990 and its resolutions 38/10 of 11 November 1983, 39/4 of 26 October 1984, 41/37 of 18 November 1986, 42/1 of 7 October 1987, 43/24 of 15 November 1988, 44/10 of 23 October 1989 and 44/44 of 7 December 1989,

Aware that the agreement on "Procedures for the establishment of a firm and lasting peace in Central America" signed at Guatemala City on 7 August 1987 by the Presidents of the Republics of Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua, at the Esquipulas II summit meeting, is the outcome of the decision by Central Americans to take up fully the historical challenge of forging a peaceful destiny for Central America,

Welcoming the joint declarations adopted by the Central American Presidents at Alajuela, Costa Rica, on 16 January 1988, Costa del Sol, El Salvador, on 14 February 1989, Tela, Honduras, on 7 August 1989, Montelimar, Nicaragua, on 3 April 1990 and Antigua, Guatemala, on 17 June 1990,

Convinced that the peoples of Central America wish to achieve peace, reconciliation, development and justice, without outside interference, in accordance with their own decision and their own historical experience, and without sacrificing the principles of self-determination and non-intervention,

Aware also of the political will which inspires them to settle their differences by means of dialogue, negotiation and respect for the legitimate interests of all States, establishing commitments to be fulfilled in good faith, through the verifiable performance of ac-

tions aimed at achieving peace, democracy, security, co-operation and respect for human rights,

Taking note of the reports of the Secretary-General of 21 December 1989 and 8 November 1990 submitted in pursuance of General Assembly resolution 44/10.

Taking note also of the reports of the Secretary-General on the verification of the electoral process in Nicaragua at each and every stage by the United Nations Observer Group in Central America carried out at the request of the Government of Nicaragua and in particular the conclusion by the Group that the electoral process as a whole was orderly, free and fair,

Taking note with satisfaction of the work carried out in the region by the Group in verifying the security commitments entered into by the Central American Governments under the agreement signed at the Esquipulas II summit meeting, and the successful demobilization of the members of the Nicaraguan resistance, and by the International Support and Verification Commission in their repatriation and relocation with the co-operation of the Office of the United Nations High Commissioner for Refugees and the United Nations Development Programme,

Convinced that the National Conciliation Agreement on Economic and Social Matters reached in Nicaragua on 26 October 1990 constitutes a positive and promising contribution to strengthening the process of democratization, development and peace in Nicaragua and in the region.

Observing with satisfaction the agreements signed by the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional in Geneva on 4 April and at Caracas on 21 May 1990, on the basis of which a negotiating process has been initiated under the auspices of the Secretary-General directed towards the conclusion of political agreements in accordance with an agreed agenda, with a view to putting an end to the armed conflict by political means in the shortest possible time, as well as promoting the democratization of the country, guaranteeing unrestricted respect for human rights and reunifying Salvadorian society,

Taking note with interest of the progress of the talks between the various sectors of Guatemalan society and the Unidad Revolucionaria Nacional Guatemalteca, which have taken place pursuant to the agreement signed at Oslo on 30 March 1990 and under the auspices of the National Reconciliation Commission of Guatemala, in the presence of a representative of the Secretary-General of the United Nations and with the support of the Guatemalan Government,

Recognizing the unfailing determination of the Rio Group to achieve peace in Central America and the valuable contribution made by its member States throughout the regional peace effort,

Bearing in mind the particular importance which the implementation of its resolution 42/231 of 12 May 1988 concerning the special Plan of Economic Co-operation for Central America and other relevant resolutions has for improving the living standards of the Central American people,

1. Commends the effort made by the Central American countries to achieve peace through the implementation of the agreement on "Procedures for the establishment of a firm and lasting peace in Central America" signed at Guatemala City on 7 August 1987,

as well as of the agreements adopted at subsequent summit meetings;

2. Expresses its strongest support for these agreements and urges the Governments to continue their efforts to consolidate firm and lasting peace in Central America;

3. Requests the Secretary-General to continue to afford the fullest possible support to the Central American Governments in their efforts to consolidate peace, especially by taking the measures necessary for the maintenance, establishment and effective functioning of the appropriate verification machinery;

4. Welcomes the National Conciliation Agreement on Economic and Social Matters reached in Nicaragua and endorses, in particular, the provision concerning exceptional circumstances and the invitation it makes to the international community and the international funding agencies to provide effective and efficient support for the implementation of the Agreement;

5. Commends the efforts of the Secretary-General to bring about peace in Central America and, in particular, to encourage a negotiated political settlement of the Salvadorian conflict;

6. Fully endorses the active role being played by the Secretary-General as an intermediary in the context of the mandate which was conferred upon him by the Security Council and which, pursuant to the agreements signed in Geneva and at Caracas, was emphasized on 31 October 1990 by the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional in order to strengthen and accelerate the negotiation process;

7. Requests the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional to make every possible effort to carry out all the political agreements drawn up in Geneva and Caracas, bearing in mind, especially, the proposals of the Secretary-General in order to expedite the negotiation process and achieve as soon as possible a just and lasting peace in El Salvador;

8. Requests the Secretary-General to report to it during the forty-fifth session on the conduct of the tasks that the United Nations may undertake as a result of negotiations on El Salvador;

9. Encourages the Government of Guatemala to continue to support the national reconciliation process by pursuing its dialogue with the various sectors in order to achieve a peaceful settlement of the lengthy confrontation which has been taking place in Guatemala;

10. Welcomes with satisfaction the agreements reached at the meetings of the Security Commission, established under the agreement signed at the Esquipulas II summit meeting, held at San Jose in July 1990 and at San Salvador in September 1990, as well as the meeting of the technical sub-committee, held at Guatemala City in October 1990;

11. Requests the Secretary-General to continue to support the negotiation process and the verification of any agreements that may be adopted on the basis of the work of the Security Commission;

12. Appeals to the countries which are outside the region but which have links with and interests in it to facilitate the process of peace and democratization in the region and to refrain from any action that might hinder that process;

13. Requests the Secretary-General to submit a report to the General Assembly at its forty-sixth session on progress made in implementing the present resolution;

14. Urges the international community and international organizations to increase their technical, economic and financial co-operation with the Central American countries for the implementation of the goals and objectives of the Special Plan of Economic Co-operation for Central America, as stipulated in General Assembly resolution 42/231, and as a way of assisting the efforts being made by the countries of the region to achieve peace and development;

15. Decides to include in the provisional agenda of its forty-sixth session the item entitled "The situation in Central America: threats to international peace and security and peace initiatives".

General Assembly resolution 45/15

20 November 1990 Meeting 43 Adopted without vote

24-nation draft (4/45/L.19 & Add.1); agenda item 28.

Further progress was reported by the five Central American Governments on joint security matters during November and December, including requests for UN assistance in creating an inventory-verification mechanism and mine clearance [A/45/946-S/22175].

Between 15 and 17 December, the Presidents of the five Central American countries met in Puntarenas, Costa Rica, issuing a Declaration [A/45/906-S/22032] on a firm and lasting peace in the region, by strengthening relations of friendship, co-operation and good-neighbourliness, and reaffirming their determination to improve democratic systems in the region through Governments elected by universal, equal, free and secret suffrage. Recognizing that peace in Central America was indivisible, they committed themselves to a new model of regional security, as well as to developing education for peace, to establishing a new regional ecological order and to economic integration.

UN Observer Group in Central America

In 1990, the Security Council enlarged the mandate of the United Nations Observer Group in Central America (ONUCA), established under Security Council resolution 644(1989) [YUN 1989, p. 167] originally as part of impartial machinery to verify implementation of the security provisions of Esquipulas II [YUN 1987, p. 188] and the commitments made by the Central American Governments in subsequent declarations. In a 15 March report (see below), the Secretary-General sought urgent approval from the Council for an enlargement, on a contingency basis, of ONUCA's mandate and additional armed personnel in order to enable it to play a part in the voluntary demobilization of the members of the Nicaraguan resistance.

Report of Secretary-General (March). Shortly after the elections in Nicaragua on 25 February 1990, the Secretary-General reported [s/21194], he had been asked by the Government and the Nicaraguan Opposition National Union to consult with them about the manner in which ONUCA could assist in the transition process. Agreement on modalities had been reached in principle, subject to Council approval.

Under those modalities, ONUCA would be responsible for implementing the military aspects of the 1989 Tela accord [YUN 1989, p. 1621, taking delivery of the weapons, materiel and military equipment of the Nicaraguan resistance, while CIAV would be responsible for civilian aspects, such as repatriation or relocation of members of the resistance and their resettlement and material assistance. Members of the Nicaraguan resistance in Honduras would be demobilized there, handing over weapons and equipment to ONLCA and then becoming the responsibility of CIAV. Members of the resistance in Nicaragua would be demobilized at ONUCA-established temporary assembly points or nearby in Costa Rica, under the same conditions as those in Honduras. ONUCA would hold the military material until the five Central American Presidents decided on their final disposal in accordance with the Tela accord, destroying on the spot items considered in dangerous condition.

The full strength of 260 military observers originally envisaged would be needed for ONUCA to fulfil the original verification mandate and to assist in its new duties. The Secretary-General envisaged that those observers would not only assist in demobilization but, through constant patrolling, would maintain a sense of confidence and security in those areas of Nicaragua to which the demobilized members of the resistance would return. Implementation of that recommendation would require an additional 119 military observers; given the inability of existing contributors to make more officers available, an enlargement of the operation's composition was necessary and the Secretary-General had begun consultations to that effect with certain Member States.

The Secretary-General estimated that demobilization would be completed within four to six weeks, provided that the five Central American Presidents took a rapid decision on the final disposal of weapons and equipment and assuming that the process was voluntarily accepted by the leaders and members of the Nicaraguan resistance.

The Secretary-General estimated that demobilization would be completed within four to six weeks, provided that the five Central American Presidents took a rapid decision on the final disposal of weapons and equipment and assuming that the process was voluntarily accepted by the leaders and members of the Nicaraguan resistance.

As for the additional ONUCA troops required for the exercise, he envisaged needing 800 men or more for about two months in the form of a lightly armed infantry battalion of at least four rifle companies. Venezuela had agreed in principle to supply the troops. A rough cost estimate of reinforcement by the infantry battalion was \$7 million to \$9 million, excluding costs of helicopter support.

In that context, the Secretary-General drew the Council's attention to the fact that, of the \$40.4 million apportioned among Member States for ONUCA under General Assembly resolution 44/44 [YUN 1989, p. 168], only \$5.4 million, or less than 14 per cent, had so far been received.

The Secretary-General considered the voluntary demobilization of the Nicaraguan resistance to be an essential element of the Central American peace process. Specific provision had been made for it in the Tela accord, whose objectives had been reaffirmed in the Declaration signed by the five Central American Presidents at San Isidro de Coronado, Costa Rica, in December 1989 [YUN 1989, p. 162]. In recent days, the Secretary-General said, it had become clear that both the current Government as well as the Government-elect in Nicaragua attached importance to voluntary demobilization as part of the process of transferring power following the 25 February 1990 elections. If it proved possible for all parties to reach early agreement on a plan for demobilization based on the modalities described in his report, the United Nations would have to move quickly to deploy the additional personnel and material resources for ONUCA to carry out its envisaged role.

SECURITY COUNCIL ACTION (March)

On 27 March, the Security Council, following consideration of the Secretary-General's report, adopted resolution 650(1990).

The Security Council,

Recalling its resolutions 637(1989) of 27 July 1989 and 644(1989) of 7 November 1989,

Reiterating its support for the Central American peace process and commending the efforts made by the Central American Presidents, represented by the agreements they have concluded,

Urging all parties to comply with their undertakings under those agreements, including in particular the commitments relating to regional security, and reiterating its full support for the Secretary-General's mission of good offices in the region,

Noting with appreciation the efforts undertaken to date by the Secretary-General in support of the Central American peace process, including his continuing efforts to promote voluntary demobilization, resettlement and repatriation, as reflected in his report of 15 March 1990,

1. Approves the report of the Secretary-General;

2. Decides to authorize, on a contingency basis in accordance with that report, an enlargement of the mandate of the United Nations Observer Group in Central America and the addition of armed personnel to its strength, in order to enable it to play a part in the voluntary demobilization of the members of the Nicaraguan resistance;

3. Requests the Secretary-General to keep the Security Council fully informed of further developments regarding the implementation of the present resolution.

Security Council resolution 650(1990)

27 March 1990 Meeting 2913 Adopted unanimously

Draft prepared in consultations among Council members (S/21207).

Letter and statement of Secretary-General (April). On 19 April, the Secretary-General reported [S/21257] to the Security Council that a series of agreements had been signed by the Government of Nicaragua, representatives of the President-elect and of the northern, central and Atlantic fronts of the Nicaraguan resistance, and the Archbishop of Managua, Cardinal Obando y Bravo, relating to the voluntary demobilization of the resistance members. As a consequence of those agreements, the parties had requested that ONUCA monitor both the cease-fire, which had come into effect on 19 April at noon local time, and the separation of forces resulting from the withdrawal of the Government's forces from the security zones to be established in Nicaragua in order to facilitate the demobilization of the resistance. Those tasks would add to ONUCA's mandate, the Secretary-General stated, and therefore required the Council's approval.

In a statement made in informal consultations of the Council held the same day [S/21259], the Secretary-General gave details of the agreements reached, which provided for the establishment of a cease-fire, security zones and a timetable for voluntary demobilization.

The main points relating to the northern and central fronts were the following: a cease-fire, monitored by ONUCA in co-operation with Cardinal Obando y Bravo; the establishment of five security zones, to which the members of the Nicaraguan resistance would move immediately, with that movement to be completed by 25 April; withdrawal of the military and security forces of the Government from the security zones and from locations within 20 kilometres of their boundaries, monitored by ONUCA and the Cardinal and to be completed by 21 April; provision of humanitarian aid by CIAV to the resistance members as soon as they reached the security zones; and complete demobilization of the resistance by ONUCA between 25 April and 10 June.

The provisions of the agreements relating to the Atlantic front were broadly speaking the

same, except that only two security zones were to be established there and demobilization was to be carried out between 8 and 18 May. It was hoped, said the Secretary-General, that a similar agreement would be signed shortly with the southern front, thus covering all main elements of the resistance.

In the Secretary-General's view, the agreements reached constituted an important step forward and were practicable and acceptable. However, they differed in certain respects from those envisaged in his 15 March report (see above), the main differences pertaining to the formal cease-fire and separation of forces; the fact that the security zones were considerably larger than the temporary assembly points originally pictured; and the fact that CIAV would provide humanitarian assistance to the resistance members as soon as they arrived in the security zones and before demobilization was complete.

While taking delivery of and destroying weapons and military equipment was already included in the expanded ONUCA mandate as approved by the Council in resolution 650(1990), monitoring the cease-fire and the separation of forces would constitute a further addition which required the Council's approval, the Secretary-General explained. Pending such approval, he had instructed the ONUCA Chief Military Observer to make the necessary preparations for deploying as many as possible of ONUCA's existing strength of military observers to Nicaragua. To assist in the demobilization in Nicaragua, he had instructed the Chief Military Observer to move there as many as he could spare of the Venezuelan infantry company currently deployed in Honduras, where demobilization had been carried out on 16 and 18 April as planned.

The Secretary-General reiterated that the voluntary demobilization of the Nicaraguan resistance was an essential element in the Central American peace process. He believed that the agreements reached provided a means of achieving that long-awaited goal.

SECURITY COUNCIL ACTION (April)

On 20 April, the Security Council adopted resolution 653(1990).

The Security Council,

Having examined the letter addressed to the President of the Council by the Secretary-General on 19 April 1990 concerning the United Nations Observer Group in Central America, as well as his statement of the same date to the members of the Security Council in which he briefed them on the agreements signed at Managua that day, which envisage the complete demobilization of the Nicaraguan resistance by the Observer Group during the period from 25 April to 10 June 1990,

Reaffirming its resolutions 644(1989) of 7 November 1989 and 650(1990) of 27 March 1990,

1. Approves the proposals concerning the addition of new tasks to the mandate of the United Nations Observer Group in Central America contained in the letter of the Secretary-General of 19 April 1990 and in his statement;

2. Requests the Secretary-General to report to the Security Council on all aspects of the operations of the Observer Group before the expiry of the current mandate period on 7 May 1990.

Security Council resolution 653(1990)

20 April 1990 Meeting 2919 Adopted unanimously

Draft prepared in consultations among Council members (S/21258).

Reports of Secretary-General (April/May). In a 27 April report [S/21274], the Secretary-General gave an account of ONUCA operations and related developments since the arrival of the advance party in Honduras on 2 December 1989 and the establishment of a temporary headquarters in Tegucigalpa.

Under the command of the Chief Military Observer, Major-General Agustín Quesada Gómez of Spain, ONUCA's strength stood at 995, as of 27 April, including 169 military observers from Canada, Colombia, Ecuador, Ireland, Spain and Venezuela, an air unit from Canada, and other military personnel contributed by Venezuela. Six civilian medical officers, seven medical assistants and three pilots from the Federal Republic of Germany assisted ONUCA from the beginning of its mission. There were 174 staff members—85 international and 89 locally recruited—in the mission area, plus 10 civilian aircrew and maintenance personnel for four medium helicopters chartered from a commercial firm. Further military observers and personnel were expected in the near future.

ONUCA headquarters was established in the Honduran capital and five liaison offices were set up in the capitals of the five Central American countries. Verification centres, each with a strength of up to 10 observers, were set up in 13 localities, including the five capitals. Two operational posts were established in Honduras and one in Nicaragua.

From the verification centres, mobile teams of observers patrolled the terrain to verify compliance by the five Central American Governments with the security undertakings in the Esquipulas II agreement. Patrolling was carried out daily by land and air and occasionally by river, concentrated in those areas where activities that might be contrary to the Esquipulas II agreement were most frequently alleged to occur; those areas were adjacent to the borders between Costa Rica and Nicaragua, between Honduras and Nicaragua, between Honduras and El Salvador, and be-

tween Guatemala and El Salvador, together with the north-eastern part of Nicaragua and the south-western part of Honduras. The nature of the terrain in many of those areas was such that it was very difficult for local authorities to prevent, and for international observers to detect, clandestine movement of armed personnel and military supplies across the borders. Nevertheless, while specific breaches of the security undertakings had not been directly observed by ONUCA patrols, cross-border movements had undoubtedly taken place, the Secretary-General noted, especially a major movement of members of the Nicaraguan resistance from Honduras into Nicaragua during March and early April.

ONUCA maintained informal contacts with the Nicaraguan resistance and FMLN of El Salvador, which had expressed reservations about ONUCA's original mandate, seeing it as directed against their interests. Only in March had ONUCA been able to begin obtaining access to Nicaraguan resistance camps in Honduras, but problems had been resolved following the April agreement on voluntary demobilization. In April, 260 members of the Nicaraguan resistance remaining in Honduras were demobilized and large quantities of weapons and military equipment destroyed. While FMLN had given orders to refrain from hostile action against ONUCA, the continuing hostilities in El Salvador had limited ONUCA's ability to patrol in that country and no verification centre had been set up outside the capital.

ONUCA received and investigated complaints from two of the five Governments about alleged violations of the security undertakings in the Esquipulas II agreement. In January, Nicaragua complained about the alleged presence of Nicaraguan resistance members on Costa Rican territory close to the border between the two countries. Costa Rica informed ONUCA that during its own investigation no evidence had been found to substantiate the complaint. In March, Salvadorian authorities alleged the presence on Nicaraguan territory of an FMLN command post, a radio transmitter used by FMLN for military purposes, a printing press used for FMLN propaganda, and a garage used for the construction of secret compartments in vehicles for smuggling arms into El Salvador. ONUCA found nothing to substantiate that or another complaint made by El Salvador in April alleging the existence of two FMLN "safe houses" in Managua, one of which was supposedly a command post. With regard to another incident, also in April, ONUCA learned from the media that Honduran authorities had intercepted, close to the border with El Salvador, a truck in which arms and explosives had been

hidden. Honduras had been asked to ensure that in any future such incident ONUCA be given immediate access to enable it to verify whether or not a breach had occurred of the undertakings in the Esquipulas II agreement.

In his observations, the Secretary-General stated that, although ONUCA had initially been established with the limited mandate of verifying only one aspect of the Central American peace process, it had been his hope from the beginning that it would evolve incrementally and its very presence would encourage the five Central American Governments to ask the Council to entrust ONUCA with additional functions as the peace process developed. During the first six months of its existence, ONUCA's mandate had been enlarged twice to enable it to play a part in assisting the parties to control and resolve the complex of conflicts that had plagued the region for so long. The Secretary-General hoped to approach the Council before long regarding the monitoring of a cessation of the armed confrontation in El Salvador.

The Secretary-General noted that the view had been expressed that recent and prospective developments in Central America, notably the elections in Nicaragua, the imminent demobilization of the Nicaraguan resistance and the early start of talks between the Government of El Salvador and FMLN, under his auspices, had rendered obsolete ONUCA's original mandate to verify the five Governments' compliance with their undertakings to cease aid to irregular forces and insurrectionist movements and not to allow their territory to be used for attacks against neighbouring States. Although sharing the hope that that task would soon become unnecessary, he hesitated to recommend that the Council delete it from ONUCA's mandate at the current stage, as he believed that developments needed to be followed up and consolidated and that more time was required to assess the consequences of what had happened and was happening in Central America. The Secretary-General was strengthened in his belief by recent consultations with the five Governments. He therefore recommended that the Council extend ONUCA's mandate for a further six months, on the understanding that, in accordance with the agreements signed by the Nicaraguan parties, its task of monitoring the cease-fire and separation of forces in Nicaragua and demobilizing members of the Nicaraguan resistance would lapse with the completion of demobilization not later than 10 June.

In an addendum of 2 May [S/21274/Add.1], the Secretary-General reported that, in accordance with the cease-fire agreement of 19 April, a separation of forces in Nicaragua had been achieved.

Few problems had occurred in that connection and ONUCA carried out patrols by road and air to monitor the continuing separation.

However, it was a matter of grave concern that the demobilization of the resistance did not begin in the afternoon of 25 April, as stipulated in the Managua agreements. The Secretary-General believed that serious efforts had to be made in order to get the demobilization process quickly back on track and to honour scrupulously the commitments made in those agreements.

SECURITY COUNCIL ACTION (May)

On 4 May, the Security Council adopted resolution 654(1990).

The Security Council,

Recalling its resolutions 637(1989) of 27 July 1989, 644(1989) of 7 November 1989, 650(1990) of 27 March 1990 and 653(1990) of 20 April 1990, as well as the statement made by the President of the Council on its behalf on 7 November 1989,

Recalling the initial agreement reached at Geneva on 4 April 1990 by the parties to the conflict in El Salvador, under the auspices of the Secretary-General,

1. Approves the report of the Secretary-General of 27 April and 2 May 1990;

2. Decides to extend, under its authority, the mandate of the United Nations Observer Group in Central America as defined in resolutions 644(1989), 650(1990) and 653(1990), for a further period of six months, that is until 7 November 1990, on the understanding as expressed by the Secretary-General in his report, that the tasks of the Observer Group of monitoring the cease-fire and separation of forces in Nicaragua and demobilizing members of the Nicaraguan resistance will lapse with the completion of the demobilization process, not later than 10 June 1990, and bearing in mind the need to continue to monitor expenditures carefully during this period of increasing demands on peace-keeping resources;

3. Welcomes the efforts of the Secretary-General to promote the achievement of a negotiated political solution to the conflict in El Salvador;

4. Requests the Secretary-General to keep the Security Council fully informed of further developments and to report on all aspects of the operations of the Observer Group before the expiry of the current mandate period and in particular to report to the Council not later than 10 June 1990 concerning the completion of the demobilization process.

Security Council resolution 654(1990)

4 May 1990 Meeting 2921 Adopted unanimously
Draft prepared in consultations among Council members (S/21286).

After consultations with members of the Council, the President, on 23 May, made the following statement on behalf of the Council [S/21331]:

The members of the Council recall that the Council, in conformity with its primary responsibility for the maintenance of international peace and security, has supported the Central American peace process

from the outset. This has resulted in its decision to set up the United Nations Observer Group for Central America, whose mandate it subsequently enlarged and reaffirmed on two occasions.

The members of the Council also recall the decision taken by the Council in its resolution 654(1990) of 4 May 1990 to extend the mandate of the Observer Group until 7 November 1990 on the understanding that its tasks of monitoring the cease-fire and separation of forces in Nicaragua and demobilizing members of the resistance would lapse with the completion of the demobilization process, not later than 10 June 1990.

The members of the Council, taking note of the report of the Secretary-General and fully supporting his efforts, express their concern at the slow pace of the demobilization process during its first two weeks. It is clear that the process must be accelerated if the deadline of 10 June set for its completion is to be met.

In the light of the foregoing, the members of the Council call on the resistance to meet fully and urgently the commitments it made in agreeing to demobilize. They also support the Government of Nicaragua in its efforts to facilitate, by taking the necessary steps, timely demobilization and urge it to continue such efforts. They also call on all others with influence in this matter to take action to ensure that demobilization now proceeds in accordance with the agreements entered into by the Nicaraguan parties, and in particular to ensure that the 10 June deadline is respected.

The members of the Council request the Secretary-General, through a senior representative, to continue to observe the situation on the ground first-hand and to report to the Council by 4 June.

The members of the Council request the Secretary-General to convey the Council's position to the five Central American Presidents.

The members of the Council also request the Secretary-General to convey the Council's concerns about the situation described above to the Secretary-General of the Organization of American States, who shares responsibilities with the Secretary-General of the United Nations as regards the operations of the International Support and Verification Commission.

Meeting number. SC 2922.

Reports of Secretary-General (June). In response to the Security Council's request, the Secretary-General on 4 June submitted a further report on ONUCA [S/21341]. He informed the Council that various complaints had been received from both the Nicaraguan resistance and the Government charging each other with violations of the April Managua agreements. Most of the complaints by the resistance related to the continuing presence of civilian and militia personnel in security zones and in the demilitarized zones, while the Government alleged the presence of armed resistance members outside the security zones, charging that they had stolen cattle and committed other criminal acts. By 30 May,

however, most of the complaints had been resolved by ONUCA through negotiations with both sides. The few unresolved complaints arose mostly from a difference of opinion about the precise boundaries of the security zones and the demilitarized zones.

In general, the Secretary-General reported, there had been no serious violations of the cease-fire, although there had been some breaches of the separation-of-forces agreement in certain areas, attributable largely to lack of trust following eight years of hostilities. Almost all were quickly resolved by ONUCA. However, implementation of the Managua agreements encountered a set-back on 25 May when the leadership of the resistance issued a statement suspending indefinitely the demobilization process, alleging a Nicaraguan army attack against a large number of demobilized resistance members and their families, killing or injuring many. After an investigation, the ONUCA Chief Military Observer reported that there was no evidence to support the allegation of a massacre.

On the night of 29/30 May, the President of Nicaragua and "Commander Franklyn" of the resistance concluded the "Managua Protocol", which was annexed to the Secretary-General's report. The Protocol responded to a number of the resistance's concerns, notably through the establishment of so-called development areas in which demobilized members would be resettled. It also foresaw economic assistance to former resistance members; creation of a police force for the development areas, in which former resistance members would participate; various security measures; and full implementation of the Managua agreements. For its part, the resistance reaffirmed its commitment to demobilize by 10 June at the latest, with at least 100 combatants being demobilized daily in each of the security zones. The Secretary-General noted that the Protocol referred to a possible enlargement of ONUCA's mandate, but he had not received any communication from the Government in that respect. The Chief Military Observer had informed him, however, that the resistance had proposed that ONUCA be given the additional tasks of collecting weapons remaining in civilian hands, training a new national police force and verifying the proposed reduction in the strength of the Nicaraguan army.

After the signing of the Protocol, the pace of demobilization had shown a marked increase. In the five days since the signing, from 30 May to 3 June, there had been an average demobilization of 377 daily in the five non-Atlantic area zones, bringing to 3,726 the total of demobilized resistance members in those zones since the beginning

of the process on 8 May. As at 3 June, ONUCA estimated that 9,800 members covered by the Managua Protocol remained to be demobilized. Regarding the Atlantic front, covered under a separate agreement, 187 members had so far been demobilized. The southern front, claiming 2,000 combatants under arms outside the security zones, had so far failed to sign an agreement to demobilize, as talks between the front and government representatives broke down on 22 May and had not resumed. While there had thus been a welcome increase in the rate of demobilization, the leaders of the resistance had still not achieved the minimum target committed to in the Managua Protocol. If there was no improvement, the Secretary-General said, less than half the members of the resistance covered in the Protocol would be demobilized by 10 June and large numbers would remain under arms in the security zones. He had therefore instructed the Chief Military Observer and his Alternate Personal Representative to persuade those concerned to increase substantially the pace of demobilization. The resistance needed to demonstrate convincingly that it was doing everything possible to facilitate completion of demobilization by the agreed target date. If demobilization was not largely achieved by then, the Security Council would need to consider decisions to deal with the dilemma.

The Secretary-General reported again to the Council on 8 June [S/21349] that, while it was doubtful whether it would be possible to complete demobilization by 10 June, it was clear that rapid progress had been made in the week preceding his report, as far as the northern and central fronts of the resistance were concerned. As at 7 June, 6,538 members of those groups had been demobilized, with ONUCA estimating that about 6,700 remained to be demobilized, including several thousand unarmed support personnel. A major ceremony was scheduled for 9 June, during which 2,000 or more combatants would hand over their weapons to ONUCA. Demobilization of the Atlantic front had proceeded at a less satisfactory rate, mainly because of logistical difficulties in concentrating the combatants at demobilization areas in the large security zones concerned. As at 7 June, 305 members had been demobilized, with at least another 1,000 yet to be demobilized.

Under the circumstances, the Nicaraguan Government wished the Secretary-General to recommend that the Council extend ONUCA's mandate, related to monitoring the cease-fire, separation of forces and demobilization, to permit complete demobilization, estimated to take between two and three weeks. Accordingly, the

Secretary-General recommended that the relevant part of ONUCA's mandate be extended to 29 June 1990 at the latest.

SECURITY COUNCIL ACTION (June)

On 8 June, the Security Council adopted resolution 656(1990).

The Security Council,

Recalling its resolution 654(1990) of 4 May 1990 and the statement made by the President of the Council on its behalf on 23 May, concerning the United Nations Observer Group in Central America,

Expressing its concern that the process of demobilization has not yet been fully completed, although progress is now being made after the removal of obstacles that prevented the conclusion of the demobilization process on 10 June 1990, as stipulated in resolution 654(1990),

Having studied the report submitted by the Secretary-General on 4 June 1990 as well as his statement of 8 June to the members of the Council,

1. Decides that the tasks of the United Nations Observer Group in Central America of monitoring the cease-fire and separation of forces in Nicaragua and demobilizing members of the Nicaraguan resistance shall be extended, on the understanding, as recommended by the Secretary-General, that those tasks will lapse with the completion of the demobilization process, not later than 29 June 1990;

2. Urges all those directly involved in the demobilization process to take all necessary measures to maintain and, if possible, increase the rate of demobilization so as to complete it at the latest, on the date specified in paragraph 1 above;

3. Requests the Secretary-General to keep the Security Council fully informed of further developments and in particular to report to it not later than 29 June 1990 concerning the completion of the demobilization process.

Security Council resolution 656(1990)

8 June 1990 Meeting 2927 Adopted unanimously
Draft prepared in consultations among Council members (S/21350).

Reports of Secretary-General (June, October). On 29 June, the Secretary-General reported [S/21379] to the Security Council that at 19:00 hours local time on 28 June demobilization had been completed at all locations, except for one in Nicaragua where a handful of members of the resistance remained deployed; their demobilization was expected to be completed that day. ONUCA's Chief Military Observer had received from the commander of each of the four fronts (northern, central, southern, Atlantic) a document certifying that all combatants under his command had been demobilized; that all arms, ammunition and military equipment had been handed over to ONUCA and no such material had been hidden; and that either the military structure had been dissolved (Atlantic and central), or the front had definitively abandoned the armed

struggle (northern), or had converted itself into a political force (southern). The Government had notified the Chief Military Observer that it was fully satisfied with the demobilization carried out by ONUCA. In Honduras, a total of 2,607 armed and unarmed members of the resistance had been demobilized. As the process of demobilization neared its close, the withdrawal of the Venezuelan battalion had already begun, more than half of its strength already repatriated to Venezuela, with complete withdrawal to be achieved by 4 July.

By enlarging ONUCA's mandate and later extending the deadline for the completion of demobilization, the Council had enabled ONUCA to play a role in helping end a tragic war that had inflicted many casualties and much hardship in the region, in particular on the Nicaraguan people, the Secretary-General concluded.

On 26 October, he presented a further report [S/21909] on ONUCA operations. Following the successful completion of demobilization, it was decided, after consultation with the Nicaraguan Government, that ONUCA would continue, as a temporary measure, to maintain a presence in those areas where large numbers of demobilized resistance members were being resettled. The temporary verification centres established in the first half of July were gradually phased out during September and all were closed by 15 October. As another confidence-building measure, ONUCA monitored the repatriation of relatives of former members of the resistance from Honduras to Nicaragua under CIAV auspices.

With demobilization completed, ONUCA reverted to its original mandate-to verify compliance by the five Central American Governments with the security undertakings in the Esquipulas II agreement, which included to cease aid to irregular forces and insurgent movements in the region and to prevent the use of their territory for attacks on other States. It quickly became clear, the Secretary-General stated, that ONUCA's capacity to detect violations was very limited, partly because of the nature of the terrain, climatic conditions and similar factors, but mainly due to the fact that an international peace-keeping operation could not undertake the detection of clandestine activities without assuming functions that properly belonged to the security forces of the countries concerned. Nevertheless, ONUCA's regular and visible presence in those parts of the region where breaches of the security undertakings were most likely to occur enabled it to play an important part in ensuring compliance with Esquipulas II. Its presence also provided a means for Governments to take up with each other, through an impartial third party,

complaints about violations. During the current mandate period, that facility was used only once, reflecting a welcome improvement in intergovernmental relations in the region.

The five Governments in September communicated their wish to the Secretary-General that ONUCA's mandate be extended for another six months. On the basis of recommendations from the Chief Military Observer, the Secretary-General arrived at the conclusion that ONUCA should maintain its current method of operation, with an Observer Group in each of the five countries and verification centres to undertake regular patrols. However, following the end of the conflict in Nicaragua and demobilization of the resistance, it would be possible to close some of those centres whose tasks had been primarily related to the Nicaraguan conflict; that, the Secretary-General believed, would permit a reduction of approximately 40 per cent in the number of military observers currently assigned to ONUCA, without impairing its ability to carry out its mandate.

The Secretary-General considered it possible that, as the Central American peace process developed, other tasks might emerge which the Governments concerned might wish ONUCA to undertake. A potential verification role for ONUCA had been mentioned during current discussions between the Central American countries that could lead to an eventual agreement on regional arms control and disarmament.

Should the Council approve his recommendation for another six-month extension, the Secretary-General said his intention would be to reduce ONUCA's strength to 158 by mid-December, with its liaison offices and verification centres in each of the five capitals merging to form in each case an Observer Group headquarters and a reduced number of verification centres outside the capitals. As a result of the reduction, the level of the Chief Military Observer's post would be reduced to Brigadier-General.

SECURITY COUNCIL ACTION (November)

On 5 November, the Security Council adopted resolution 675(1990).

The Security Council,

Recalling its resolutions 637(1989) of 27 July 1989 and 644(1989) of 7 November 1989, as well as the statement made by the President of the Council on its behalf on 7 November 1989,

1. Approves the report of the Secretary-General of 26 October 1990;

2. Decides to extend, under its authority, the mandate of the United Nations Observer Group in Central America, as defined in resolution 644(1989), for a further period of six months, that is, until 7 May 1991,

bearing in mind the report of the Secretary-General and the need to continue to monitor expenditures carefully during this period of increasing demands on peace-keeping resources;

3. Request the Secretary-General to keep the Security Council fully informed of further developments and to report on all aspects of the operations of the Observer Group before the expiry of the new mandate period.

Security Council resolution 675(1990)

5 November 1990 Meeting 2952 Adopted unanimously

Draft prepared in consultations among Council members (S/21927).

Composition

In his March 1990 report on ONUCA [S/21194], the Secretary-General informed the Security Council that there was a shortfall of 21 military observers because of the inability of some of the existing contributors to provide the full complement of officers requested. A further 98 were required for the last phase—phase IV—of ONUCA's deployment and to provide for the full strength of 260 observers needed to enable the Group both to fulfil its original verification mandate and to assist in the new duties resulting from the recommended enlargement of its mandate.

By a letter of 29 March [S/21232], the Secretary-General stated that, as the Council was aware, the military personnel of ONUCA were currently contributed by Canada, Colombia, Ireland, Spain and Venezuela, with civilian elements from the Federal Republic of Germany. He had received an offer from Argentina to contribute four fast patrol boats, with crews, required by ONUCA for duty in the Gulf of Fonseca. Having completed his consultations with the Governments of the five countries in which ONUCA was deployed, he proposed to accept Argentina's offer. By a letter of 5 April [S/21233], the Council President informed the Secretary-General that the Council members agreed to his proposal.

By a letter of 19 April [S/21261], the Secretary-General indicated that he had asked certain Member States to contribute the 119 additional military observers needed to allow for full deployment of ONUCA. He stated that, in addition to an offer of 13 additional observers from one of the contributing Governments, he had received offers from Brazil, Ecuador, India and Sweden to contribute a total of 85 observers and the decision of a fifth Member State was awaited. Having consulted the Governments of the five countries in which ONUCA was deployed, he proposed to accept the offers. On 20 April [S/21262], the Council President conveyed to the Secretary-General the Council members' agreement to his proposal.

As of October 1990, ONUCA, under the command of Major-General Agustín Quesada

Gómez of Spain, totalled 254 military observers from Brazil (21), Canada (45), Colombia (12), Ecuador (21), India (21), Ireland (31), Spain (59), Sweden (21) and Venezuela (23). There was also a naval squadron from Argentina with 29 personnel and an air unit from Canada of 130 personnel, resulting in a total strength of 413. In addition, five civilian medical officers, five medical assistants and four pilots provided by Germany assisted the mission.

The naval squadron, consisting of four fast patrol boats, began operating in the Gulf of Fonseca on 29 June.

Ninety international and 93 locally recruited civilian staff served with ONUCA. In addition, there were 12 civilian aircrew and maintenance personnel for four helicopters chartered from a commercial firm.

A Venezuelan infantry battalion was temporarily attached to ONUCA to handle the additional responsibilities of the demobilization process. It was repatriated between 19 June and 4 July.

Financing

In a 10 December report on ONUCA financing [A/45/833], the Secretary-General stated that \$56,908,988 had been apportioned among Member States in respect of ONUCA from its inception on 7 November 1989 to 7 November 1990, of which \$51,805,172 had been received by 30 November 1990, resulting in unpaid assessed contributions of \$5,106,816. In response to the General Assembly's appeal in resolution 44/44 [YUN 1989, p. 168] for voluntary contributions, services and supplies were received from one Government amounting to \$2,640,000, while two others provided services and supplies budgeted for \$138,000, amounts which were included in the Secretary-General's cost estimates. Revised cost estimates for the period from 7 November 1990 to 7 May 1991 amounted to \$19,421,200 gross (\$18,829,600 net), taking into account a reduction of approximately 40 per cent—from 260 to 158—in the number of military observers beginning 15 December 1990. Should the Security Council decide to renew ONUCA's mandate beyond 7 May 1991, the cost would be in the order of \$2,730,000 gross (\$2,633,000 net) a month.

As noted by the Secretary-General, it was projected that there would be an unencumbered balance of \$7,032,900 gross (\$6,824,900 net) as of 30 November from the resources provided to ONUCA since its inception, after taking into account credits of \$10,219,300 gross (\$9,989,800 net) given to Member States against their assessments for the mandate period from 7 May to 7 November 1990. With assessed contributions of \$5,106,816 remaining unpaid as at 30 November

for the mandate period ending on 7 November 1990, and no assessment having been made for the current period, the Secretary-General recommended that no action be taken for the time being with respect to the unencumbered balance.

In connection with the past and future financing of ONUCA, the Secretary-General suggested that the Assembly appropriate \$27,144,600 gross (\$26,377,000 net), already authorized and apportioned under resolution 44/44, and offset \$10,219,300 gross (\$9,989,800 net) as credits to Member States against their assessments; and appropriate \$19,410,200 gross (\$18,829,600 net) for the mandate period from 7 November 1990 to 7 May 1991 and apportion the amount among Member States. With regard to the period after 7 May 1991, the Secretary-General suggested that the Assembly provide by means of appropriation and/or commitment authorization for ONUCA's maintenance and for the apportionment of such amounts, should the Security Council decide to renew ONUCA's mandate beyond that date.

The Advisory Committee on Administrative and Budgetary Questions (ACABQ) reported on 14 December [A/45/867], stating that, since 90 per cent of assessed contributions had been received and assessments for the mandate period beginning 7 November 1990 would be made at the current Assembly session, it saw no reason to retain the entire unencumbered balance, but recommended that not more than \$5,106,816 be retained to meet the shortfall in contributions and that \$1,718,000 be credited to Member States against assessed contributions for the mandate period from 7 November 1990 to 7 May 1991. ACABQ recommended approval of the Secretary-General's estimates for the above mandate period and recommended commitment authority up to \$2,730,016 gross (\$2,633,016 net) per month for the six-month period beginning 7 May 1991.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/247.

Financing of the United Nations Observer Group in Central America

The General Assembly,

Having considered the report of the Secretary-General on the financing of the United Nations Observer Group in Central America and the related report of the Advisory Committee on Administrative and Budgetary Questions,

Bearing in mind Security Council resolution 644(1989) of 7 November 1989, by which the Council established the United Nations Observer Group in Central America and the subsequent resolutions by which the Council extended the mandate of the Group, the latest of which was resolution 675(1990) of 5 November 1990,

Reaffirming that the costs of the Group are expenses of the Organization to be borne by Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations,

Recalling its previous decisions regarding the fact that, in order to meet the expenditures caused by the Group, a different procedure is required from the one 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 such an operation,

Bearing in mind the special responsibilities of the States permanent members of the Security Council, as indicated in General Assembly resolution 1874(S-IV) of 27 June 1963, in the financing of such operations.

Noting with appreciation that voluntary contributions have been made to the Group by certain Member States,

Mindful of the fact that it is essential to provide the Group with the necessary financial resources to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

1. Concurs with the observations, recommendations and conclusions contained in the report of the Advisory Committee on Administrative and Budgetary Questions;

2. Urges all Member States to make every possible effort to ensure payment of their assessed contributions to the United Nations Observer Group in Central America in full and on time;

3. Decides to appropriate to the Special Account for the United Nations Observer Group in Central America the amount of 27,144,600 United States dollars gross (26,377,000 dollars net) authorized and apportioned by the General Assembly in paragraph 5 of its resolution 44/44 of 7 December 1989 for the operation of the Group for the period from 7 May to 7 November 1990, inclusive;

4. Decides also that there shall be set off against the apportionment among Member States for the period 7 May to 7 November 1990, as provided for in paragraph 3 of the present resolution, their respective share in the unencumbered balance of 10,219,300 dollars gross (9,989,800 dollars net) in respect of the period from 7 November 1989 to 7 May 1990, inclusive;

5. Decides further to appropriate to the Special Account an amount of 19,410,200 dollars for the operation of the Group for the period from 7 November 1990 to 7 May 1991, inclusive;

6. Decides, as an ad hoc arrangement, to apportion the amount of 19,410,200 dollars for the above-mentioned period among Member States in accordance with the composition of groups set out in paragraphs 3 and 4 of General Assembly resolution 43/232 of 1 March 1989, as adjusted by the Assembly in its resolution 44/192 B of 21 December 1989, and taking into account the scale of assessments for the years 1989, 1990 and 1991;

7. Decides also that there shall be set off against the apportionment among Member States, as provided for in paragraph 6 of the present resolution, their respective share in the unencumbered balance of 1,718,000

dollars for the period from 7 November 1989 to 7 November 1990, inclusive;

8. Decides further 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 6 of the present resolution, their respective share in the Tax Equalization Fund of the estimated staff assessment income of 591,600 dollars approved for the period from 7 November 1990 to 7 May 1991, inclusive;

9. Authorizes the Secretary-General to enter into commitments for the Group at a rate not to exceed 2,730,000 dollars gross (2,633,000 dollars net) per month, with the prior concurrence of the Advisory Committee, for the period from 7 May to 7 November 1991, inclusive, should the Security Council decide to continue the Group beyond the period of six months authorized under its resolution 675(1990), the said amount to be apportioned among Member States in accordance with the scheme set out in the present resolution;

10. Decides that Liechtenstein shall be included in the group of Member States set out in paragraph 3 (b) of General Assembly resolution 43/232 and that its contribution to the Group shall be calculated in accordance with the provisions of the resolution to be adopted by the Assembly at its forty-fifth session regarding the scale of assessments;

11. Decides also that Namibia shall be included in the group of Member States set out in paragraph 3 (d) of General Assembly resolution 43/232 and that its contribution to the Group shall be calculated in accordance with the provisions of the resolution to be adopted by the Assembly at its forty-fifth session regarding the scale of assessments;

12. Decides further that, in accordance with regulation 5.2 (c) of the Financial Regulations of the United Nations, the contributions to the Group until 7 November 1990 of the Member States referred to in paragraphs 10 and 11 of the present resolution shall be treated as miscellaneous income to be set off against the apportionments authorized in paragraph 6 of the present resolution;

13. Invites voluntary contributions to the Group in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure established by the General Assembly in its resolution 44/192 A of 21 December 1989;

14. Requests the Secretary-General to take all necessary action to ensure that the Group is administered with a maximum of efficiency and economy.

General Assembly resolution 45/247

21 December 1990 Meeting 72 Adopted without vote

Approved by Fifth Committee (A/45/892) without vote, 19 December (meeting 50); draft by Chairman (A/C.5/45/L.13); agenda item 133.

Meeting numbers. GA 45th session: 5th Committee 47, 50; plenary 72.

El Salvador

During the year, the Secretary-General pursued his efforts, with the full support of the Security Council, to find a negotiated settlement to the conflict in El Salvador, having been re-

requested by the five Central American Presidents, in the Declaration of San Isidro de Coronado, Costa Rica, in December 1989 [YUN 1989, p. 162], to do everything in his power to ensure the resumption of the dialogue between the Salvadorian Government and the Frente Farabundo Martí para la Liberación Nacional (FMLN). Those efforts intensified following a visit to UN Headquarters by President Alfredo F. Cristiani in January 1990, and after receiving assurances from both the Government and FMLN that they were seriously intent on seeking an end to the armed conflict in the country through negotiations. The Secretary-General's Personal Representative, Alvaro de Soto, held a series of consultations with both parties in order to agree on the format, mechanism and pace of a negotiating process.

At a joint meeting in Geneva on 4 April, the Government and FMLN signed, in the Secretary-General's presence, an agreement on such a process, under the Secretary-General's auspices, to end the armed conflict by political means as speedily as possible, promote democratization, guarantee unrestricted respect for human rights and reunify Salvadorian society. The initial objective was to achieve political agreements for arranging a halt to the armed confrontation and any acts that infringed on the rights of the civilian population, which would have to be verified by the United Nations subject to the approval of the Security Council. Once that had been achieved, the process was to lead to the establishment of necessary guarantees and conditions for reintegrating the members of FMLN into civil, institutional and political life. The parties agreed to a negotiation method by means of two complementary activities: direct dialogue between the negotiating commissions of the two parties, with the active participation of the Secretary-General or his representative, and an intermediary role of the Secretary-General or his representative to ensure that both parties were committed at the highest level.

The Security Council, in resolution 654(1990) of 4 May, welcomed the Secretary-General's efforts to promote the achievement of a negotiated political solution to the conflict in El Salvador.

Following a second round of direct talks held in Caracas in May, the parties agreed to an agenda and schedule for negotiations, with mid-September being set as a target for achieving the initial objective of reaching political agreements on a halt to the armed confrontation and any acts that infringed on the rights of the population. The issues on which political agreements were to be achieved related to the following: armed forces, human rights, judicial system, electoral

system, constitutional reform, economic and social issues, and verification by the United Nations.

Two substantive rounds of negotiations were held in Mexico (19-25 June) and Costa Rica (19-26 July), at the end of which the parties concluded an agreement on human rights [A/44/971-S/21541] (see PART THREE, Chapter X), which contained detailed commitments to guarantee unrestricted respect for human rights and provided for the establishment of a one-year, renewable UN verification mission with the powers to take whatever legally permissible action it might deem appropriate for promoting and protecting human rights. Implementation of the verification mission was conditioned on a halt to the armed confrontation, but the parties agreed later that it need not await the fulfilment of that condition.

On 3 August [S/22031, annex], the Secretary-General informed the Security Council that, in the context of achieving the initial objective as outlined in the April Geneva agreement, the United Nations might be requested to carry out certain tasks relating to verification of a cease-fire, monitoring of the forthcoming electoral process and human rights verification.

By a letter of 29 August to the President of the Security Council [S/21717], the Secretary-General stated that, from the most recent round of direct talks, it emerged that the parties wished preparations to be initiated at the earliest possible date for carrying out envisaged UN responsibilities relating to those tasks. His representative had ascertained that a broad spectrum of the Salvadorian society, as well as all political parties, widely shared that wish of the Government and of FMLN. The Secretary-General added that while in the absence of a formal and verifiable cessation of combat there was no certainty that conditions existed for carrying out those tasks in a systematic fashion throughout El Salvador, he believed that the time had come to take steps which would put the United Nations in a position to assess the local situation and initiate preparations so as to undertake the monitoring tasks as soon as circumstances permitted. He therefore sought the Council's concurrence with his making the necessary arrangements, including the possible establishment of a small preparatory office for the UN verification mission. Verification would await further consultation with Council members. The Council President relayed the Council members' concurrence on 6 September [S/21718].

The human rights agreement arrived at on 26 July was followed by two direct meetings held in San Jose in August and September. The Secretary-General's Personal Representative also

undertook frequent trips to meet with President Cristiani and senior commanders of FMLN, and was in frequent contact with leaders and representatives of a wide array of political parties, social organizations and church leaders in El Salvador. The Secretary-General himself met with President Cristiani and a high-level FMLN delegation and, as he reported, the question of El Salvador had come up frequently with leaders of Member States who were in a position to assist his efforts.

While significant progress was made, considerable problems were encountered in the negotiations, particularly on the most difficult, sensitive and complex issue of the armed forces. In an effort to reinvigorate the negotiating process, at a direct meeting in Mexico City (29-31 October), the two parties reached consensus on the need to make adjustments in the negotiation mechanics, placing greater emphasis on the active role of the Secretary-General's Representative and his role as intermediary, and on the confidential character of future direct meetings.

In October, the Presidents of Costa Rica, Guatemala, Honduras and Nicaragua issued a statement of support [A/45/647-S/21885] for the Salvadorian Government's preparedness to declare a unilateral cease-fire taking effect as soon as FMLN took a similar decision. They called on FMLN to declare a cease-fire as soon as possible, so as to create an atmosphere conducive to a peaceful and democratic settlement.

On 21 November [A/45/737-S/21956], Costa Rica, Guatemala, Honduras and Nicaragua requested the Secretary-General, in exercise of the duties conferred on him by the April Geneva agreement, to make personal representations to FMLN in order to ensure early cessation of hostilities launched the previous day, a request supported by the United States [A/45/799-S/21967], which deplored FMLN's callous disregard of commitments.

Report of Secretary-General (November). In a report of 8 November on the situation in Central America [A/45/706-S/21931], the Secretary-General also gave an account of the developments related to the situation in El Salvador up to that date and his endeavours to advance negotiations. While noting that significant progress had been recorded, he pointed out that it had not been possible to reach agreement on the most complex issues of the armed forces. However, he remained persuaded that, given the necessary will, coupled with perseverance and flexibility on both sides, and with support from outside Powers in a position to provide such support, the goal of peace in El Salvador could be achieved in the not too distant future.

GENERAL ASSEMBLY ACTION

In resolution 45/172, the General Assembly, noting that the Secretary-General had continued to provide his good offices for the holding of talks between the Government and FMLN and voicing deep concern about the persistence of the armed conflict in El Salvador and the recent escalation of violence, expressed satisfaction with the signing of the April agreement which, it said, set in motion a negotiating process under the Secretary-General's auspices, with a view to ending the armed conflict as speedily as possible, promoting democratization, guaranteeing unrestricted respect for human rights, and reunifying the Salvadorian society. The Assembly noted that the two parties, when adopting the general agenda for the negotiating process in Caracas on 21 May, had agreed that the initial objective would be, first, to secure political agreements on the armed forces, human rights, the judicial and the electoral systems, constitutional reform, the economic and social problems, and verification by the United Nations and, secondly, to achieve agreements for arranging a halt to the armed confrontation and any acts that infringed the rights of the civilian population, all of which would have to be verified by the United Nations subject to Security Council approval.

Voicing full support for the work of intermediation by the Secretary-General and his Personal Representative in the search for a negotiated political solution, the Assembly urged the Government and FMLN to make the greatest possible effort to implement all the political agreements announced in Geneva and Caracas, particularly taking into account the Secretary-General's proposals for facilitating the negotiating process and achieving a just and lasting peace in the shortest possible time. It requested both parties to continue their dialogue and foster agreements with a view to a firm and lasting peace.

Report of Secretary-General (December). In a 21 December report [S/22031], the Secretary-General updated the account of his efforts to promote a negotiated political solution to the conflict in El Salvador. While significant progress had been accomplished, as exemplified in the 26 July agreement on human rights, considerable problems had been encountered in reaching agreement on the armed forces, the most sensitive issue on the agenda. Given the pervasive character of that question, it had not been possible to make substantive progress on other items, the Secretary-General stated.

To reinvigorate the negotiating process, the parties, with the participation of the Secretary-General's Representative, agreed on 31 October

to make adjustments in the negotiations mechanism.

According to the Secretary-General, both parties had signified their desire to have the human rights mechanism in place as soon as possible without waiting for other agreements to be concluded, and, at their recent meeting in Puntarenas, Costa Rica, the five Central American Presidents had urged him to deploy the human rights verification mechanism without delay. He therefore informed the Council of his intention shortly to request authorization to establish a United Nations Observer Mission in El Salvador (ONUSAL), with the task of monitoring agreements concluded between the Government and FMLN. Pending conclusion of other agreements, the Secretary-General recommended, as a first step towards establishing such an integrated operation, that its human rights verification component be set up as soon as the necessary preparations had been made on the ground and the extent to which its tasks could be conducted in the absence of a cease-fire had been determined. Also, it would be necessary to determine the personnel required for the operation, for which no precedent existed, and to work out satisfactory arrangements with the parties to ensure safe deployment and effective functioning. To that end, the Secretary-General would dispatch to El Salvador, as early as practicable in 1991, a technical mission to assist him in preparing an operational plan for submission to the Council. Thereafter, he would urge early Council action.

Noting that at the moment no agreement existed between the parties for UN observation of the process leading up to the legislative and municipal elections scheduled for March 1991, the Secretary-General said he was not in a position to recommend that such observation be carried out under the circumstances. It was his understanding that OAS had decided to observe the elections, although the criteria involved were different from those applying to the United Nations.

At the appropriate time, the Secretary-General added, he would seek the Council's authorization for the deployment of the other components of ONUSAL, to cover verification of other political agreements that might be arrived at, as well as of a cease-fire, in keeping with the concept of a single, integrated operation. Meanwhile, he had taken steps to establish a preparatory office in El Salvador which was concentrating in particular on planning human rights verification, preparing procedures, establishing contacts with government agencies and non-governmental organizations (NGOs), and carrying out a public information programme.

Guatemala

On 30 March 1990, a delegation of the National Reconciliation Commission of Guatemala, acting with the full support of the Government, and a delegation of the Unidad Revolucionaria Nacional Guatemalteca (URNG), with the full support of its General Command, signed in Oslo, Norway, a Basic Agreement for the Search for Peace by Political Means, with a view to initiating a serious process and seeking ways to bring about a peaceful solution as well as functional and participatory democracy in Guatemala. To that end, the National Reconciliation Commission and URNG agreed to carry out a series of activities and, by mutual agreement, appointed as Conciliator Monsignor Rodolfo Quezada Toruño in his capacity as Chairman of the National Reconciliation Commission, a body established by the Government in accordance with the Esquipulas II agreements [YUN 1987, p. 188]. On 21 May, the Secretary-General, with the express support of the President of the Republic, accepted the two parties' request that he observe the activities to be carried out, bearing in mind that the March agreement fell within the framework of the Esquipulas II agreements, as endorsed by Security Council resolution 637(1989) [YUN 1989, p. 163].

Pursuant to the March agreement, five meetings were held, under the auspices of the National Reconciliation Commission and in the presence of the Conciliator and the Secretary-General's appointed Observer, between representatives of URNG and of political parties, private enterprises, religious and popular groups, and of a mixed sector representing academics, professionals and small- and medium-sized businesses. Those meetings took place in El Escorial, Spain (27 May-1 June); Ottawa, Canada (31 August-1 September); Quito, Ecuador (24-26 September); and Metepec, Mexico (23-25, 27-28 October). The next phase envisaged under the March agreement would be the holding of talks between the Government, the Guatemalan Army and the General Command of URNG with a view to achieving a political solution to the internal armed confrontation. In an 8 November report [A/45/706-S/21931], which covered the above developments, as well as those in other Central American countries, the Secretary-General expressed the hope that the process initiated would continue and pave the way for a process of reconciliation and peace in Guatemala.

Taking note with interest of the progress of the talks between the various sectors of Guatemalan society and URNG pursuant to the March agreement, the General Assembly, in resolution 45/15, encouraged the Guatemalan Government to continue to support the national reconciliation pro-

cess by pursuing its dialogue with the various sectors in order to achieve a peaceful settlement of the lengthy confrontation which had been taking place in the country.

Nicaragua

The Central American peace process took a big step forward with the successful conclusion of the UN-supervised elections in Nicaragua on 25 February 1990. It was the first time the United Nations had been called upon to verify an election in an independent sovereign State. Violeta Barrios de Chamorro, who headed the National Opposition Union coalition, was elected President with 54.7 per cent of the total ballots cast. Both she and outgoing President Daniel Ortega Saavedra, the candidate of the Sandinista Front of National Liberation (Frente Sandinista de Liberación Nacional (FSLN)), who had been in power since 1979, requested a UN presence in Nicaragua until the 25 April inauguration, to facilitate a peaceful and orderly transition.

In the post-electoral atmosphere, charged with uncertainty, demobilization of the Nicaraguan resistance became a high priority. To that end, the UN Secretary-General at the beginning of March reached agreement with the OAS Secretary-General on the *modus operandi* of CIAV in relation to the two organizations' responsibilities in the demobilization and voluntary repatriation of members of the Nicaraguan resistance and their families in Honduras and Costa Rica and in providing assistance to former combatants once inside Nicaragua. Of the 36,684 former Nicaraguan combatants and their families registered in Honduras, 15,124 had been repatriated by mid-October. Of the 23,463 Nicaraguan refugees, 20,385 had also been repatriated.

At the Secretary-General's request, the Security Council, by resolution 650(1990) of 27 March, authorized an enlargement of the mandate of ONUCA to enable it to play a part in the demobilization process (see above). On the same date, the two transition teams designated by the President and the President-elect of Nicaragua signed a Protocol of Procedure for the Transfer of Executive Power which, *inter alia*, considered demobilization before 23 April as essential in creating the climate for a peaceful transfer. The Protocol was annexed to the fifth and final report of the United Nations Observer Mission to verify the electoral process in Nicaragua (see below).

The demobilization of the Nicaraguan resistance was essentially completed on 28 June. In a letter to the Chief Military Observer of ONUCA, the Nicaraguan Government stated its full satisfaction with the process carried out by ONUCA.

The demobilization of over 22,400 resistance members and the destruction of their weapons, including small arms, grenade launchers and missiles, appeared to close a chapter of a conflict with 30,000 casualties which had taken a toll on every Nicaraguan family, the Secretary-General said in his November report on the situation in Central America [A/45/706-S/21931]. He added that all the problems, however, were not solved by the demobilization itself, as the country still faced a daunting task of reconciliation and reconstruction which deserved all possible assistance from the international community.

UN Observer Mission for electoral verification

The 25 February Presidential elections were observed by the United Nations Observer Mission for the Verification of the Electoral Process in Nicaragua (ONUVEN), established in August 1989 [YUN 1989, p. 169]. Elliot L. Richardson, as the Secretary-General's Personal Representative, oversaw the Mission's activities, while Iqbal Riza served as Chief of Mission and Horatio Boneo as Deputy Chief. More than 1.5 million Nicaraguans—or 86 per cent of the electorate—went to the polls in the first UN-monitored elections in an independent country.

The final task of ONUVEN, to verify the fairness of the polling and counting of votes, was carried out by over 240 observers representing more than 50 different nationalities. To those drawn from the UN Secretariat as well as from UN organizations and agencies were added poll-watchers from over 20 Member States. The voting was evaluated by ONUVEN as "free and fair". On election day, observers visited 2,155 voting stations in 141 of the 143 municipalities.

On 26 February, the accurate projection of the voting results made the previous night by ONUVEN was confirmed by the results officially announced by the Supreme Electoral Council. President Ortega publicly accepted the results and declared the readiness of FSLN to transfer power on 25 April to the new Government to be formed by the National Opposition Union through a peaceful and orderly transition process. Both the President and the President-elect requested the Secretary-General, through his Personal Representative, to maintain a UN presence in Nicaragua to ensure a peaceful and orderly transition. For that purpose, the Secretary-General assigned a small team of 12 UN officers, headed by the ONUVEN Chief of Mission, to remain in the country, to assist both in outstanding electoral issues as well as in the political aspects of the transition.

ONUVEN reports. From its establishment in August 1989 to its termination in March 1990,

ONUVEN issued five reports on the electoral process in Nicaragua—two in 1989 and three in early 1990. ONUVEN's third report, of 31 January 1990 [A/44/917], covered the period from the beginning of the electoral campaign in early December 1989 to the end of January 1990. By the beginning of December, the core group of observers had been enlarged by 20 additional personnel and ONUVEN regional offices had been opened in eight of the country's nine regions. The report described the administration of the electoral process; the conduct of the electoral campaign, including financing; electoral strategies of the different parties; military actions in conflict areas; and the role of the mass media in the campaign.

The fourth ONUVEN report [A/44/921] was timed to appear on the day following the closing of the electoral campaign on 21 February. It covered the events during the last three weeks of the campaign and gave an overall assessment of the electoral process since its inception up to the close of the campaign. In ONUVEN's opinion, the people of Nicaragua were in a position to decide between alternatives which had been given a reasonable chance to be aired and would be free to determine their future government at the ballot boxes on 25 February.

In the early morning of 26 February, the Secretary-General was informed by his Personal Representative of the preliminary assessment of ONUVEN that the voting had been conducted under normal conditions without intimidation or violence and could be considered free and fair. The fifth and final ONUVEN report [A/44/927] of 30 March confirmed the preliminary assessment by stating that the electoral process had been impartial and fair throughout. The election data, voting returns, trend projections and other information was appended to that report, as was the text of the Protocol on the Procedure for the Transfer of Executive Power.

Economic and social reconciliation

On 27 September 1990 [A/45/PV.10], newly elected President Violeta Barrios de Chamorro addressed the UN General Assembly and appealed to other nations that Nicaragua be accorded preferential treatment befitting a nation which had just emerged from a major fratricidal war, with a toll of thousands dead, wounded and orphaned and material damage unprecedented in Latin American history. In order to help resolve the country's economic and social crisis, guarantee a stable environment and demonstrate clearly to the international community that external assistance would contribute significantly to a solution, representatives of the Government and of 35 employers' and workers' organizations, in-

vited by the President, participated in an economic and social conciliation process which resulted in a National Conciliation Agreement on Economic and Social Matters signed on 26 October that was transmitted to the Secretary-General on 29 November [A/45/818, annex I]. A permanent Verification and Follow-up Commission for the Agreement was to meet at intervals required by the situation; it was to be responsible for drawing up the agenda and recommending the necessary action for expanding the climate of social stability.

The National Assembly welcomed with satisfaction the fact that all political, social and economic forces had asserted that only through concerted efforts would Nicaragua be able to begin to overcome its problems [A/45/818, annex II]. The leaders of the various regional councils of demobilized members of the Nicaraguan resistance, meeting on 27 and 28 October, declared their firm support and complete adherence to the Conciliation Agreement [A/45/818, annex III].

The General Assembly, in resolution 45/15, welcomed the Agreement and endorsed, in particular, the provision concerning exceptional circumstances and the invitation to the international community and international funding agencies to provide effective and efficient support for implementation of the Agreement.

The Caribbean

Haiti

Jean-Bertrand Aristide was elected President of Haiti on 16 December 1990 in that nation's first free and democratic elections. The largely violence-free electoral process and voting were closely monitored by the United Nations Observer Group for the Verification of Elections in Haiti (ONUVEH), established by the Secretary-General following the adoption by consensus on 10 October of resolution 45/2, by which the General Assembly approved a plan for electoral assistance to Haiti at a cost of up to \$6.5 million. Agreement was reached following extensive consultations among Member States, four months after the President of Haiti's Interim Government, Ertha Pascal-Trouillot, officially requested aid.

The 1990 elections-and ONUVEH's work-took place in a difficult and complex social, political and material context. After Jean-Claude Duvalier, who had inherited the title "President for Life" from his father, left the country in 1986, Haiti had had a succession of governments, each the product of either a coup d'état or apparently question-

able elections. With democratic tradition almost non-existent, Haiti had no permanent electoral body or voter registry and civil registry records were unreliable. Nearly four fifths of the population were illiterate and lived in conditions of extreme poverty. Many roads were barely passable and communications networks were tenuous.

Mr. Aristide, the candidate of the Front national pour le changement et la démocratie, won by a landslide, with 67.5 per cent of the vote. Marc Bazin of the Alliance nationale démocratique populaire obtained 14.2 per cent of the total. The remaining 18.3 per cent was distributed among nine other candidates.

By election day, a total of 193 ONUVEH observers from 43 countries were deployed throughout the country, visiting 1,800 of the 14,000 polling places. A core group of 39 observers had been operating since mid-October in Haiti's nine departments, including the capital city. The chief of electoral operations was Horatio Boneo, Deputy Chief of the UN Observation Mission for the Verification of Elections in Nicaragua (see above). General G. Zuliani was chief of security observers, and João Augusto de Medicis was the Secretary-General's Personal Representative, whose appointment became effective on 19 June.

The success of the elections was attributed widely to the determination and discipline of the Haitian people, the professional behaviour of the Haitian army, which kept its promise to guarantee the security of the elections, and ONUVEH's crucial security and electoral work. Hundreds of observers from OAS and NGOs were also present on election day.

On 21 December, shortly after the elections, the General Assembly, in resolution 45/257 A, asked the Secretary-General to consult the Government of Haiti as soon as possible concerning the launching of a special emergency assistance programme.

GENERAL ASSEMBLY ACTION

On 10 October, the General Assembly adopted resolution 45/2.

Electoral assistance to Haiti

The General Assembly,

Taking note of the letters dated 23 June and 9 August 1990 from the President of the Provisional Government of the Republic of Haiti to the Secretary-General, in which the President requested assistance from the United Nations in order to achieve the peaceful and efficient development of the coming electoral process,

Reaffirming the sovereign right of the people of Haiti to choose and participate freely in the determination of their own destiny without any external interference,

Aware of the efforts of the people of Haiti to consolidate their democratic institutions in the face of the potential for destabilization,

1. Requests the Secretary-General, in co-operation with regional organizations and Member States, to provide the broadest possible support to the Government of Haiti in meeting, to the extent possible, the following requests:

(a) A nucleus of some fifty observers that would arrive in Haiti prior to voter registration and would leave only after the elections;

(b) Reinforcement of the nucleus at the time of elections and voter registration, bringing the total to a few hundred observers;

(c) Assistance to the Co-ordinating Committee for the security of the elections, to be provided by two or three advisers;

(d) Observation of the implementation of the electoral security plans by specialized staff, that is, by observers, the number of whom remains to be determined, with solid experience in the public order field;

2. Urges the international community and relevant international organizations to increase their technical, economic and financial co-operation with Haiti, in order to support the economic and social development efforts of the country;

3. Requests the Secretary-General to submit to the General Assembly a report on the implementation of the present resolution.

General Assembly resolution 45/2

10 October 1990 Meeting 29 Adopted without vote

20-nation draft (A/45/L.2 & Add.1); agenda item 154.

Financial implications. 5th Committee, A/45/606; S-G, A/C.5/45/13.

Meeting numbers. GA 45th session: 5th Committee 6; plenary 26, 29.

UN Observer Group for the Verification of Elections in Haiti

A first group of four international staff arrived in Haiti on 4 October 1990 to establish a presence in the country and begin to set up the communications system. The group was originally sent on mission under an ongoing technical assistance project financed by the United Nations Development Programme (UNDP) and was later incorporated into ONUVEH. Following the adoption of the General Assembly resolution above authorizing the establishment of ONUVEH, the first six members of the mission proper arrived in Haiti on 13 October; they were joined by other groups on 14 and 15 October and by the Secretary-General's Personal Representative on 16 October. Other electoral and administrative officials arrived between 17 and 23 October, while the first members of the security subdivision arrived on 24 October.

Starting on 17 October, the first teams of electoral observers, headed by the eight regional coordinators, were deployed to the departments; those teams were later supplemented as the remaining observers arrived in Port-au-Prince. Despite the initial lack of vehicles, the deployment of security observers began on 1 November. Manning was complete by 27 November.

ONUVEH'S assignment was to observe the electoral process and to ascertain that it was conducted in a fair manner and in a climate of security and freedom. The task of the electoral observers was to observe the different electoral operations and to assess, in particular, whether the political parties had been free to organize and allowed to mobilize the voters, whether the candidates had equal access to the media, whether voters had been able to register and cast their ballots freely and whether the votes had been counted honestly. ONUVEH's security component, secondary to the electoral verification component, comprised security observers whose role was to see that the security plans were effectively implemented throughout the country. Their task, therefore, was to establish contacts with the Haitian military, which had exclusive responsibility for ensuring the country's security, to point out shortcomings and to make an overall assessment of the safeguards provided for those who wished to vote. Two security advisers were assigned to the Co-ordinating Committee for the Security of Electoral Activities (CCSAE).

The Haitian body responsible for organizing the elections was the Interim Electoral Council (CEP) which, since its inception, had had to draft a new electoral law, rebuild the virtually non-existent apparatus for administering elections and train civil servants with no experience in such matters, all in difficult social and financial conditions. Beginning in May 1990, UNDP provided technical assistance to CEP in the form of consultants.

ONUVEH reports. On 14 December 1990, the Secretary-General transmitted the first report of ONUVEH [A/45/870], giving an account of the Haitian authorities' request for UN assistance, the context in which the electoral process was taking place, the evolution of that process up to 14 December—two days before the first round of the elections—and the installation and activities of ONUVEH, including co-ordination with other observer missions.

In a country traumatized by the experience of the elections of 29 November 1987—which had been cancelled after a campaign of terror during which a presidential candidate and a leading political figure had been assassinated and which culminated on election day with the massacre of some 80 persons throughout the country, with 200 more injured—the first task of ONUVEH was to help create a psychological climate conducive to the holding of democratic elections, the report stated. The voter registration drive began on 5 October and the election campaign commenced officially on 7 November. In all, 11 candidates

were standing for election to the presidency, 131 for the Senate and 382 for the Chamber of Deputies. More than 3.2 million individuals registered to vote. On the whole, the election campaign reportedly proceeded in conditions of calm, despite a few isolated incidents, the most tragic among them a hand-grenade attack on the night of 5 December, at the end of a pro-Aristide rally in Port-au-Prince, which killed seven people and seriously injured more than 50 others, including women and children. However, the climate of confidence in the elections was not seriously affected, nor was the electoral process itself hampered by the attack.

In his concluding observations, the Secretary-General's Personal Representative stated that the aspects of the electoral process most open to criticism—such as certain irregularities during voter registration and exclusion of many candidates owing to rigorous application of very detailed provisions of the electoral law—should not overshadow its highly positive ones. After years of dictatorship and censorship, there was complete freedom of expression throughout the election campaign, with no restrictions on the broadcast or written press and no reported personal intimidation of journalists. Despite some minor, inconsequential incidents, the election campaign had been virtually violence-free, the events of 5 December, at the end of the campaign, being the one notable exception. The fairness of the electoral race was evidenced by the visible absence of abuse of State property in favour of any given candidate.

The impartiality of CEP and of the executive branch and the armed forces towards political figures also deserved to be mentioned, the Personal Representative said. Party coalitions, for instance, were definitely sought after and encouraged by CEP, but did not result in an imbalance between the various competing forces. Although many candidates were rejected for failing to meet the formal requirements of the complex electoral law that was strictly applied, the candidates allowed to run for office represented, in the Personal Representative's opinion, the entire spectrum of the country's social and political life, incontestably enabling the Haitian people to make a genuine electoral choice in order to determine their future freely.

On the eve of the first round of the elections, he concluded, it could be said that the electoral process took place under favourable conditions, with the international community's support having helped to achieve that result. He further hoped that the campaign would culminate in fair, peaceful and credible elections.

The conduct of the first round of the elections on 16 December was described in the second and

final report of ONUVEH [A/45/870/Add.I], together with certain supplementary elections held in some districts on 6 January 1991 and the second and final round, which took place in most districts on 20 January. ONUVEH's activities at various stages of the electoral process were also highlighted.

ONUVEH estimated that between 62.5 per cent and 71.4 per cent of the 3,227,155 registered voters had cast their ballots. Although marked by irregularities, the first round of general elections was reported to have taken place without violence or intimidation. In its overall evaluation of the elections, ONUVEH stated that most of the irregularities observed had been caused by the difficulties in organizing the balloting in a country which suffered bitterly from a lack of transport and communication facilities and had scarcely any electoral experience. The ONUVEH observers did not detect any sign of fraudulent intent or any trace of planned action. In the case of the presidential election, the report said, the irregularities were not of a kind likely to cast doubt on the final result, Aristide's triumph being so overwhelming.

In spite of the problems involving logistics, organization and calculation of results, ONUVEH did not doubt the impartiality of the electoral authorities, and, despite the fact that the members of CEP were lacking in experience, it felt that they showed great courage in assuming responsibility for a delicate mission and in carrying it out without being intimidated by threats.

At the outset, ONUVEH said, security of the elections had been the principal unknown, but it was provided beyond reproach by the Haitian Armed Forces. CCSAE discharged its heavy responsibilities by devising, with the assistance of the two ONUVEH experts, a national security plan for the election days, which was supplemented by local measures. With the assistance of the ONUVEH security observers who, by their presence, helped to reassure the population and encouraged the dialogue between the civil, especially the electoral, authorities and the military, the army largely regained the confidence of the Haitians, who were not afraid to cast their ballots and congratulated the army on its professionalism.

The report stated a need to establish a sound electoral system, as the Haitian authorities would soon face the necessity of training the staff of the Permanent Electoral Council to be established, preparing a permanent electoral register linked to an improved civil file, providing each voter with a suitable civil-electoral document, and launching a civil education campaign. The inter-

national community could not but share their concern for building an effective electoral system, the report concluded.

ONUVEH financing

In his statement [A/C.5/45/13] on the programme budget implications of the draft text on electoral assistance to Haiti, which was adopted by the General Assembly as resolution 45/2, the Secretary-General estimated requirements of ONUVEH for the period from early October 1990 to January 1991 to be \$9,368,300, of which \$5,681,500 was for personnel costs and \$3,686,800 for operational costs. In the opinion of the Chairman of ACABQ, as expressed in an oral report to the Fifth (Administrative and Budgetary) Committee on 10 October [A/C.5/45/SR.6], the net additional amount for ONUVEH during that time should not exceed \$6.5 million, to be appropriated eventually under the regular programme budget for 1990-1991. The actual amount, within the \$6.5 million ceiling, should be reflected in a special performance report to be submitted to the Assembly near the close of the current session; Pending that report, the Secretary-General should be authorized to enter in commitments not exceeding \$5 million. The Fifth Committee informed the Assembly that, should it adopt the text, the net additional amount required should not exceed the ceiling set by ACABQ.

As requested, the Secretary-General on 10 December presented a report on ONUVEH [A/C.5/45/67], noting that, in view of the run-off elections scheduled for 16 January, the mission was being extended until 28 January 1991. The costs for that extension had been more than offset by a number of factors, he said, such as delays in fielding staff and security experts and anticipated vacancies. Overall, he estimated requirements at \$5,867,000—comprising \$4,352,000 for personnel costs and \$1,515,000 for operating costs—which would make an additional appropriation under the 1990-1991 budget necessary.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/248 B, section III.

Electoral assistance to Haiti

[The General Assembly . . .]

1. Decides to appropriate an amount of 5 million dollars to be placed provisionally under the custody of the Secretary-General under section 1 of the programme budget for the biennium 1990-1991, on the understanding that such a decision does not imply any judgement on the nature of the activities of the United Nations Observer Group for the Verification of Elections in Haiti;

2. Also decides that this amount is to be financed as a revised estimate arising from extraordinary expenses;

3. Further decides that this should not prejudice the way to treat revised estimates arising from extraordinary expenses as referred to in paragraph 11 of annex I to its resolution 41/213 of 19 December 1986;

General Assembly resolution 45/248 B, section III
21 December 1990 Meeting 72 Adopted without vote
Approved by Fifth Committee (A/45/900) without vote, 19 December
(meeting 50); draft by Chairman (A/C.5/45/L.19), following informal
consultations; agenda item 118.
Meeting numbers. GA 45th session: 5th Committee 6, 50; plenary 72.

Other questions relating to the Americas

Cuba-United States

Alleged attack on merchant ship

On 2 February, Cuba requested the convening of the Security Council to consider an alleged armed attack on a Cuban merchant ship in the Gulf of Mexico, in international waters, by a United States Coast Guard vessel [S/21120].

According to a note from Cuba dated 31 January [S/21121, annex II], the vessel *Herman* was leased by a Cuban firm and had a 12-member Cuban crew on board when it was attacked that day, en route from the Cuban port of Moa to the Mexican port of Tampico, under the pretext that it might be carrying illicit narcotics.

Cuba said the attack on a peaceful merchant ship seriously endangered the lives of 12 Cuban citizens, violated their human rights, and violated the rules of international law and freedom of navigation in international waters. The United States had been given due warning of the decision by the captain and the crew of the *Herman* that their attempt to detain and board the vessel would not be tolerated; due to the skills and expertise of its crew, the *Herman* was able to evade the repeated attempts to board and sink it, Cuba maintained.

In another note, dated 1 February [S/21121, annex I], Cuba demanded that the United States desist from all acts of provocation and accept responsibility for the damage caused to the *Herman* and for the risks to which its crew was exposed.

Giving its account of the incident, the United States, by a letter of 3 February [S/21122], said that a United States Coast Guard cutter had encountered the *Herman* in international waters in the Gulf of Mexico on the morning of 30 January. Coast Guard authorities had requested permission to board and inspect the vessel, as there was

reason to suspect that it was carrying narcotics or other contraband. The captain denied permission and proceeded towards Mexico.

Subsequently, the Coast Guard confirmed the vessel's Panamanian registry and obtained permission from Panama to inspect the vessel; after consultations with United States and Panamanian authorities, the Coast Guard advised the *Herman* that it would use necessary force if the vessel did not stop and permit it to board.

Cuba informed the United States that the crew was Cuban and insisted that the vessel be allowed to continue unimpeded. United States authorities advised Cuba that they would defer enforcement action for several hours so as to allow Cuba to instruct its nationals aboard the ship to cooperate with that lawful exercise pursuant to the instructions of the flag State.

The United States said that Cuba then inexplicably ordered the crew of the *Herman* to resist any attempt to board by the Coast Guard. After pursuing the ship all night in international waters and exhausting all internationally accepted alternative means to stop it, the Coast Guard cutter fired small-calibre rounds at its engines in an attempt to disable it. The vessel still ignored orders to stop and proceeded into Mexican territorial waters, which the cutter did not enter, terminating pursuit approximately 15.5 miles from the Mexican coast.

The Coast Guard was engaged in a normal and routine law enforcement activity, the United States asserted, and its action was fully consistent with international maritime law and practice. The cutter had resorted to authorized and appropriate force only after the captain's continued refusal to stop and after exhausting all internationally recognized means to get him to do so.

By instructing the crew of the *Herman* to resist an authorized boarding, Cuba jeopardized the lives and safety of its citizens and demonstrated blatant disregard for legitimate law enforcement efforts to investigate and interdict illicit narcotics trafficking in the region, the United States alleged, and its active endeavours to thwart the Coast Guard search of the ship called into question its publicly stated claim of actively combating such trafficking.

By a letter of 5 February [S/21127], Panama stressed that the vessel in question flew the Panamanian flag and the Government had given express permission for United States authorities to board and inspect it. Panama accepted that all necessary measures might be taken, in such cases, including the use of force.

The Security Council met on 9 February [S/PV.2907]. Citing rule 20 of the Council's provisional rules of procedure, the President (Cuba)

yielded the Chair, for the purpose of the consideration of the item currently on the agenda, to the member next in English alphabetical order (Democratic Yemen). After hearing statements by Cuba and the United States in which both in principle reiterated their positions, the President announced that the next meeting would be fixed in consultation with Council members. No further action was taken.

Television broadcasts and other issues

By a letter of 17 January [S/21091], Cuba complained about the planned installation on United States territory of a television station designed exclusively to transmit to Cuba in Spanish. According to revelations of its promoters, that plan was based on the compulsive occupation of one or more television channels in Cuban territory; it was clearly an attempt, Cuba alleged, to mutilate Cuba's national sovereignty and prevent it from administering its radio-electric spectrum, in violation of the 1982 Convention of the International Telecommunication Union (ITU), to which both the United States and Cuba were parties; of the 1966 International Covenant on Civil and Political Rights [GA res. 2200 A (XXI)]; and of conventions and agreements of the United Nations Educational, Scientific and Cultural Organization (UNESCO) relative to the use of satellites for television services. Cuba reiterated its readiness to negotiate with the United States on a mutual medium-wave interference and reciprocity of radio transmissions on that frequency band, including the exchange of radio and television programmes; it would also be ready to submit any complaints arising in that respect to international arbitration.

Following the first transmission by Television Martí on 27 March, Cuba charged [S/21210 & Corr.1] the United States with committing an act of aggression by usurping a Cuban broadcast channel, and warned that it had intercepted the signals and would block any new forcible attempt to occupy its broadcasting spectrum. On 11 April [S/21249], Cuba transmitted to the Security Council President objections raised by the ITU International Frequency Registration Board (IFRB), stating that establishment by the United States of the broadcasting station in question, considering its location, relative power, high antenna height and antenna directivity, was in contravention of No. 2666 of the radio regulations annexed to the 1982 ITU Convention. On 20 June [S/21365], Cuba transmitted a further communication reaffirming the IFRB view.

By a letter of 30 April [S/21278], Cuba alleged that preparations for large-scale war manoeuvres were being taken by the United States, involving

simulated aggression against Cuba, thus heightening tension in the region.

Nicaragua-United States

On 3 January 1990, Nicaragua complained [S/21066] to the Security Council that, on 29 December 1989, United States military forces had temporarily occupied the residence of the Ambassador of Nicaragua in Panama and, on 31 December, forced entry into the apartment of two other Nicaraguan diplomats. The incident had occurred, Nicaragua declared, in the context of the invasion and occupation of Panama by United States troops [YUN 1989, p. 172], which not only violated the purposes and objectives of the Charter of the United Nations, but also constituted a serious threat to peace and security in the region.

In a communiqué [A/44/913-S/21067] issued a day earlier, on 2 January, the Office of the President of the Republic of Nicaragua charged that, according to preliminary reports, mercenary elements of the counter-revolution, financed by the United States, on 1 January ambushed the members of a religious commission in the Atlantica Norte region, causing the deaths of two nuns and seriously wounding another, as well as wounding Bishop Paul Schmidt. That incident, Nicaragua said, was part of the escalation of violence by the United States, which had invaded Panama and made a military incursion into the residence of the Nicaraguan Ambassador there.

The Council met on 17 January [S/PV.2905] to consider the complaint of 3 January, with Nicaragua's Ambassador to Panama providing a detailed account of the incident. He claimed that at least 30 United States soldiers had searched his residence damaging much of its contents and removing cash, clothing, household appliances and other items. In a 31 December incident, United States soldiers, he claimed, had entered and robbed the apartment of two Nicaraguan diplomatic officials, adding that that action demonstrated that the United States had a plan to provoke Nicaragua in order to justify a warlike escalation against the Nicaraguan people.

The United States said that its Government had clearly expressed regret for the incident in a formal note to Nicaragua and, in addition, the highest levels of the United States Government, including the President, had voiced regret in public and stressed the continuing commitment fully to abide by the 1961 Vienna Convention on Diplomatic Relations [YUN 1961, p. 512].

The United States stated that incidents had occurred against the backdrop of a situation in which armed bands, with large caches of weap-

ons hidden all over Panama City and the country, seriously threatened law and order, life and liberty. United States forces had received what they considered a reliable report of a weapons cache at the house in question and United States military units arriving at the residence announced over a loudspeaker their intention to conduct a search. A man identifying himself as the Ambassador arrived at the scene, but was unable to produce official diplomatic documentation, and the United States soldiers were unable to confirm that the residence was his.

After entry, the United States said, a large weapons cache was found and removed. Once the United States soldiers determined that the premises were those of the Nicaraguan Embassy, they immediately returned the arms and left the area. No one was arrested or detained, nor was the residence itself damaged in any way. That same night, the United States Government formally expressed its regret to Nicaragua through diplomatic channels.

The United States said that the number and kinds of weapons found clearly were not intended for protecting the mission, but were the types used by the so-called Dignity Battalions, a group of marauding bands said to constitute the private army of General Manuel Antonio Noriega. Their presence was inconsistent with the diplomatic functions protected by the Vienna Convention and clearly violated article 41 thereof. While United States actions in the incident were regrettable, they did not pose any threat to international peace and security; therefore, there was no reason for the Council to adopt a resolution in response to the Nicaraguan complaint.

A draft resolution [S/21084] submitted by Colombia, Côte d'Ivoire, Cuba, Democratic Yemen, Ethiopia, Malaysia and Zaire, which would have declared the event a violation of the privileges and immunities recognized under international law and called for steps to avoid the recurrence of such measures, received 13 votes in favour to 1 against (United States), with 1 abstention (United Kingdom). The text was not adopted owing to the negative vote of a permanent Council member.

Co-operation with OAS

Report of Secretary-General. In September 1990, in response to General Assembly resolution 43/4 [YUN 1988, p. 174], the Secretary-General reported [A/45/499] on co-operation between the United Nations and the Organization of American States (OAS). Both organizations continued to co-operate on issues related to the situation in Central America and on other matters of mutual

interest. Of major importance was the co-ordination of the activities of the missions of both organizations in the verification of the electoral process in Nicaragua, as well as in the voluntary demobilization, repatriation or relocation of the members of the Nicaraguan resistance (see above). In addition, OAS was represented on the Support Committee and the Policies and Projects Committee of the Special Plan of Economic Co-operation for Central America and participated in arrangements for implementation of the Special Plan throughout 1990.

Throughout 1989 and 1990, consultations were held on projects, measures and procedures which would facilitate and broaden co-operation between the two organizations. At consultations in February 1990, the following observations and conclusions were highlighted: (a) Political matters, including peace-making and peace-keeping activities, had a high priority in both organizations; co-operation and co-ordination in those areas were the direct responsibilities of the offices of both Secretaries-General. (b) Differences existed in the level of delegated authority between the resident representatives of the United Nations and their OAS counterparts; as those differences could interfere with the level of co-ordination at the local level, future co-operation, taking that into account, had to be at the headquarters level. (c) It was noted that whereas activities of OAS and its executive agencies in education, science and culture were regional, its economic and social programmes were predominantly national. (d) Co-operation and co-ordination particularly in the technical co-operation area could be more effective with the participation of Member States concerned; the importance was stressed of establishing adequate co-ordination mechanisms between the two organizations, beginning with the planning stages of technical co-operation projects and including timely exchanges of information necessary for budget preparation. (e) Greater interaction between the two organizations could be developed, including the use of OAS facilities by UN officials and missions; a further suggestion was joint utilization of the development co-ordination report by UNDP, which in the future would include an assessment of the economic situation and technical assistance needs of each country. (f) Attention was drawn to the enhanced role of the resident co-ordinator, within the UN system, for the integration of sectoral inputs and for effective and coherent co-ordination; General Assembly resolution 44/211, on a comprehensive triennial policy review of operational activities for development of the UN system [YUN 1989, p. 302], would provide closer co-operation of field representa-

tion of the UN system at the country level with the resident co-ordinator. (g) The co-ordination of activities between the United Nations and OAS, in both technical and non-technical areas, would make it possible to avoid duplication and overlapping and to make fuller use of the co-operation possibilities.

GENERAL ASSEMBLY ACTION

On 25 October, the General Assembly adopted resolution 45/10.

Co-operation between the United Nations and the Organization of American States

The General Assembly,

Recalling its resolution 43/4 of 17 October 1988, relating to the promotion of co-operation between the United Nations and the Organization of American States,

Having examined the report of the Secretary-General on co-operation between the United Nations and the Organization of American States,

Recalling that the purposes of the United Nations are, *inter alia*, 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 and to be a centre for harmonizing the actions of nations in the attainment of these common ends,

Bearing in mind that the Charter of the United Nations provides for the existence of regional arrangements and agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, and whose activities are consistent with the purposes and principles of the United Nations,

Recalling also that the Charter of the Organization of American States reaffirms these purposes and principles, and provides that that organization is a regional agency under the terms of the Charter of the United Nations,

Bearing in mind the initiative of the Secretary-General of the United Nations and the Secretary-General of the Organization of American States in the peace process in the Central American region,

Recalling further the document entitled "Co-operation between the Organization of American States and the United Nations", submitted to the General Assembly of the Organization of American States on 4 June 1990 in connection with resolution AG/RES.941(XVIII-0/88), adopted on 19 November 1988,

Bearing in mind the adoption by the General Assembly of the Organization of American States on 8 June 1990 of resolution AG/RES.1063(XX-0/90) recommending the establishment of a centre for the promotion of democracy to assist member States that are seeking to preserve and strengthen their democratic processes and institutions,

Convinced of the need for more efficient and co-ordinated utilization of available economic and financial resources to promote the common objectives of the two organizations,

Aware that the effective consolidation of a new international order requires regional action in harmony with that of the United Nations,

1. Takes note with satisfaction of the report of the Secretary-General on co-operation between the United Nations and the Organization of American States, as well as his efforts to strengthen that co-operation;

2. Expresses its satisfaction the close co-operation between the two organizations in the verification of the electoral process in Nicaragua from August 1989 to February 1990;

3. Recognizes the effectiveness of the co-operation between the two organizations with respect to the procedures established by the Central American Presidents within the context of the subregional peace process;

4. Welcomes the results of the work of the International Support and Verification Commission, established by the Secretary General of the United Nations and the Secretary-General of the Organization of American States, as a machinery for the purposes of the execution and implementation of the Joint Plan for the voluntary demobilization, repatriation or relocation in Nicaragua or third countries of the members of the Nicaraguan resistance and their families, as well as assistance for the demobilization of all those involved in armed actions in the countries of the region when such persons voluntarily request it;

5. Recognizes the importance of the participation of the International Support and Verification Commission in the demobilization of the irregular forces of the Nicaraguan resistance and takes note with satisfaction of the fundamental role of the United Nations Observer Group in Central America in the military aspects of the process and of the activities of the United Nations High Commissioner for Refugees in the operational area;

6. Welcomes the participation of the Organization of American States in the Support Committee and the Policies and Projects Committee of the Special Plan of Economic Co-operation for Central America, established by General Assembly resolution 42/231 of 12 May 1988;

7. Takes note of the agreement of 6 April 1989 between the two organizations on the implementation of resolution 43/4, and of the consultations held at United Nations Headquarters on 14 February 1990;

8. Recommends that there should be an intensification of the preparations for the general meeting between representatives of the Organization of American States and of the United Nations and other organizations of the United Nations system, for the purpose of holding consultations on projects, measures and procedures which will facilitate and broaden co-operation between those organizations;

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

10. Decides to include in the provisional agenda of its forty-seventh session the item entitled "Co-operation between the United Nations and the Organization of American States".

General Assembly resolution 45/10

25 October 1990 Meeting 35 Adopted without vote
21-nation draft (A/45/L.12 & Add.1); agenda item 21.

Chapter III

Asia and the Pacific

Never before in the 45-year history of the United Nations had the Security Council reacted with such unanimity to an invasion, occupation and purported annexation, said the Secretary-General in commenting on Council action following Iraq's early morning invasion of Kuwait on 2 August 1990. By the end of the year, the Council had adopted 10 resolutions on the crisis, including those unanimously condemning the invasion and demanding immediate and unconditional withdrawal of Iraqi forces. Comprehensive, mandatory sanctions were imposed against Iraq, the annexation of Kuwait was declared null and void, and a naval blockade to enforce the sanctions was endorsed. In November, the Council authorized the use of "all necessary means" to uphold and implement all relevant Security Council resolutions and to restore international peace and security in the area if Iraq had not fully implemented those resolutions on or before 15 January 1991.

With tensions increasing in 1990 in one area of Asia, significant progress was being made towards defusion and even final settlements in other parts. During the year, the Cambodian parties accepted a framework for a settlement drawn up by the five permanent members of the Security Council, which involved a major United Nations role through the United Nations Transitional Authority in Cambodia (UNTAC) to oversee United Nations-supervised elections and the installation of a temporary UN administration. The General Assembly and the Security Council endorsed the plan. On 3 February, Democratic Kampuchea reverted to the name Cambodia.

Another UN operation—the United Nations Good Offices Mission in Afghanistan and Pakistan (UNGOMAP)—ended in March, and was immediately succeeded by the Office of the Secretary-General in Afghanistan and Pakistan. The Secretary-General's efforts were particularly focused on promoting an international consensus to encourage an Afghan political process, which in turn would enable the Afghan people to exercise, unhindered, their right to self-determination.

Relations between Iran and Iraq in 1990 improved to the extent that it was possible to implement important aspects of the Security Council's

1987 cease-fire resolution. Withdrawal to internationally recognized boundaries took place in August and the repatriation of prisoners of war began.

The United Nations Command continued to report violations of the 1953 Armistice Agreement between the Democratic People's Republic of Korea and the Republic of Korea. As both countries, for the first time in 45 years, began a dialogue, the question of their membership in the United Nations was raised.

On 12 December 1990, the General Assembly, by decision 45/425, included the item entitled "Question of peace, stability and co-operation in South-East Asia" in the provisional agenda of its forty-sixth (1991) session.

Iraq-Kuwait

In the early morning of 2 August 1990, troops from Iraq crossed their country's eastern border into Kuwait, with Iraq claiming that Kuwait had been an integral part of Iraq until the First World War, when Kuwait had been severed from Iraq due to acts of British colonialism. This position was the same as that propounded by Iraq in 1961 [YUN 1961, pp. 168-169] when Kuwait first applied for United Nations membership and in 1963 [YUN 1963, p. 91] when it was admitted to the United Nations.

Following the invasion, the Security Council met almost immediately, unanimously adopting its first resolution on the crisis the same day, condemning the Iraqi invasion and demanding an immediate and unconditional withdrawal to positions held on 1 August. Nevertheless, Iraq continued to tighten its control over Kuwait, culminating in its complete annexation as well as restrictions on the movement of foreign diplomats and third-country nationals. Accusations were also made against Iraq of gross human rights violations against the Kuwaiti people.

The Council subsequently imposed economic sanctions and an arms embargo on Iraq to ensure compliance with its resolutions. An international consensus emerged opposing the Iraqi annexation and demanding its withdrawal and the resto-

ration of Kuwaiti independence and sovereignty, and was manifested in the deployment of international military forces in the Persian Gulf area to enforce the Security Council sanctions. Recognizing the serious economic and social effects those sanctions could have on some other countries, especially Jordan, which had close trading relations with Iraq and Kuwait, the Council took action to alleviate the resulting economic hardships on those States.

In December, with Iraq still not having complied with the Security Council resolutions, the Council stated that unless Iraq complied by 15 January 1991, Member States would be authorized to use all necessary means to uphold those resolutions and to restore international peace and security in the area. The year ended on an ominous note, with the situation still unresolved.

Post-invasion developments

On 2 August, following Iraq's military invasion, Kuwait [S/21423] and the United States [S/21424] requested an immediate meeting of the Security Council to consider Iraq's invasion of its neighbour Kuwait. Speaking before the Council, Kuwait said that it had been occupied by Iraq at dawn, with Baghdad Radio announcing that the aim of the military takeover was to overthrow the régime and establish a Government friendly to Iraq. Kuwait assured the Council that its Government remained in control and was defending the country's security. It said that the invasion had come less than a day after high-level talks between Iraq and Kuwait in Saudi Arabia, at which Kuwait said it had expressed its willingness to continue bilateral negotiations to reach a just and honourable solution that would take into account the legitimate rights of both countries. Kuwait requested that the Council demand the immediate and unconditional withdrawal of all Iraqi forces to the positions they had occupied on 1 August.

Responding, Iraq said that the events taking place in Kuwait were internal matters. It stated that the "Free Provisional Government of Kuwait" had requested Iraqi assistance in establishing security and order and Iraq had decided to provide such assistance solely on that basis. It was pursuing no goal or objective in Kuwait, and its forces would withdraw as soon as order was restored. Iraq rejected what it called the flagrant intervention by the United States in the matter.

The United States said its policy was to support every diplomatic effort to resolve the crisis. There should be an end to Iraq's unprovoked military aggression. The Council had seldom faced a more blatant use of force, and should act immediately. The United States had been in

touch with many States in the region to seek their support for the action of the international community and was asking the Council to accept its full responsibilities and support Kuwait in its hour of need.

SECURITY COUNCIL ACTION (2 August)

On 2 August, the Security Council adopted resolution 660(1990).

The Security Council,

Alarmed by the invasion of Kuwait on 2 August 1990 by the military forces of Iraq,

Determining that there exists a breach of international peace and security as regards the Iraqi invasion of Kuwait,

Acting under Articles 39 and 40 of the Charter of the United Nations,

1. Condemns the Iraqi invasion of Kuwait;
2. Demands that Iraq withdraw immediately and unconditionally all its forces to the positions in which they were located on 1 August 1990;
3. Calls upon Iraq and Kuwait to begin immediately intensive negotiations for the resolution of their differences and supports all efforts in this regard, and especially those of the League of Arab States;
4. Decides to meet again as necessary to consider further steps to ensure compliance with the present resolution.

Security Council resolution 660(1990)

2 August 1990 Meeting 2932 14-0

g-nation draft {S/21425}.

Sponsors: Canada, Colombia, Côte d'Ivoire, Ethiopia, Finland, France, Malaysia, United Kingdom, United States.

Vote in Council as follows:

In favour: Canada, China, Colombia, Côte d'Ivoire, Cuba, Ethiopia, Finland, France, Malaysia, Romania, USSR, United Kingdom, United States, Zaire.

Against: None.

Before the vote was taken, the representative of Yemen said that it would not participate in the vote because it had not received instructions.

Call for withdrawal

The Secretary-General issued a statement on 2 August welcoming the Security Council's prompt convening and important decision, noting that the events of the past hours were of the gravest consequence to the United Nations and Member States. On 3 August, the Secretary-General met in New York with Iraq's Permanent Representative and appealed for full implementation of the Council's resolution. He also met with the Ambassador of Kuwait, who informed him of the latest developments.

Iran, in a statement of the same date [S/21428], said that it could not remain indifferent to the developments in the Persian Gulf that threatened its national security and the stability of the region. It called on Iraq to withdraw all its forces

immediately to the internationally recognized boundaries and to settle its disputes peacefully.

Japan [A/45/367-S/21427] and the European Community (EC) [A/45/368-S/21426], also on 2 August, called for the withdrawal of Iraqi forces from Kuwaiti territory. The EC considered the use of force an unacceptable means for solving international differences and fully supported the resolution adopted by the Security Council.

The USSR, in a 3 August statement [A/45/387-S/21451], declared that the sovereignty, independence and territorial integrity of Kuwait must be fully restored and protected. It was convinced that the immediate and unconditional withdrawal of Iraqi troops from Kuwaiti territory would help eliminate the dangerous tension in the Persian Gulf.

Statements of condemnation of Iraq and calls for a peaceful settlement of the conflict and withdrawal of Iraqi troops were also made by a number of other States.

Also on 3 August [A/45/399-S/21472], the United States Secretary of State and the Soviet Foreign Minister, following a meeting in Moscow, issued a joint statement calling for the full implementation of Security Council resolution 660(1990) and announcing actions their countries had taken, including the Soviet suspension of arms deliveries and the American freezing of Iraqi assets. They called on the League of Arab States, all Arab Governments, the Movement of Non-Aligned Countries and the Organization of the Islamic Conference to ensure that the UN resolution was carried out.

Also meeting in Cairo on the same day, at the request of Kuwait, the League of Arab States condemned [S/21434] the aggression by Iraq and called for its withdrawal. It asked Arab heads of State to consider convening an emergency summit to discuss the Iraqi aggression and rejected any foreign intervention or attempt to intervene in Arab affairs. The Ministerial Council of the Gulf Co-operation Council, meeting on 3 August, called upon [S/21430] the League of Arab States to adopt a unified stance with a view to bringing the aggression to an end.

In the face of the mounting international pressure for withdrawal from Kuwait, Iraq announced [S/21436] on 3 August that a withdrawal plan would be put into effect on 5 August as long as there was no threat to the security of Kuwait or Iraq. The following day, Kuwait, rejecting [S/21437] Iraq's reasons for the invasion, said that the aggression was directed at the sovereignty and territorial integrity of Kuwait and its system of government. The sole conditions for withdrawal were those contained in resolution 660(1990). Kuwait said that it had adhered to the

international agreements concluded with Iraq, including the 1932 exchange of notes and the 1963 Agreement, which confirmed the boundary lines agreed upon in 1932.

On 5 August, Kuwait informed [S/21443] the Secretary-General that the date fixed for the withdrawal of Iraqi forces had passed, and said there was absolutely no truth in Iraq's statement that its forces had begun to withdraw. What had been removed were captured Kuwaiti military mechanized units, which were in the process of being transported to Iraq. Repression had been stepped up as a result of the increasing popular resistance to the aggressor. A large number of Kuwaiti civilians had been transferred to Baghdad. Also on that date, Kuwait's Permanent Mission to the United Nations rejected [S/21440] the so-called new Government of Kuwait set up by the Iraqi regime, reaffirmed its loyalty to the Amir of Kuwait, Sheikh Jaber Al-Ahmad Al-Jaber Al-Sabah, and warned against any dealings with the so-called free Government.

Also on 5 August, the nineteenth Ministerial Conference of the Organization of the Islamic Conference condemned [S/21448] the Iraqi aggression, declaring null and void the consequences stemming therefrom, and expressed its support for the lawful Government of Kuwait. It said that it would monitor Iraq's unconditional compliance with its commitment to withdraw its forces from Kuwait.

On 4 August, Kuwait expressed [S/21438] the need for the commitment of all the parties concerned to the immediate implementation of the Council's resolution.

Three days later, the Twelfth Extraordinary Ministerial Council Meeting of the Gulf Co-operation Council (Jeddah, Saudi Arabia, 7 August) issued a statement [S/21468] reaffirming the 3 August resolution of the League of Arab States and the Security Council's resolutions, and called on Iraq to withdraw from Kuwait in accordance with those resolutions.

Imposition of sanctions

On 3 August [A/45/339-S/21472], in a joint statement, the USSR and the United States called on the international community to join in an international cut-off of all arms supplies to Iraq. The USSR had already suspended arms deliveries, and the United States had frozen Iraqi assets.

On 4 August, the EC imposed [A/45/383-S/21444] an embargo on oil imports from Iraq and Kuwait and agreed to stop selling arms and military equipment to Iraq. Iraqi assets were to be frozen. It suspended technical and scientific co-operation and application of the Generalized

System of Preferences. The following day, Japan took similar action [A/45/386-S/21449].

SECURITY COUNCIL ACTION {6 August}

On 6 August, in the light of Iraq's non-compliance with resolution 660(1990) of 2 August, the Security Council adopted resolution 661(1990).

The Security Council,

Reaffirming its resolution 660(1990) of 2 August 1990,

Deeply concerned that that resolution has not been implemented and that the invasion by Iraq of Kuwait continues with further loss of human life and material destruction,

Determined to bring the invasion and occupation of Kuwait by Iraq to an end and to restore the sovereignty, independence and territorial integrity of Kuwait,

Noting that the legitimate Government of Kuwait has expressed its readiness to comply with resolution 660(1990).

Mindful of its responsibilities under the Charter of the United Nations for the maintenance of international peace and security,

Affirming the inherent right of individual or collective self-defence, in response to the armed attack by Iraq against Kuwait, in accordance with Article 51 of the Charter,

Acting under Chapter VII of the Charter,

1. Determines that Iraq so far has failed to comply with paragraph 2 of resolution 660(1990) and has usurped the authority of the legitimate Government of Kuwait;

2. Decides, as a consequence, to take the following measures to secure compliance of Iraq with paragraph 2 of resolution 660(1990) and to restore the authority of the legitimate Government of Kuwait;

3. Decides that all States shall prevent:

(a) The import into their territories of all commodities and products originating in Iraq or Kuwait exported therefrom after the date of the present resolution;

(b) Any activities by their nationals or in their territories which would promote or are calculated to promote the export or trans-shipment of any commodities or products from Iraq or Kuwait; and any dealings by their nationals or their flag vessels or in their territories in any commodities or products originating in Iraq or Kuwait and exported therefrom after the date of the present resolution, including in particular any transfer of funds to Iraq or Kuwait for the purposes of such activities or dealings;

(c) The sale or supply by their nationals or from their territories or using their flag vessels of any commodities or products, including weapons or any other military equipment, whether or not originating in their territories but not including supplies intended strictly for medical purposes, and, in humanitarian circumstances, foodstuffs, to any person or body in Iraq or Kuwait or to any person or body for the purposes of any business carried on in or operated from Iraq or Kuwait, and any activities by their nationals or in their territories which promote or are calculated to promote such sale or supply of such commodities or products;

4. Decides that all States shall not make available to the Government of Iraq, or to any commercial, industrial or public utility undertaking in Iraq or Kuwait, any funds or any other financial or economic resources and shall prevent their nationals and any persons within their territories from removing from their territories or otherwise making available to that Government or to any such undertaking any such funds or resources and from remitting any other funds to persons or bodies within Iraq or Kuwait, except payments exclusively for strictly medical or humanitarian purposes and, in humanitarian circumstances, foodstuffs;

5. Calls upon all States, including States non-members of the United Nations, to act strictly in accordance with the provisions of the present resolution notwithstanding any contract entered into or licence granted before the date of the present resolution;

6. Decides to establish, in accordance with rule 28 of the provisional rules of procedure, a Committee of the Security Council consisting of all the members of the Council, to undertake the following tasks and to report on its work to the Council with its observations and recommendations:

(a) To examine the reports on the progress of the implementation of the present resolution which will be submitted by the Secretary-General;

(b) To seek from all States further information regarding the action taken by them concerning the effective implementation of the provisions laid down in the present resolution;

7. Calls upon all States to co-operate fully with the Committee in the fulfilment of its tasks, including supplying such information as may be sought by the Committee in pursuance of the present resolution;

8. Requests the Secretary-General to provide all necessary assistance to the Committee and to make the necessary arrangements in the Secretariat for that purpose;

9. Decides that, notwithstanding paragraphs 4 to 8 above, nothing in the present resolution shall prohibit assistance to the legitimate Government of Kuwait, and calls upon all States:

(a.) To take appropriate measures to protect assets of the legitimate Government of Kuwait and its agencies;

(b) Not to recognize any regime set up by the occupying Power;

10. Requests the Secretary-General to report to the Security Council on the progress of the implementation of the present resolution, the first report to be submitted within thirty days;

11. Decides to keep this item on its agenda and to continue its efforts to put an early end to the invasion by Iraq.

Security Council resolution 661(1990)

6 August 1990 Meeting 2933

13-0-2

10-nation draft (S/21441).

Sponsors: Canada, Colombia, Côte d'Ivoire, Ethiopia, Finland, France, Malaysia, United Kingdom, United States, Zaire.

Vote in Council as follows:

In favour: Canada, China, Colombia, Côte d'Ivoire, Ethiopia, Finland, France, Malaysia, Romania, USSR, United Kingdom, United States, Zaire.

Against: None.

Abstaining: Cuba, Yemen.

Kuwait [S/21452], while welcoming the Security Council's resolution imposing sanctions on Iraq, on 7 August reported to the Secretary-General that Iraq continued to conduct air raids against residential areas in Kuwait and had arrested Kuwaiti nationals and transferred them to Iraq.

The President of Cuba, in a letter of 8 August [S/21465] to the heads of State of the Arab countries, said that the United States and its allies were increasing and accelerating their preparations for direct military intervention in the crisis and were taking steps to establish a multinational force whose composition reflected a new alignment of forces world wide that would tip the balance against the interests of the Arab peoples. He urged the leaders of the Arab world to put aside differences and achieve a unity of views and action to face the dangers involved.

On 13 August, Iraq described [S/21503] the Security Council's action in resolution 661(1990) as unjust, precipitous and iniquitous, and stated that the objective of the embargo was that of starving the Iraqi people. It said that the Security Council had in a matter of days adopted a series of resolutions against it with a dispatch unprecedented in UN history, leaping to sanctions in total disregard of Iraq's position. While the Council sanctions in resolution 661(1990) had made exception for medical supplies and foodstuffs, the United States had from the outset intended to prevent the delivery of such supplies, to starve and intimidate the Iraqi people. The United States had also incited a number of other States to impose a blockade of Iraq's exports and imports. Iraq said that from the humanitarian aspect, the Security Council should have allowed a certain amount of oil to be exported to provide for humanitarian needs, principally foodstuffs and medicine.

Annexation of Kuwait

On 8 August, Kuwait stated that, in the light of the purported annexation of Kuwait by Iraq, it was requesting that the Security Council immediately resume consideration of the item "The situation between Iraq and Kuwait" [S/21469].

On the same day, the Gulf Co-operation Council also requested [S/21470] an immediate meeting of the Security Council in the light of the declaration of the Iraqi Revolution Command Council annexing the State of Kuwait to Iraq.

Speaking before the Security Council on 9 August, Kuwait said that the motive for the Iraqi aggression had become clear to the world as seen in the usurpation and total annexation of Kuwait by military force. It called on the Council and the

international community to reject the annexation and consider it null and void, with no legal validity.

In explaining its action, Iraq told the Council that to weaken the region, foreign colonizers carved up its territory, transforming the Arab nation into 22 countries. In that way, a part of the region cherished by Iraq and its area of strategic access had been separated from it. That was why the Iraqi Revolutionary Council had decided to restore to the country the portion taken away from it, thus re-establishing the unity of the country.

SECURITY COUNCIL ACTION {9 August}

On 9 August, the Security Council adopted resolution 662(1990).

The Security Council,

Recalling its resolutions 660(1990) of 2 August 1990 and 661(1990) of 6 August 1990,

Gravely alarmed by the declaration by Iraq of a "comprehensive and eternal merger" with Kuwait,

Demanding once again that Iraq withdraw immediately and unconditionally all its forces to the positions in which they were located on 1 August 1990,

Determined to bring the occupation of Kuwait by Iraq to an end and to restore the sovereignty, independence and territorial integrity of Kuwait,

Determined also to restore the authority of the legitimate Government of Kuwait,

1. Decides that annexation of Kuwait by Iraq under any form and whatever pretext has no legal validity, and is considered null and void;

2. Calls upon all States, international organizations and specialized agencies not to recognize that annexation, and to refrain from any action or dealing that might be interpreted as an indirect recognition of the annexation;

3. Demands that Iraq rescind its actions purporting to annex Kuwait;

4. Decides to keep this item on its agenda and to continue its efforts to put an early end to the occupation.

Security Council resolution 662(1990)

9 August 1990 Meeting 2934 Adopted unanimously

Draft prepared in consultations among Council members {S/21471}.

Kuwait, in a 16 August statement [S/21546 & Corr.1] referring to Iraq's claims to its territory, said that the Kuwaiti people had elected their first Amir in 1756, long before the emergence of modern Iraq as a State in the 1920s. With respect to an Iraqi claim that Kuwait had been linked with the Turkish administration in Iraq, Kuwait said that contacts with the Amir and Turkey had been made directly and had not passed through Iraq. When Kuwait was harassed by the Ottoman Empire, it made its own choice and signed the Treaty of 1899 with Great Britain. Iraq could not claim that Kuwait had been detached from Iraq following the First World War, which ended in 1918. If Iraq rejected its boundaries with Kuwait

as being colonialist, Kuwait asked how it could accept those boundaries with one neighbour and reject them with another.

On 28 August, Kuwait informed [S/21663] the Secretary-General of reports that Iraq had decided to regard Kuwait as one of its own governorates and to change the name of the State of Kuwait. That demonstrated that Iraq did not wish to negotiate with regard to withdrawal and the restoration of legitimacy to Kuwait. The day before, Kuwait promulgated the Amiri Decree [S/21666], which stated that the temporary headquarters of the Government of Kuwait should be convened in Saudi Arabia or at any other location to be chosen by the Amir, Sheikh Jaber Al-Ahmad Al-Jaber Al-Sabah, and that any legislation, arrangement or measures issued by any authority or body claiming to exercise jurisdiction over the territory of Kuwait or any issue affecting its sovereignty and independence should be void, the only applicable legislation being that issued by the legitimate Government of Kuwait.

On 30 August, Kuwait issued a statement [S/21683] affirming the nullity of Iraq's decision to designate the State of Kuwait as a nineteenth governorate within its administrative structure. On 8 October, it informed [S/21853] the Secretary-General that on 2 September the Iraqi authorities had issued a decree abolishing the Kuwait civil status document, replacing it, subject to punishment, with the Iraqi personal identity card.

Sanctions implementation

On 15 August, the Secretary-General submitted an interim report [S/21536 & Corr.1] on implementation of Security Council resolution 661(1990) regarding sanctions. He stated that as of 15 August, 31 countries had responded to his request for information on the implementation of that resolution. He had also received a communication on behalf of the States members of the EC. He noted that the Security Council Committee established under resolution 661(1990) concerning the situation between Iraq and Kuwait (the Sanctions Committee) had met on 9 August and elected its officers.

Kuwait on 16 August proposed [S/21545] to the Council President that the Council pay attention to all the loopholes that were and might be used by Iraq to circumvent the embargo measures.

On the same day, the United States informed [S/21537] the President of the Security Council that, at Kuwait's request, it had joined that country and other Governments in taking actions to intercept vessels seeking to engage in trade with

Iraq or Kuwait in violation of mandatory Council sanctions. That was in accord with Article 51 of the Charter and resolution 661(1990). Force would only be used if necessary, and then only in a manner proportionate to prevent vessels from violating the sanctions.

Turkey on 20 August gave information [S/21577] on measures taken to facilitate the transit of non-commercial goods belonging to diplomatic and consular missions and third-country companies and staff from Iraq and Kuwait through Turkey. Earlier, on 14 August, Turkey had reported [S/21514] on its compliance with resolution 661(1990), including a shut-down of the oil pipeline between Iraq and Turkey.

Saudi Arabia on 22 August stated [S/21596] that there had been a halt in the exportation of Iraqi oil through pipelines across Saudi Arabian territory. Jordan on 23 August told [S/21614] the Secretary-General that it had informed Iraq it would prevent the transport of goods imported from Iraq through the Jordanian port of Aqaba, with the exception of pharmaceutical preparations, medical products and foodstuffs for humanitarian purposes. The exportation ban would include petroleum and its derivatives. Foodstuffs that had arrived at Aqaba by ship before 6 August would be allowed to cross Jordanian territory to Iraq in Jordanian and foreign trucks. Despite the ban on Iraqi goods and products, Jordan would continue to import heavy oil from Iraq because of the lack of any immediate or foreseeable alternative and in view of Jordan's total dependency on it for the production of energy. It would consider halting such imports if an alternative became available.

On 21 August, the Western European Union, after its ministerial session in Paris, issued a communique [A/45/439-S/21603] calling on the Security Council to take any further useful measures to render sanctions effective.

In a 25 August report [S/21641], the Secretary-General said that as of 24 August a further 61 replies had been received regarding the application of sanctions, bringing the total number of replies to 100.

SECURITY COUNCIL ACTION {25 August}

On 24 August, Belgium, the Federal Republic of Germany, Italy, the Netherlands and Spain requested [S/21634-21638] a Security Council meeting to consider the deteriorating situation between Iraq and Kuwait and the effective implementation of resolution 661(1990). On the same day, the six States members of the Gulf Co-operation Council (Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates) also requested [S/21639] a meeting to consider the meas-

ures required to implement resolutions 660(1990), 661(1990) and 662(1990).

On 25 August, the Security Council adopted resolution 665(1990).

The Security Council,

Recalling its resolutions 660(1990) of 2 August 1990, 661(1990) of 6 August 1990, 662(1990) of August 1990 and 664(1990) of 18 August 1990 and demanding their full and immediate implementation,

Having decided in resolution 661(1990) to impose economic sanctions under Chapter VII of the Charter of the United Nations,

Determined to bring to an end the occupation of Kuwait by Iraq which imperils the existence of a Member State, and to restore the legitimate authority and the sovereignty, independence and territorial integrity of Kuwait, which requires the speedy implementation of the above-mentioned resolutions,

Deploing the loss of innocent lives stemming from the Iraqi invasion of Kuwait and determined to prevent further such losses,

Gravely alarmed that Iraq continues to refuse to comply with resolutions 660(1990), 661(1990), 662(1990) and 664(1990) and in particular at the conduct of the Government of Iraq in using Iraqi flag vessels to export oil,

1. Calls upon those Member States co-operating with the Government of Kuwait which are deploying maritime forces to the area to use such measures commensurate to the specific circumstances as may be necessary under the authority of the Security Council to halt all inward and outward maritime shipping, in order to inspect and verify their cargoes and destinations and to ensure strict implementation of the provisions related to such shipping laid down in resolution 661(1990);

2. Invites Member States accordingly to co-operate as may be necessary to ensure compliance with the provisions of resolution 661(1990) with maximum use of political and diplomatic measures, in accordance with paragraph 1 above;

3. Requests all States to provide, in accordance with the Charter of the United Nations, such assistance as may be required by the States referred to in paragraph 1 above;

4. Also requests the States concerned to co-ordinate their actions in pursuit of the above paragraphs of the present resolution using, as appropriate, mechanisms of the Military Staff Committee and, after consultation with the Secretary-General, to submit reports to the Security Council and the Security Council Committee established by resolution 661(1990) concerning the situation between Iraq and Kuwait, in order to facilitate the monitoring of the implementation of the present resolution;

5. Decides to remain actively seized of the matter.

Security Council resolution 665(1990)
25 August 1990 Meeting 2938 13-0-2
7-nation draft (S/21640).
Sponsors: Canada, Côte d'Ivoire, Finland, France, United Kingdom, United States, Zaire.

Vote in Council as follows:

In favour: Canada, China, Colombia, Côte d'Ivoire, Ethiopia, Finland, France, Malaysia, Romania, USSR, United Kingdom, United States, Zaire.
Against: None.
Abstaining: Cuba, Yemen.

During the Council meeting, Kuwait said that by calling for the use of all possible means, including the military option, to tighten the sanctions against Iraq, the resolution closed the loopholes in resolution 661(1990) that had been exploited by Iraq.

Iraq said the resolution was illegal, was void in substance and detail, and undermined the Council's authority, since there were no real boundaries ensuring the proper use of force on the high seas.

Sanctions enforcement

On 9 August, the USSR reported [A/45/400-S/21479] that its efforts, through an exchange of messages between its President and the President of Iraq, had regrettably not led to implementation of Security Council resolution 660(1990) calling for Iraq's withdrawal. However, the USSR remained opposed to force and unilateral solutions; collective efforts and full use of UN mechanisms were the surest and best way to act in conflict situations. The Security Council should deal with the critical situation in question on a permanent basis, and the Soviet Union would accept immediate consultations within the Military Staff Committee of the Council. Arab countries could also play a special role in preventing the situation from developing into an even greater military conflict.

On the same date, the United States informed [S/21492] the Security Council President that, in accordance with Article 51 of the Charter, it had deployed military forces in the Persian Gulf region, in exercise of the inherent right of self-defence and in response to requests from Kuwait and Saudi Arabia for assistance. Iraq had threatened Saudi Arabia and other States neighbouring Kuwait.

Kuwait on 12 August informed [S/21498] the Security Council President that it had requested some nations to take military and other steps to ensure effective and prompt implementation of resolution 661(1990). On 13 August, the United Kingdom also informed [S/21501] the Council President of requests by Bahrain, Kuwait and Saudi Arabia and an agreement with Oman regarding the deployment of its forces to the Gulf. Iraq accused [S/21503] the United States on 13 August of preventing the delivery of humanitarian supplies and said the United States had incited a number of other States to follow its example in imposing a blockade on Iraq's exports and imports.

The United States on 16 August reported [S/21537] that, at the request of Kuwait and in the exercise of its right of self-defence, its military forces had joined Kuwait and other nations in intercepting vessels seeking to engage in trade

with Iraq or Kuwait. United States military forces would use force only if necessary to prevent vessels from violating the trade sanctions.

The Libyan Arab Jamahiriya on 15 August had, in a letter from its head of State to the Secretary-General, stated [S/21529] that the blockade in the Gulf beginning on 14 August was an act of aggression; it requested the Security Council to meet in Geneva; it repeated that request on 17 August [S/21560].

On 18 and 19 August [S/21563, S/21564], Iraq complained that United States warships had fired on, intercepted, harassed and boarded Iraqi oil tankers. Iraq said that this proved that the United States had arrogated to itself the right to commit acts of piracy and armed aggression at sea against Iraq. It warned of the consequences of such actions and urged the international community to register a strong protest.

The Sudan on 19 August [S/21574] and Jordan on 20 August [S/21571] complained about a confrontation between United States military ships and a Sudanese liner in the vicinity of the Aqaba strait. The Sudan asked the Security Council to give an explicit interpretation of whether Security Council resolution 661(1990) had delegated powers to any country to impose a naval blockade on ships of other countries travelling to countries not involved in the conflict. Jordan said that, because of the incident of 19 August, companies were refusing to send their ships to Aqaba, Jordan's only maritime outlet, accounting for 80 per cent of its imports of foodstuffs. At the same time, the process of transporting thousands of Iraqi and Kuwaiti refugees from Jordan back to their countries of origin had been held up, creating a heavy burden on Jordan. The Secretary-General was asked to use his good offices with the Government of the United States to prevent the recurrence of an incident violating international law, since resolution 661(1990) did not give any State the right to take unilateral action to apply it.

On 21 August, the Western European Union instructed [A/45/439-S/21603] an ad hoc group of foreign and defense ministry representatives to ensure the most effective co-ordination regarding overall operational concepts and specific guidelines between forces in the region, including areas of operation, sharing of tasks, logistical Support and exchange of intelligence. The Union reported that a meeting of chiefs-of-defence staffs would be held in the next few days. Co-ordination should also facilitate co-operation with other countries deploying forces in the region, including those of the United States.

On 25 August, the Security Council, in resolution 665(1990), called on those Member States co-operating with Kuwait and deploying military

forces in the area to use such means to halt all naval and other shipping in order to inspect and verify cargoes and destinations (see full text under "Sanctions implementation").

Argentina on 19 September announced [S/21791] that, at the request of Kuwait, it was sending to the Gulf region a contingent of its forces to contribute to the strict enforcement of the mandatory measures.

Iraq complained [S/21861] about a tanker being boarded by forces of British and Americans on 8 October, and of a similar incident involving British and Australian forces which had taken place sometime between 8 and 11 October [S/21874]. On 28 October, Iraq again complained [S/21910] of an act of aggression against its vessels.

SECURITY COUNCIL ACTION {25 September}

On 25 September, the Council adopted resolution 670(1990).

The Security Council,

Reaffirming its resolutions 660(1990) of 2 August 1990, 661(1990) of 6 August 1990, 662(1990) of 9 August 1990, 664(1990) of 18 August 1990, 665(1990) of 25 August 1990, 666(1990) of 13 September 1990, and 667(1990) of 16 September 1990,

Condemning Iraq's continued occupation of Kuwait, its failure to rescind its actions and end its purported annexation and its holding of third-State nationals against their will, in flagrant violation of resolutions 660(1990), 662(1990), 664(1990) and 667(1990) and of international humanitarian law,

Condemning also the treatment by Iraqi forces of Kuwaiti nationals, including measures to force them to leave their own country and mistreatment of persons and property in Kuwait in violation of international law,

Noting with grave concern the persistent attempts to evade the measures laid down in resolution 661(1990).

Noting also that a number of States have limited the number of Iraqi diplomatic and consular officials in their countries and that others are planning to do so,

Determined to ensure by all necessary means the strict and complete application of the measures laid down in resolution 661(1990),

Determined also to ensure respect for its decisions and the provisions of Articles 25 and 48 of the Charter of the United Nations,

Affirming that any acts of the Government of Iraq which are contrary to the above-mentioned resolutions or to Articles 25 or 48 of the Charter, such as Decree No. 377 of 16 September 1990 of the Revolutionary Command Council of Iraq, are null and void,

Reaffirming its determination to ensure compliance with its resolutions by maximum use of political and diplomatic means,

Welcoming the Secretary-General's use of his good offices to advance a peaceful solution based on the relevant resolutions of the Council and noting with appreciation his continuing efforts to this end,-

Underlining to the Government of Iraq that its continued failure to comply with the terms of resolutions 660(1990), 661(1990), 662(1990), 664(1990), 666(1990)

and 667(1990) could lead to further serious action by the Council under the Charter, including under Chapter VII,

Recalling the provisions of Article 103 of the Charter, Acting under Chapter VII of the Charter,

1. Calls upon all States to carry out their obligations to ensure strict and complete compliance with resolution 661(1990) and in particular paragraphs 3, 4 and 5 thereof;

2. Confirms that resolution 661(1990) applies to all means of transport, including aircraft;

3. Decides that all States, notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any licence or permit granted before the date of the present resolution, shall deny permission to any aircraft to take off from their territory if the aircraft would carry any cargo to or from Iraq or Kuwait other than food in humanitarian circumstances, subject to authorization by the Security Council or the Security Council Committee established by resolution 661(1990) concerning the situation between Iraq and Kuwait and in accordance with resolution 666(1990), or supplies intended strictly for medical purposes or solely for the United Nations Iran-Iraq Military Observer Group;

4. Decides also that all States shall deny permission to any aircraft destined to land in Iraq or Kuwait, whatever its State of registration, to overfly their territory unless:

(a) The aircraft lands at an airfield designated by the State outside Iraq or Kuwait in order to permit its inspection to ensure that there is no cargo on board in violation of resolution 661(1990) or the present resolution, and for this purpose the aircraft may be detained for as long as necessary; or

(6) The particular flight has been approved by the Security Council Committee; or

(c) The flight is certified by the United Nations as solely for the purposes of the Military Observer Group;

5. Decides further that each State shall take all necessary measures to ensure that any aircraft registered in its territory or operated by an operator who has his principal place of business or permanent residence in its territory complies with the provisions of resolution 661(1990) and the present resolution;

6. Decides moreover that all States shall notify in a timely fashion the Security Council Committee of any flight between its territory and Iraq or Kuwait to which the requirement to land in paragraph 4 above does not apply and the purpose for such a flight;

7. Calls upon all States to co-operate in taking such measures as may be necessary, consistent with international law, including the Chicago Convention on International Civil Aviation of 7 December 1944, to ensure the effective implementation of the provisions of resolution 661(1990) or the present resolution;

8. Also calls upon all States to detain any ships of Iraqi registry which enter their ports and which are being or have been used in violation of resolution 661(1990), or to deny such ships entrance to their ports except in circumstances recognized under international law as necessary to safeguard human life;

9. Reminds all States of their obligations under resolution 661(1990) with regard to the freezing of Iraqi assets, and the protection of the assets of the legitimate

Government of Kuwait and its agencies, located within their territory and to report to the Security Council Committee regarding those assets;

10. Further calls upon all States to provide to the Security Council Committee information regarding the action taken by them to implement the provisions laid down in the present resolution;

11. Affirms that the United Nations, the specialized agencies and other international organizations in the United Nations system are required to take such measures as may be necessary to give effect to the terms of resolution 661(1990) and of the present resolution;

12. Decides to consider, in the event of evasion of the provisions of resolution 661(1990) or of the present resolution by a State or its nationals or through its territory, measures directed at the State in question to prevent such evasion;

13. Reaffirms that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, applies to Kuwait and that, as a High Contracting Party to the Convention, Iraq is bound to comply fully with all its terms and in particular is liable under the Convention in respect of the grave breaches committed by it, as are individuals who commit or order the commission of grave breaches.

Security Council resolution 670(1990)

25 September 1990 Meeting 2943

14-1

9-nation draft (S/21816).

Sponsors: Canada, Côte d'Ivoire, Finland, France, Romania, USSR, United Kingdom, United States, Zaire.

Vote in Council as follows:

In favour: Canada, China, Colombia, Côte d'Ivoire, Ethiopia, Finland, France, Malaysia, Romania, USSR, United Kingdom, United States, Yemen, Zaire.

Against: Cuba.

On 5 November, Iraq requested the inclusion of an additional item in the agenda of the forty-fifth session of the General Assembly, entitled "United States military concentrations in the Arabian Gulf region: threats to Arab and international peace and security". In an explanatory memorandum [A/45/236 & Corr.1], Iraq said that since 7 August, the United States had been engaged in an unprecedented build-up of enormous military force in the Arabian Peninsula and the Arabian Gulf, which confirmed that its objectives were offensive rather than defensive. That was supported by statements made by American officials, Iraq alleged. The escalation was being conducted in isolation from Security Council resolutions and the international community's desire to avoid war. The United States was imposing a comprehensive sea, land and air embargo against Iraq. It was inhumane and deprived the Iraqi people of the simplest basic human right, the right to life.

On 9 November, the General Committee of the General Assembly decided to take no action on the Iraqi request.

Further action

On 10 August [S/21500], in a resolution adopted at the end of the Extraordinary Arab Summit Conference (Cairo, Egypt, 9-10 August), Arab leaders condemned threats made by Iraq against the Gulf States; censured Iraq's concentration of its armed forces along Saudi Arabia's borders; and supported measures taken by Saudi Arabia and other Gulf States in exercise of their rights of self-defence, on the understanding that such measures would cease immediately on the full withdrawal of Iraqi forces from Kuwait and the restoration of the legitimate authority in that country. The Summit Conference decided to comply with the request of Saudi Arabia and other Gulf States that Arab forces be deployed to assist its armed forces in defending its soil and territorial integrity against external aggression.

Iraq on 13 August said [S/21499] that allegations that it had engaged in a military action against Saudi Arabia were groundless. Iraq officially stated it had no intention of initiating any military action against Saudi Arabia.

On 12 August, the President of Iraq said [S/21494] that the United States had begun to mobilize its naval and air forces and was calling for war against Iraq under the pretext of combating the Iraqi threat to Saudi Arabia. He proposed that alleged questions of occupation in the region be dealt with on the same basis as others, and include the immediate and unconditional withdrawal of Israel from the occupied Arab territories in Palestine, the Syrian Arab Republic and Lebanon, as well as the withdrawal of Syria from Lebanon and withdrawals relating to Iraq and Iran. As a first step, the plan must be applied initially to prior cases of occupation by implementation of all United Nations resolutions until the most recent case was reached. Also, the United States and other forces should be immediately withdrawn from Saudi Arabia and replaced by Arab forces, in accordance with a mandate to be defined by the Security Council.

Saudi Arabia on 17 August said [S/21554] that, with the Iraqi Government concentrating large military forces in combat formation near the border between Kuwait and Saudi Arabia, it had been obliged to take all precautionary measures required to defend its security, to protect its citizens and to preserve its economic foundations, in exercise of its rights under Charter Article 51. Arab, Islamic and friendly forces had joined the Saudi Arabian armed forces in defending Saudi Arabia against aggression. The presence of those forces was temporary and would end once the reasons for the threats confronting Kuwait were removed. Their mission was entirely defensive,

and the use of those forces for an act of aggression against any State would not be permitted in any circumstances. If Iraq wished to prove it did not have any aggressive intentions, Saudi Arabia said, it had only to withdraw immediately from Kuwait and allow the legitimate Government once again to exercise its functions in the State of Kuwait.

Commenting on the "parallel withdrawals" suggestion of the President of Iraq, Kuwait said [S/21546] on 16 August that Arab occupation of an Arab neighbour deprived the Arab call for Israel's departure from the occupied territories of the substance of its credibility.

Sanctions exemptions

SECURITY COUNCIL ACTION (13 September)

Iraq accused the United States on 13 August [S/21503] of preventing the delivery of humanitarian supplies in order to starve the people of Iraq. The United States, it went on, had also incited a number of other States to follow its example in imposing a blockade on Iraq's exports and imports. The Council should have allowed a certain amount of oil to be exported to provide for humanitarian needs, principally foodstuffs and medicine.

On 13 September, the Security Council adopted resolution 666(1990).

The Security Council,

Recalling its resolution 661(1990) of 6 August 1990, paragraphs 3 (c) and 4 of which apply, except in humanitarian circumstances, to foodstuffs,

Recognizing that circumstances may arise in which it will be necessary for foodstuffs to be supplied to the civilian population in Iraq or Kuwait in order to relieve human suffering,

Noting that in this respect the Security Council Committee established by resolution 661(1990) concerning the situation between Iraq and Kuwait has received communications from several Member States,

Emphasizing that it is for the Security Council, alone or acting through the Committee, to determine whether humanitarian circumstances have arisen,

Deeply concerned that Iraq has failed to comply with its obligations under Security Council resolution 664(1990) of 18 August 1990 in respect of the safety and well-being of third-State nationals, and reaffirming that Iraq retains full responsibility in this regard under international humanitarian law including, where applicable, the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,

Acting under Chapter VII of the Charter of the United Nations,

1. Decides that in order to make the necessary determination whether or not, for the purposes of paragraphs 3 (c) and 4 of resolution 661(1990), humanitarian circumstances have arisen, the Security Council Committee established by resolution 661(1990) con-

cerning the situation between Iraq and Kuwait shall keep the situation regarding foodstuffs in Iraq and Kuwait under constant review;

2. Expects Iraq to comply with its obligations under resolution 664(1990) in respect of third-State nationals and reaffirms that Iraq remains fully responsible for their safety and well-being in accordance with international humanitarian law including, where applicable, the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 AUGUST 1949;

3. Requests for the purposes of paragraphs 1 and 2 above, that the Secretary-General seek urgently, and on a continuing basis, information from relevant United Nations and other appropriate humanitarian agencies and all other sources on the availability of food in Iraq and Kuwait, such information to be communicated by the Secretary-General to the Committee regularly;

4. Also requests that in seeking and supplying such information particular attention be paid to such categories of persons who might suffer specially, such as children under 15 years of age, expectant mothers, maternity cases, the sick and the elderly;

5. Decides that if the Committee, after receiving the reports from the Secretary-General, determines that circumstances have arisen in which there is an urgent humanitarian need to supply foodstuffs to Iraq or Kuwait in order to relieve human suffering, it will report promptly to the Council its decision as to how such need should be met;

6. Directs the Committee that in formulating its decisions it should bear in mind that foodstuffs should be provided through the United Nations in co-operation with the International Committee of the Red Cross or other appropriate humanitarian agencies and distributed by them or under their supervision, in order to ensure that they reach the intended beneficiaries;

7. Requests the Secretary-General to use his good offices to facilitate the delivery and distribution of foodstuffs to Kuwait and Iraq in accordance with the provisions of the present resolution and other relevant resolutions;

8. Recalls that resolution 661(1990) does not apply to supplies intended strictly for medical purposes, but in this connection recommends that medical supplies should be exported under the strict supervision of the Government of the exporting State or by appropriate humanitarian agencies.

Security Council resolution 666(1990)

13 September 1990

Meeting 2939

13-2

B-nation draft (S/21747).

Sponsors. Canada, Finland, France, USSR, United Kingdom, United States.

Vote in Council as follows:

In favour: Canada, China, Colombia, Côte d'Ivoire, Ethiopia, Finland, France, Malaysia, Romania, USSR, United Kingdom, United States, Zaire.
Against: Cuba, Yemen.

In a statement of 16 September [S/21790], Iraq commented that resolution 666(1990) was biased and insulting. The form of control established had no other intention than to tighten the stranglehold of a free people and to cause humiliation

and famine. However, Iraq promised to co-operate with foreign Governments and the Iraqi Red Crescent Society to meet the needs of foreign residents in Kuwait and to ensure that their requirements for food and medical supplies were met.

Effects of sanctions

Jordan

On 20 August, Jordan wrote [S/21620] to the President of the Security Council requesting, under Article 50 of the Charter, consultations with the Council concerning the effects on Jordan of carrying out resolution 661(1990). Jordan pointed out that while it was cognizant of its Charter obligations and would comply with the resolution's mandatory nature, its geographical location and economic interdependence with Iraq and Kuwait would result in special economic problems. Restrictions on Jordan's exports to the two countries would amount to 30 per cent of Jordan's national exports; 90 per cent of its oil was imported from Iraq and Kuwait, and the fuel oil imports from Iraq were at concessionary rates not exceeding 60 per cent of the international price of crude oil. A minimum of 100,000 Jordan expatriates worked in Kuwait. The direct financial loss to Jordan in implementing the embargo decision would be not less than \$1.5 billion a year, and Jordan would require further funding of \$500 million dollars to cover indirect consequences and the repercussions of reduced economic activity and external imbalances. On 18 September, the Sanctions Committee submitted to the Council a special report [S/21786] on the communication from Jordan with regard to special economic problems arising from carrying out the sanctions imposed on Iraq. The Committee recommended that the Secretary-General undertake a full assessment, with suggestions for appropriate remedies to the problem, including especially the question of the supply of petroleum and its derivatives. He should also develop methods for receiving information from States about their contribution to relieve the hardships faced by Jordan and should appoint a Special Representative to co-ordinate assistance to Jordan by UN agencies.

Report of Secretary-General. On 22 October, in response to the recommendations of the Sanctions Committee, the Secretary-General transmitted to the President of the Security Council a report [S/21938] by Jean Ripert, former United Nations Director-General for Development and International Economic Co-operation, regarding problems that had arisen from measures

Jordan had undertaken to comply with the sanctions.

Mr. Ripert had visited Jordan from 10 to 15 October. He concluded that, as a result of the Gulf crisis, Jordan was in an extremely difficult position, compounded by the interruption in the usual trade and financial relations with Saudi Arabia. The overall economic burden on Jordan relative to its total economic activity was much larger than any other country except Kuwait; its current economic outlook could only be described as grave, warranting emergency financial assistance from the international community for as long as resolution 661(1990) remained in force. Assistance should be through a combination of official bilateral grants, concessional loans, waivers of interest payments and additional multilateral flows. Special trade concessions and assistance should be rendered to allow Jordan to divert more of its exports to third markets rather than shut down much of the domestic economy that had been struggling in recent years to build up and diversify its export base.

Mr. Ripert's overall estimate was that Jordan would lose almost \$730 million in 1990 as a result of sanctions, and almost \$160 million a month in 1991 should the embargo continue. Those losses assumed that Jordan continued to take its petroleum supplies from Iraq; if it switched to another supplier, losses would rise to almost \$1 billion in 1990 and about \$200 million a month in 1991. Those would not be the full costs to Jordan, which were estimated at \$1.5 billion in 1990 and up to \$300 million a month in 1991 if Iraqi oil purchases were discontinued.

The Secretary General, in submitting Mr. Ripert's report, requested Member States to provide the necessary immediate assistance to Jordan to mitigate the consequences of the difficulties faced by it as a result of the crisis. He called on the agencies, organs, organizations and bodies of the UN system to intensify their programmes of assistance in response to Jordan's pressing needs, which required an urgent response.

Other countries

During August and September, a number of countries, in addition to Jordan, requested the Sanctions Committee to consider their circumstances in regard to the application of sanctions under Article 50 of the Charter. Among others, Yugoslavia [S/21618, S/21642] said that alternative oil supplies and deferred payments by Iraq for various projects would mean that the negative effects of implementing sanctions would amount to nearly \$3 billion, and Romania [S/21643] would have increased oil costs, interrupted contracts and deferred Iraqi payments amounting to \$2.9

billion. Disruption of trade with Iraq represented 4 per cent of Tunisia's external trade [S/21649]. Lebanon [S/21737, S/21686] stood to lose remittances from 40,000 Lebanese working in Kuwait and 20,000 in Iraq, and incur extra oil costs and a loss of 45 per cent of the value of the Lebanese currency since the invasion of Kuwait. The Sudan [S/21695, S/21930] estimated a direct adverse financial impact of \$1,185 million. Sri Lanka [S/21710] would experience disruption of its major export commodity, tea, of which Iraq and Kuwait imported about one eighth of the country's total exports, and a loss of remittances and oil price rises would result in an immediate short-term revenue loss of \$100 million. Increased oil prices and export losses would account for more than 60 per cent of India's project exports, as well as losses from deferred Iraqi payments and a lack of remittances from 200,000 Indians employed in Iraq and Kuwait [S/22013]. The Philippines [S/21712] reported potential trade losses and a loss of remittances of 65,000 Filipino workers in Iraq. Yemen [S/21748] would lose oil refining revenues at Aden, budgetary support from both Iraq and Kuwait, export markets, and remittances from 35,000 nationals whose compulsory return from Kuwait had added to Yemen's costs.

Pakistan [S/21776] and Poland [S/21808] also asked for assistance under Article 50: Pakistan cited costs of more than \$1 million in evacuation and rehabilitation of Pakistanis, loss of home remittances, loss of exports and increased oil prices; Poland cited losses of \$2.4 billion, including the suspension of payment of Iraqi debts, lost exports, and the loss of rolling contracts at the signature stage for which contractors had assembled equipment and ordered supplies. Viet Nam requested [S/21810] an urgent international relief operation to rush food to its 17,000 nationals working in Iraq, stating that more than half were sick or facing hunger and, with Iraq ending food supplies to them on 1 October, that starvation could occur in a matter of days. For the immediate future, some 500 tons of food were urgently needed, as well as international assistance to transport people home, with up to 5,000 persons needing repatriation. Turkey [S/21806] said it would end the transit of foodstuffs to Iraq and Kuwait through Turkey, as long as the Security Council had not determined that humanitarian circumstances had arisen. Mauritania [S/21818] sought relief amounting to \$63 million, possibly rising to \$100 million. Czechoslovakia [S/21837] estimated its overall losses at \$2 billion, including the freezing of outstanding claims, suspension of contracts and increased oil prices. Bangladesh [S/21856] estimated losses at \$1.5 billion, including repatriation of 100,000 nationals, some of whom

were stranded in Jordan, Turkey and Saudi Arabia, and cited also the loss of aid and exports and the rise in oil prices.

Because of greater oil costs, Pakistan [S/21875] later revised its estimate of losses from \$1 billion to \$2.1 billion. Seychelles [S/21891] said that it had previously been entirely dependent on Kuwait for oil and now had to buy oil on the spot market for cash, and its fisheries and tourism activities were also affected. The Palestine Liberation Organization [A/45/639-S/21882] estimated losses in remittances and aid for one year at \$1.3 billion, stating that the figure did not include huge losses of capital and personal belongings and losses from increased unemployment.

Sanctions Committee. On 14 September, the Sanctions Committee, meeting in closed session, authorized the Indian authorities to send one Indian ship to carry foodstuffs to Iraq and Kuwait to meet the immediate needs of Indian nationals there; and adopted a working paper by the non-aligned caucus concerning emergency international relief to assist Asian and other foreign nationals stranded in Kuwait and Iraq.

SECURITY COUNCIL ACTION (24 September)

On 24 September, the Security Council President informed [S/21826] the Secretary-General that the Council had decided to bring to his attention the recommendations in a special report relating to Jordan, which the Council approved, and to ask that he implement the actions and recommendations contained in the report.

On the same date, it adopted resolution 669(1990).

The Security Council,
Recalling its resolution 661(1990) of 6 August 1990,
Recalling also Article 50 of the Charter of the United Nations,

Conscious of the fact that an increasing number of requests for assistance have been received under the provisions of Article 50 of the Charter,

Entrusts the Security Council Committee established by resolution 661(1990) concerning the situation between Iraq and Kuwait with the task of examining requests for assistance under the provisions of Article 50 of the Charter, and making recommendations to the President of the Security Council for appropriate action.

Security Council resolution 669(1990)

24 September 1990 Meeting 2942 Adopted unanimously
Draft prepared in consultations among Council members (S/21811).

Further requests. Further communications regarding relief under Article 50 were received from Sri Lanka, revising [S/21984] its estimate of losses to well beyond \$1 billion for the period from August 1990 to the end of 1993. Romania [S/21990] stated that its losses were now estimated

at \$2.9 billion, representing almost one third of its total trade exchanges in hard currency for 1989 and resulting in a negative impact on its gross national product (GNP) of 14 per cent. Viet Nam [S/22004] itemized losses of more than \$377 million in exports, and from the termination of contracts for more than 16,000 workers in Iraq, the suspension of Kuwaiti loans and credits, the additional costs of oil imports, and the additional import costs of goods. The Philippines [S/22011] cited increased oil costs, fewer remittances, repatriation costs for 65,000 Filipinos and exacerbated unemployment. Tunisia [S/22015] cited export losses, investment interruptions and remittance losses, with repercussions on the balance of payments of losses of 1.7 per cent of the gross domestic product (GDP) for 1990 and 2.5 per cent for 1991. Czechoslovakia [S/22019] revised its losses to \$1,581 million for 1990, and to a minimum of \$1,000 million for 1991. India presented [S/22013] its revised losses of \$3,045 million in 1990, and estimated losses of \$2,860 million in 1991. Yugoslavia [S/22014] put its total losses for 1990 at \$1.3 billion. Seychelles [S/22023] reported that its oil cost losses for the last quarter of 1990 were \$2 million and estimated losses of \$4.1 million for 1991, together with \$2 million in trade tax losses. Uruguay [S/22026] estimated losses in trade of \$53.8 million in 1990 and \$112 million in 1991, with the latter figure amounting to 1.3 per cent of GNP or 5 per cent of estimated exports.

Sanctions Committee. On 19 December, the Chairman (Finland) of the Sanctions Committee submitted a report [S/22021] regarding the examination of requests for assistance under the provisions of Article 50, in response to the Council's request of 24 September. The Committee had on 27 September decided to set up an open-ended working group to examine requests for assistance and advise on appropriate action. On 11 October the Committee appointed Canada as Chairman of the Group. By 17 December, 18 States (excluding Jordan, whose special case was considered earlier-see above) had requested consultations in terms of Article 50: Bangladesh, Bulgaria, Czechoslovakia, India, Lebanon, Mauritania, Pakistan, the Philippines, Poland, Romania, Seychelles, the Sudan, Sri Lanka, Tunisia, Uruguay, Viet Nam, Yemen and Yugoslavia. Botswana had indicated its intention to consult in due course. On 12 December, the Sanctions Committee adopted recommendations submitted by the Working Group regarding Bulgaria, India, Lebanon, the Philippines, Romania, Tunisia and Yugoslavia. Recommendations concerning the remainder of the requests were to be submitted once they were approved. The Committee commended the Governments concerned for the

measures taken to comply with sanctions; urgently appealed to all States to provide immediate technical, financial and material assistance to mitigate the adverse economic effects of applying sanctions; invited the UN system to review assistance programmes with a view to alleviating the special economic problems; and requested the Secretary-General to report to the Security Council on actions taken by States and the UN system to alleviate the problems.

On 21 December, the Chairman of the Committee submitted to the President of the Security Council recommendations [S/22021/Add.1] on the same lines regarding Bangladesh, Czechoslovakia, Mauritania, Pakistan, Poland, Seychelles, Sri Lanka, the Sudan, Uruguay, Viet Nam and Yemen.

On 21 December, the President of the Security Council informed [S/22033] the Secretary-General of the Council's request that he implement the actions contained in the Sanctions Committee's recommendations.

Escalating crisis

As the crisis continued to escalate, international opposition to Iraq's invasion and subsequent annexation of Kuwait strengthened. On 19 August, the President of Iraq proposed [S/21651] that the Security Council ensure that the United States withdraw its forces from the region, and that Iraq and Saudi Arabia should undertake not to attack each other. Alternatively, the Council could guarantee peace and security throughout the region, in accordance with Iraq's previous initiative of 12 August (see p. 198). If neither initiative was carried out, the President of the United States should confirm his commitment to withdraw his forces and those of his allies from Arab territories and Muslim holy places, undertake not to use force against Iraq, and lift the embargo. The question of Kuwait should be left to the Arabs, as an Arab issue, the Iraqi President declared.

Kuwait, commenting [S/21566] on the latest Iraqi initiative, said that Iraq was beginning to feel its international isolation and sought to use innocent foreigners working in Iraq and Kuwait as a means of putting pressure on the international community to lift sanctions. Iraq was now speaking of the issue as an Arab issue, Kuwait said, but previously it had rejected a Kuwait proposal that an Arab committee be created to resolve outstanding issues, stating that the issue was a bilateral affair.

At the end of August, the Secretary-General, concerned over the situation in the Persian Gulf, launched his own diplomatic initiative to find a

means to solve what he considered "this extremely dangerous problem". He held extensive talks on 30 August in Amman, Jordan, with the Iraqi Foreign Minister. On 3 September, the Secretary-General met in Paris with the King of Jordan to discuss their respective diplomatic efforts, and he subsequently reported to the Council on those talks on 6 September.

In its initiative [S/21706] of 4 September, the Libyan Arab Jamahiriya proposed that: UN forces should take the place of Iraqi forces in Kuwait and that NATO forces withdraw from the Gulf; the economic blockade of Iraq should be lifted; Arab and Islamic forces should replace United States and Western forces in the Arabian peninsula; Iraq should be given possession of Bubiyan Island as a means of access to the Gulf; the Rumaila oil field should be restored to Iraq; Kuwait's internal affairs were to be left exclusively to the Kuwaitis; a single Arab oil policy should be established; debts incurred by and compensation due to any Arab parties that had suffered as a result of the problem should be settled; an Arab summit should be held in Libya to confirm the plan for Arab union; and the initiative should be put into practice under the supervision of the Secretaries-General of the United Nations and of the League of Arab States.

Kuwait on 7 September stated [S/21723] that the Libyan initiative was incompatible with Security Council resolutions calling for unconditional withdrawal from Kuwait territory and appeared to reward the aggressor by proposing to give it the Kuwaiti island of Bubiyan and the Kuwaiti oil-field of Rutqah. Kuwait said that no initiative outside the framework of Security Council resolutions could be accepted or discussed.

Earlier, on 25 August, the USSR had reported [S/21650] that it had advised the leaders of Iraq to draw appropriate conclusions from the unanimity with which the Security Council had been acting. France and the USSR, in a joint statement [A/45/468-S/21675] issued on 26 August, urged Iraq to show realism and reason by complying with the will of the international community, as expressed in the resolutions adopted by the Security Council. They reaffirmed the Security Council's demand that Iraq permit foreign nationals detained in Iraq and Kuwait to return to their countries of origin, and expressed their conviction that the crisis once again highlighted the need for more intensive efforts to resolve other crisis situations in the Near East, particularly the question of Palestine.

On 27 August, Egypt commented [S/21664] on a statement [S/21569] by Iraq that the Arab League Summit Conference resolution of 10 August was incompatible with the Pact of the League of Arab

States. Iraq had asserted that that meeting was to give an Arab veneer to the presence of foreign forces in Arab territory and to provide cover for the aggression being planned by the United States. Egypt refuted the Iraqi comments, stating that the dispatch of Arab forces in response to Saudi Arabia's request was a bilateral matter, and that the resolution was in full conformity with the international consensus condemning Iraq, and in accordance with decisions of the Organization of the Islamic Conference and the Movement of Non-Aligned Countries.

The Council of the League of Arab States met in an extraordinary session on 30 and 31 August in Cairo, Egypt. The participants, in a decision [S/21693] on the implementation of the 10 August resolution of the Extraordinary Arab Summit Conference, reaffirmed the League's commitment to Security Council resolutions relating to the Iraqi aggression against Kuwait, and the League's support for the Secretary-General in his mission undertaken to implement them. It stressed that any Arab resolution of the crisis in the Arabian Gulf arising from the Iraqi occupation of Kuwait must emanate from the Pact of the League, be based on the resolution of 10 August, and be adopted by the Arab Summit Conference of the Council of the League. It called on those States that might have proposals for a resolution of the crisis to present them to the Arab League Council.

On 5 September, on the eve of the summit meeting between the Presidents of the Soviet Union and the United States in Helsinki, Finland, to discuss the situation in the Persian Gulf, Kuwait sent a letter [S/21729] to the Soviet President, stating that Kuwait and the world expected from their meeting a decisive position that would restore right and defeat the forces of injustice and aggression by the adoption of effective measures to compel Iraq to respect the international will and implement without delay the resolutions of the Security Council.

On 23 September, Iraq complained [S/21812] to the Secretary-General about the refusal of the United States to allow a special aircraft to land in New York to bring its Foreign Minister and others to participate in the work of the General Assembly, stating that the United States suggestion that a commercial aircraft be used was tantamount to preventing Iraqis from attending the General Assembly, given the exigencies of safety. Iraq would not participate in the current Assembly session unless the United States lifted the restrictions. At the same time, Iraq protested the successive resolutions of the Security Council which, it said, had blocked all paths towards dialogue to deal with the situation on the basis of

justice and equity, and added that Iraq would not yield to United States and Western terrorism.

The Libyan Arab Jamahiriya said [S/21785] on 17 September that it respected Security Council decisions on the Gulf crisis and opposed the Iraqi intervention in Kuwait. It also demanded the immediate withdrawal of Iraqi forces and urged that the crisis be tackled within the framework of the League of Arab States, while at the same time it supported continuing efforts to find a peaceful solution. Among other things, Libya asked for clarification on the determination of the nature and size of forces empowered to enforce the blockade and stated that forces inspecting cargoes should be expressly authorized to do so and operate under the sole auspices of the Security Council.

Kuwait said [S/21804] it had never asked, directly or indirectly, any Arab or non-Arab official to conduct any initiatives or mediation, and rejected any efforts that fell short of full implementation of the 10 August Arab Summit resolution, as well as those of the Security Council.

On 28 September, during the General Assembly session, the Secretary-General held a meeting with the Ministers for Foreign Affairs of China, France, the USSR, the United Kingdom and the United States, the permanent members of the Security Council, after which they issued a statement [S/21835] in which they said that particular attention had been paid to the most serious crisis currently facing the international community, that caused by Iraq's invasion of Kuwait. They affirmed that aggressive action could not be tolerated, condemned the continued occupation and the increasing persecution of Kuwaitis and welcomed the firm and decisive role played by the United Nations and the Secretary-General's good offices. They demanded that Iraq withdraw unconditionally and without delay from Kuwait, free all hostages, allow all foreign nationals wishing to do so to leave and respect the immunity of diplomatic personnel and the inviolability of diplomatic premises.

In a joint statement, the EC and the USSR expressed [S/45/558-S/21834] satisfaction at the high degree of consensus among all Security Council members and the international community as a whole concerning the need to put an end, as soon as possible, to the invasion and to restore international legality, while they at the same time expressed determination to multiply efforts to resolve other conflicts in the region.

At a meeting of 5 October of Ministers for Foreign Affairs and heads of delegation of non-aligned countries, a statement was issued [A/45/585-S/21849] demanding immediate and unconditional Iraqi withdrawal; the restoration of

the legitimate Government of Kuwait and of its independence, territorial integrity and sovereignty; and release of detained citizens of third countries. The statement also expressed deep concern over the increased danger of further escalation, which might lead to military conflict. They mandated the Chairman (Yugoslavia) of the Non-Aligned Movement to convey those sentiments to the Iraqi leaders, and expressed its readiness to lend its good offices for the resolution of the problem between Iraq and Kuwait by peaceful means, upon full implementation by Iraq of relevant Security Council resolutions.

On 17 October, the heads of State and Government of Bangladesh, Brunei Darussalam, Indonesia, Malaysia, Maldives and Pakistan called upon [S/21884] President Saddam Hussein to withdraw Iraqi troops from Kuwait so that the legitimate Government of His Highness Sheikh Jaber Al-Ahmad Al-Jaber Al-Sabah could be restored. They committed themselves to efforts to settle peacefully any outstanding contentious issues between Iraq and Kuwait that might underline the dispute, and hoped that, in the true Islamic spirit and for the unity and solidarity of the Ummah, their call would receive a positive response from the Iraqi President.

SECURITY COUNCIL ACTION (29 November)

On 29 November, the Security Council held its final meeting in 1990 on the Iraq-Kuwait situation.

Speaking before the Council, Kuwait paid tribute to those countries that had contributed to the multinational force as their commitment to the supremacy of the rule of law, and to the consolidation of peace. The force was a translation of the will of the international community that aggression stood to lose. It said that the Iraqi regime had disregarded the appeals in the resolutions passed by the Council; therefore, the international community should feel free, at this stage, to use all necessary means available to implement its resolutions.

Iraq told the Council that it advocated peace on the basis of the implementation of all Security Council resolutions, in a just manner and in keeping with a single standard based on justice and fairness. However, if the United States imposed war upon it, the people would measure up to their responsibilities, for Iraq was demanding and defending its right against injustice and tyranny.

On the same day, the Council adopted resolution 678(1990).

The Security Council,

Recalling and reaffirming its resolutions 660(1990) of 2 August 1990, 661(1990) of 6 August 1990, 662(1990)

of 9 August 1990, 664(1990) of 18 August 1990, 665(1990) of 25 August 1990, 666(1990) of 13 September 1990, 667(1990) of 16 September 1990, 669(1990) of 24 September 1990, 670(1990) of 25 September 1990, 674(1990) of 29 October 1990 and 677(1990) of 28 November 1990,

Noting that, despite all efforts by the United Nations, Iraq refuses to comply with its obligation to implement resolution 660(1990) and the above-mentioned subsequent relevant resolutions, in flagrant contempt of the Security Council,

Mindful of its duties and responsibilities under the Charter of the United Nations for the maintenance and preservation of international peace and security,

Determined to secure full compliance with its decisions,

Acting under Chapter VII of the Charter,

1. Demands that Iraq comply fully with resolution 660(1990) and all subsequent relevant resolutions, and decides, while maintaining all its decisions, to allow Iraq one final opportunity, as a pause of goodwill, to do so:

2. Authorizes Member States co-operating with the Government of Kuwait, unless Iraq, on or before 15 January 1991 fully implements, as set forth in paragraph 1 above, the above-mentioned resolutions, to use all necessary means to uphold and implement resolution 660(1990) and all subsequent relevant resolutions and to restore international peace and security in the area;

3. Requests all States to provide appropriate support for the actions undertaken in pursuance of paragraph 2 above;

4. Requests the States concerned to keep the Security Council regularly informed on the progress of actions undertaken pursuant to paragraphs 2 and 3 above;

5. Decides to remain seized of the matter.

Security Council resolution 678(1990)

29	November	1990	Meeting	2963	12-2-1
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B-nation draft (S/21969).

Sponsors: Canada, France, Romania, USSR, United Kingdom, United States.

Vote in Council as follows:

In favour: Canada, Colombia, Côte d'Ivoire, Ethiopia, Finland, France, Malaysia, Romania, USSR, United Kingdom, United States, Zaire.

Against: Cuba, Yemen.

Abstaining: China.

Following the vote, the USSR stated that there was justice and a large measure of generosity in the resolution. It was giving the side that had breached the peace time to think again and the victim of the crisis a firm pledge that its rights would be fully restored. The countdown of the "pause of goodwill" had started, and the Soviet Union was hopeful that the pause would usher in a transition to a political settlement.

The Secretary-General said that the resolution envisaged at least 45 days of earnest effort to achieve a peaceful solution to the crisis. The situation required that diplomatic efforts be made with renewed determination to put the crisis on the road to a peaceful outcome.

On 11 December, Kuwait informed [S/21997] the Secretary-General that reports of secret negotiations between Kuwait and Iraq were entirely unfounded. Kuwait maintained that there was no alternative to implementation of all the provisions of the Security Council's resolutions, including the complete and unconditional withdrawal of Iraq from Kuwait, restoration of its legitimate authority and functions, and full compensation for the heavy losses of public and private property.

The EC and the European Council, meeting in Rome on 14 and 15 December [A/45/888-S/22018], expressed the hope that implementation of the Security Council's resolutions could be peacefully secured and supported the dialogue of the sort President George Bush of the United States had offered, as well as the action of the Secretary-General and the five permanent members of the Council. They wished that Arab countries would continue to play an important role in efforts for a peaceful solution and underlined the value of contacts with the Foreign Minister of Iraq.

The Revolution Command Council of Iraq and the Arab Baath Socialist Party issued a communiqué [S/22016] on 17 December declaring their desire for dialogue for the sake of peace. However, they rejected submission and the unilateral imposition of deadlines regarding the dialogue to which the President of the United States had agreed. Iraq insisted on its rights as a sovereign State.

On 20 December, Iraq entered a reservation [A/45/891 & Add.1] with respect to the credentials of the Kuwaiti delegation to the forty-fifth session of the General Assembly and requested that it be officially recorded. Kuwait on 26 December said [A/45/909-S/22036] that the Iraqi reservation regarding the report of the Credentials Committee was an act of defiance of the will of the international community, as represented by the Security Council. Iraq's claim to represent the State of Kuwait rendered the credentials of the Iraqi delegation itself legally invalid. Accordingly, Kuwait was entering an official reservation with respect to the credentials of the Iraqi delegation.

On 21 December, the General Assembly, by decision 45/455, retained on the agenda of its forty-fifth session the item on Iraqi aggression and the continued occupation of Kuwait in flagrant violation of the Charter of the United Nations.

On 27 and 31 December, Iraq requested [S/22035, S/22038] the Secretary-General to take urgent measures to secure the safety of the women and children aboard the peace ship Ibn Khaldun, which it complained was the object of aggression by United States and United Kingdom warships, and to ensure its safe arrival in Iraq.

Human rights violations

On 5 August, Kuwait charged [S/21439] that Iraqi forces had adopted inhuman measures and practices against the Kuwaiti people and were attempting to compel them to co-operate with the puppet government installed by occupation. Examples cited were desecration of houses of worship; ransacking of homes; looting of the Central Bank and other banks; removal of foodstuffs with the aim of causing starvation; and the theft of vehicles and their removal to Iraq. The goal of these activities was to replace Kuwaiti citizens with Iraqi citizens. The following day, Kuwait informed [S/21450] the Secretary-General that Iraq was terrorizing Kuwaiti civilians, a large number of whom had been transferred to Baghdad. They were ransacking residential neighbourhoods in search of Iraqi dissidents resident in Kuwait.

On 7 August, Kuwait stated [S/21452] that Iraq continued to conduct air raids against residential areas in Kuwait and to arrest Kuwaiti nationals and transfer them to Iraq. Another letter [S/21548] transmitted United States press reports regarding the massive destruction of property in Kuwait by Iraqi forces, the looting of public and private assets, and terrorization aimed at undermining the economic, social and security situation so as to destroy Kuwait's basic foundations.

Safety of diplomatic personnel and third-country nationals

In a 17 August letter to the Secretary-General, Kuwait stated [S/21559] that, after the invasion, Iraq had imprisoned the Kuwaiti Ambassador in Iraq, as well as his staff and their families, and their fate remained unknown. Kuwait asked the Secretary-General to intervene with the Iraqi authorities and the International Committee of the Red Cross (ICRC) with a view to securing their immediate release.

Also on 17 August, Kuwait provided [S/21548] press reports of the inhumane activities of the Iraqi occupation forces against Kuwaiti citizens and foreign residents. Those reports indicated that selected Westerners were being picked up by Iraqi forces as part of a deliberate policy.

Italy on 18 August requested [S/21561] a Security Council meeting on the situation between Iraq and Kuwait, particularly on the question of foreign nationals in the two countries.

SECURITY COUNCIL ACTION (18 August)

On 18 August, the Security Council adopted resolution 664(1990).

The Security Council,

Recalling the Iraqi invasion and purported annexation of Kuwait, and its resolutions 660(1990) of

2 August 1990, 661(1990) of 6 August 1990 and 662(1990) of 9 August 1990.

Deeply concerned for the safety and well-being of third-State nationals in Iraq and Kuwait,

Recalling the obligations of Iraq in this regard under international law,

Welcoming the efforts of the Secretary-General to pursue urgent consultations with the Government of Iraq following the concern and anxiety expressed by the members of the Council on 17 August 1990.

Acting under Chapter VII of the Charter of the United Nations;

1. Demands that Iraq permit and facilitate the immediate departure from Kuwait and Iraq of third-State nationals and grant immediate and continuing access of consular officials to such nationals;

2. Also demands that Iraq take no action to jeopardize the safety, security or health of such nationals;

3. Reaffirms decision in resolution 662(1990) that annexation of Kuwait by Iraq is null and void, and therefore demands that the Government of Iraq rescind its orders for the closure of diplomatic and consular missions in Kuwait and the withdrawal of the immunity of their personnel, and refrain from any such actions in the future;

4. Requests the Secretary-General to report to the Security Council on compliance with this resolution at the earliest possible time.

Security Council resolution 664(1990)

18 August 1990 Meeting 2937 Adopted unanimously

Draft prepared in consultations among Council members (S/21562).

Speaking after the vote, the United States said that Baghdad continued to deny consular access to United States nationals and other nationals in Kuwait and Iraq. The Speaker of the Iraqi Parliament had also announced that foreign nationals were being detained and sent to camps and other housing, either inside or close to military and other strategic installations in Iraq. Iraq had also singled out infants and the aged among this group for special food restrictions. The lives of hundreds of thousands of foreign nationals from countries all over the world were being put at risk. Kuwait said that Iraq's threat to deprive foreigners of food was hideous blackmail. Its threats to use innocent, defenceless citizens as human shields to protect its military installations required that the international community respond resolutely and unhesitatingly to stop the aggressor.

In response, Iraq said that the United States, supported by the United Kingdom, had arrogated to itself the right to impose a maritime blockade against Iraq. That constituted aggression against Iraq. While stressing the importance of ensuring the safety and well-being of all foreign nationals, their departure depended on the cessation of armed acts of aggression by the United States and the United Kingdom and on the unhindered and guaranteed delivery of food

and medicine to Iraq. It would share with foreign nationals whatever food and medicine entered the country. Foreign and Arab nationals in Iraq were not hostages; their security and safety were guaranteed if the United States and its allies did not attack Iraq. Whatever the Iraqi people would be subjected to would be applied to its foreign guests. The responsibility therefore rested with the aggressor and its allies.

Further developments

On 20 August, the Secretary-General dispatched two United Nations emissaries—Virendra Dayal and Kofi Annan—to Baghdad to look into the situation of foreign nationals, as well as that of some 300 UN staff members in the region. They had met with Tariq Aziz, the Iraqi Deputy Prime Minister and Minister for Foreign Affairs, and officials of ICRC. Some 80 internationally recruited UN staff were able to leave Kuwait on 21 August. The two envoys were also allowed to visit privately with some foreign nationals who had been relocated outside Baghdad.

The EC on 21 August issued a statement [A/45/433-S/21590] rejecting the Iraqi demand for closure of its members' missions, and reiterated a resolve to keep them open, while warning the Iraqi Government that any attempt to jeopardize the safety of any EC citizen would be regarded as a most grave offence against the Community and all its member States and would provoke a united response from the whole Community.

On 22 August, Kuwait commented [S/21586] on Iraq's ultimatum demanding closure of accredited diplomatic missions in Kuwait on 24 August, stating that what was required was a consensus decision by friendly and fraternal countries to reject and oppose the Iraqi ultimatum. On 26 August, Kuwait complained [S/21654] about the continued detention of its Ambassador in Iraq, and his forced appearance on Iraqi television on 20 August in a staged interview. Kuwait appealed to ICRC to intervene and to meet with the Ambassador and Kuwaiti diplomats to ascertain their physical and mental well-being.

On 27 August, Egypt stated [S/21674] that under international law and practice, the Iraqi authorities in Kuwait had a responsibility to ensure the safety of all Egyptian diplomatic personnel and to maintain the inviolability of its premises. It urged Iraq to refrain from breaching those provisions.

Further violations

Kuwait on 2 September complained [S/21694] of organized looting and plundering by Iraqi authorities which, it said, were on a scale that

amounted to armed robbery by a State, including the taking of all matériel of the Kuwaiti army, confiscation of the Kuwait Airways fleet and its transport to Iraq, looting of financial institutions and banks, removal of port facilities, and many other instances of theft, including that of equipment from hospitals, large lampposts on highways and electronic traffic lights.

The Council of the League of Arab States, meeting in Extraordinary Session (Cairo, Egypt, 30-31 August), condemned [S/21693] the violation by the Iraqi authorities of international law relative to the treatment of civilians in the Kuwaiti territory. It urged the Iraqi authorities to ensure the protection of all civilians, public and private establishments and movable and immovable property in Kuwait. It called on them not to tamper with the demographic composition of Kuwait, declared that it held Iraq responsible for damage caused by the invasion, and affirmed the right of Kuwaitis and nationals of other States who had suffered damage to receive just compensation.

Kuwait on 5 September said [S/21713] that it had been reliably informed that the Iraqi occupying forces had removed to Iraq delicate hospital equipment and supplies from the intensive care unit of many Kuwaiti hospitals and had released mentally ill and disabled patients. There were also later reports [S/21730] of killings on the streets in the presence of the victims' families; other summary executions; massive, random arrests; and burning and destruction of homes. Kuwait sent a series of communications [S/21777, S/21778, S/21784, S/21798, S/21815] regarding torturing and execution of Kuwaitis by Iraq and other actions against the civilian population.

On 17 September, Kuwait complained [S/21778] that its entire population, as well as third-country nationals, were being subjected to a reign of terror, systematically planned and relentlessly pursued. The harsh and inhumane circumstances had led people to leave Kuwait on 15 September across the southern border. On 24 September, Kuwait informed [S/21815] the Secretary-General of a new set of instructions and measures imposed by the Iraqi occupying forces, including the execution of any Kuwait military personnel who failed to surrender, or of any person in possession of weapons; the burning of houses if the corpse of an Iraqi soldier was found in the vicinity; punishment for having pictures in any form of the Amir of Kuwait, the crown prince and members of their family and of the Government; or punishment for anyone storing more food than appropriate for their circumstances. The Iraqi forces were arresting large numbers of Kuwaitis and non-Kuwaitis and transporting them

to Iraqi jails. Kuwait requested that the Secretary-General intervene to halt those practices and to allow ICRC to enter Kuwait to provide protection.

SECURITY COUNCIL ACTION (16 September, 29 October)

On 15 September, Australia, Austria, Belgium, Canada, Denmark, Finland, France, Federal Republic of Germany, Greece, Hungary, Ireland, Italy, Luxembourg, the Netherlands, Norway, Portugal, Spain, and Sweden requested that the Council meet regarding the holding of foreign nationals and diplomatic personnel by Iraq.

The following day the Council adopted resolution 667(1990).

The Security Council,

Reaffirming its resolutions 660(1990) of 2 August 1990, 661(1990) of 6 August 1990, 662(1990) of 9 August 1990, 664(1990) of 18 August 1990, 665(1990) of 25 August 1990, 666(1990) of 13 September 1990,

Recalling the Vienna Convention on Diplomatic Relations of 18 April 1961 and the Vienna Convention on Consular Relations of 24 April 1963, to both of which Iraq is a party,

Considering that the decision of Iraq to order the closure of diplomatic and consular missions in Kuwait and to withdraw the privileges and immunities of these missions and their personnel is contrary to the decisions of the Security Council, the international conventions mentioned above and international law,

Deeply concerned that Iraq, notwithstanding the decisions of the Council and the provisions of the conventions mentioned above, has committed acts of violence against diplomatic missions and their personnel in Kuwait,

Outraged at recent violations by Iraq of diplomatic premises in Kuwait and at the abduction of personnel enjoying diplomatic immunity and foreign nationals who were present in these premises,

Considering also that these actions by Iraq constitute aggressive acts and a flagrant violation of its international obligations which strike at the root of the conduct of international relations in accordance with the Charter of the United Nations,

Recalling that Iraq is fully responsible for any use of violence against foreign nationals or against any diplomatic or consular mission in Kuwait or its personnel,

Determined to ensure respect for its decisions and for Article 25 of the Charter,

Considering further that the grave nature of Iraq's actions, which constitute a new escalation of its violations of international law, obliges the Council not only to express its immediate reaction but also to consult urgently in order to take further concrete measures to ensure Iraq's compliance with the Council's resolutions,

Acting under Chapter VII of the Charter,

1. Strongly condemns aggressive acts perpetrated by Iraq against diplomatic premises and personnel in Kuwait, including the abduction of foreign nationals who were present in those premises;

2. Demands the immediate release of those foreign nationals as well as all nationals mentioned in resolution 664(1990);

3. Also demands that Iraq immediately and fully comply with its international obligations under resolutions 660(1990), 662(1990) and 664(1990), the Vienna Convention on Diplomatic Relations of 18 April 1961, the Vienna Convention on Consular Relations of 24 April 1963 and international law;

4. Further demands that Iraq immediately protect the safety and well-being of diplomatic and consular personnel and premises in Kuwait and in Iraq and take no action to hinder the diplomatic and consular missions in the performance of their functions, including access to their nationals and the protection of their person and interests;

5. Reminds all States that they are obliged to observe strictly resolutions 666(1990), 662(1990), 664(1990), 665(1990) and 666(1990);

6. Decides to consult urgently to take further concrete measures as soon as possible, under Chapter VII of the Charter, in response to Iraq's continued violation of the Charter of the United Nations, of resolutions of the Security Council and of international law.

Security Council resolution 667(1990)

16 September 1990 Meeting 2940 Adopted unanimously

6-nation draft (S/21774).

Sponsors: Canada, Côte d'Ivoire, Finland, France, United Kingdom, Zaire.

On 29 October, the Council adopted resolution 674(1990).

The Security Council,

Recalling its resolutions 660(1990) of 2 August 1990, 661(1990) of 6 August 1990, 662(1990) of 9 August 1990, 664(1990) of 18 August 1990, 665(1990) of 25 August 1990, 666(1990) of 13 September 1990, 667(1990) of 16 September 1990, and 670(1990) of 25 September 1990,

Stressing the urgent need for the immediate and unconditional withdrawal of all Iraqi forces from Kuwait and for the restoration of Kuwait's sovereignty, independence and territorial integrity and of the authority of its legitimate Government,

Condemning the actions by the Iraqi authorities and occupying forces to take third-State nationals hostage and to mistreat and oppress Kuwaiti and third-State nationals, and the other actions reported to the Council, such as the destruction of Kuwaiti demographic records, the forced departure of Kuwaitis, the relocation of population in Kuwait and the unlawful destruction and seizure of public and private property in Kuwait, including hospital supplies and equipment, in violation of the decisions of the Council, the Charter of the United Nations, the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, the Vienna Convention on Diplomatic Relations of 18 April 1961, the Vienna Convention on Consular Relations of 24 April 1963 and international law,

Expressing grave alarm over the situation of third-State nationals in Kuwait and Iraq, including the personnel of the diplomatic and consular missions of such States,

Reaffirming that the above-mentioned Geneva Convention applies to Kuwait and that, as a High Contracting Party to the Convention, Iraq is bound to comply fully with all its terms and in particular is liable under

the Convention in respect of the grave breaches committed by it, as are individuals who commit or order the commission of grave breaches,

Recalling the efforts of the Secretary-General concerning the safety and well-being of third-State nationals in Iraq and Kuwait,

Deeply concerned at the economic cost and at the loss and suffering caused to individuals in Kuwait and Iraq as a result of the invasion and occupation of Kuwait by Iraq,

Acting under Chapter VII of the Charter,

Reaffirming the goal of the international community of maintaining international peace and security by seeking to resolve international disputes and conflicts through peaceful means,

Recalling the important role that the United Nations and the Secretary-General have played in the peaceful solution of disputes and conflicts in conformity with the provisions of the Charter,

Alarmed by the dangers of the present crisis caused by the Iraqi invasion and occupation of Kuwait, which directly threaten international peace and security, and seeking to avoid any further worsening of the situation,

Culling upon Iraq to comply with the relevant resolutions, in particular resolutions 660(1990), 662(1990) and 664(1990),

Reaffirming its determination to ensure compliance by Iraq with its resolutions by maximum use of political and diplomatic means,

A

1. Demands that the Iraqi authorities and occupying forces immediately cease and desist from taking third-State nationals hostage, mistreating and oppressing Kuwaiti and third-State nationals and any other actions, such as those reported to the Council and described above, that violate the decisions of the Council, the Charter of the United Nations, the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, the Vienna Convention on Diplomatic Relations of 18 April 1961, the Vienna Convention on Consular Relations of 24 April 1963 and international law,

2. Invites States to collate substantiated information in their possession or submitted to them on the grave breaches by Iraq as per paragraph 1 above and to make this information available to the Council;

3. Reaffirms its demand that Iraq immediately fulfil its obligations to third-State nationals in Kuwait and Iraq, including the personnel of diplomatic and consular missions, under the Charter, the above-mentioned Geneva Convention, the Vienna Convention on Diplomatic Relations, the Vienna Convention on Consular Relations, general principles of international law and the relevant resolutions of the Council;

4. Also reaffirms its demand that Iraq permit and facilitate the immediate departure from Kuwait and Iraq of those third-State nationals, including diplomatic and consular personnel, who wish to leave;

5. Demands that Iraq ensure the immediate access to food, water and basic services necessary to the protection and well-being of Kuwaiti nationals and of third-State nationals in Kuwait and Iraq, including the personnel of diplomatic and consular missions in Kuwait;

6. Reaffirms its demand that Iraq immediately protect the safety and well-being of diplomatic and consular

personnel and premises in Kuwait and in Iraq, take no action to hinder these diplomatic and consular missions in the performance of their functions, including access to their nationals and the protection of their person and interests, and rescind its orders for the closure of diplomatic and consular missions in Kuwait and the withdrawal of the immunity of their personnel;

7. Requests the Secretary-General, in the context of the continued exercise of his good offices concerning the safety and well-being of third-State nationals in Iraq and Kuwait, to seek to achieve the objectives of paragraphs 4, 5 and 6 above, in particular the provision of food, water and basic services to Kuwaiti nationals and to the diplomatic and consular missions in Kuwait and the evacuation of third-State nationals;

8. Reminds Iraq that under international law it is liable for any loss, damage or injury arising in regard to Kuwait and third States, and their nationals and corporations, as a result of the invasion and illegal occupation of Kuwait by Iraq;

9. Invites States to collect relevant information regarding their claims, and those of their nationals and corporations, for restitution or financial compensation by Iraq, with a view to such arrangements as may be established in accordance with international law;

10. Requires that Iraq comply with the provisions of the present resolution and its previous resolutions, failing which the Council will need to take further measures under the Charter;

11. Decides to remain actively and permanently seized of the matter until Kuwait has regained its independence and peace has been restored in conformity with the relevant resolutions of the Security Council.

B

12. Reposes its trust in the Secretary-General to make available his good offices and, as he considers appropriate, to pursue them and to undertake diplomatic efforts in order to reach a peaceful solution to the crisis caused by the Iraqi invasion and occupation of Kuwait, on the basis of Security Council resolutions 660(1990), 662(1990) and 664(1990), and calls upon all States, both those in the region and others, to pursue on this basis their efforts to this end, in conformity with the Charter, in order to improve the situation and restore peace, security and stability;

13. Requests the Secretary-General to report to the Security Council on the results of his good offices and diplomatic efforts.

Security Council resolution 674(1990)

29 October 1990

Meeting 2951

13-O-2

8-nation draft (S/21859).

Sponsors: Canada, Finland, France, Romania, USSR, United Kingdom, United States, Zaire.

Vote in Council as follows:

In Favour: Canada, China, Colombia, Côte d'Ivoire, Ethiopia, Finland, France, Malaysia, Romania, USSR, United Kingdom, United States, Zaire.

Against: None.

Abstaining: Cuba, Yemen.

On 9 October, Kuwait submitted reports of Amnesty International [S/21865] for the period 3 August to 3 October concerning Iraqi practices against nationals and residents of Kuwait. These practices included arbitrary arrests, torture and

ill treatment, use of the death penalty, and extra-judicial killings. On 31 October, Iraq issued a declaration [S/21921] regarding the situation of foreigners in Iraq. It reiterated that all foreign citizens, including Americans, who had been placed at strategic sites were being well treated. It also reiterated that the safety of the buildings and persons of the United States Embassy in Baghdad and Kuwait was guaranteed and nothing constituted a danger to them.

On 18 December, the United Kingdom informed [S/22020] the Secretary-General that it was temporarily withdrawing its Ambassador and his remaining staff from Kuwait but that its Embassy had not been closed.

Also on 18 December, the General Assembly, in resolution 45/170, condemned the invasion of Kuwait by Iraqi forces and their serious human rights violations against the Kuwaiti people and third-State nationals. It urged Iraq to treat all prisoners of war and detained civilians in accordance with the internationally recognized principles of humanitarian law and to protect them from all acts of violence.

Demographic changes

Kuwait on 4 October protested [S/21843] Iraq's actions to change its demographic character by expelling Kuwaitis from their homes and bringing in Iraqi nationals to take their place. Iraq had also seized some 1,500 homes under construction. Kuwait said that that action was in contravention of the 1949 Geneva Convention relative to the Protection of Civilian Persons in Time of War.

SECURITY COUNCIL ACTION (28 November)

On 28 November, the Security Council adopted resolution 677(1990).

The Security Council,

Recalling its resolutions 660(1990) of 2 August 1990, 662(1990) of 9 August 1990 and 674(1990) of 29 October 1990,

Reiterating its concern for the suffering caused to individuals in Kuwait as a result of the invasion and occupation of Kuwait by Iraq,

Gravely concerned at the ongoing attempt by Iraq to alter the demographic composition of Kuwait and to destroy the civil records maintained by the legitimate Government of Kuwait,

Acting under Chapter VII of the Charter of the United Nations,

1. Condemns the attempts by Iraq to alter the demographic composition of Kuwait and to destroy the civil records maintained by the legitimate Government of Kuwait;

2. Mandates the Secretary-General to take custody of a copy of the population register of Kuwait, the authenticity of which has been certified by the legiti-

mate Government of Kuwait and which covers the registration of the population up to 1 August 1990;

3. Requests the Secretary-General to establish, in co-operation with the legitimate Government of Kuwait, an order of rules and regulations governing access to and use of the said copy of the population register.

Security Council resolution 677(1990)

26 November 1990 Meeting 2962 Adopted unanimously

8-nation draft (S/21966).

Sponsors: Canada, Côte d'Ivoire, Ethiopia, Finland, Kuwait, Romania, United Kingdom, Zaire.

Meeting numbers. SC 2959, 2960, 2962.

Other developments

The International Civil Aviation Organization (ICAO), at its twenty-eighth session (Montreal, Canada, 22-26 October), responding to a complaint [S/21796] by Kuwait, adopted a resolution [S/21923] condemning the violation of sovereignty of the airspace of Kuwait and the plunder of Kuwait International Airport, including the seizure and removal of 15 aircraft of Kuwait Airways and their purported registration by Iraq, which it declared null and void. It also demanded that Iraq return the aircraft to their legitimate owners, and requested those countries in which the aircraft were found to hand them over to Kuwait. All States were not to supply Iraq with spare parts, equipment or supplies or services to enable it to use those aircraft. ICAO also called upon Iraq to facilitate the recovery by their owners of foreign registered aircraft stranded in Kuwait.

On 28 November, Kuwait informed [S/21975] the Secretary-General that all amenities in the agricultural sector had been subject to widespread destruction, with losses amounting to more than \$1 billion.

In a statement [S/21998] issued on 10 December, Human Rights Day, the Amir of Kuwait called for increased cohesion by countries that supported their just case in challenging tyranny in all its forms, and demanded an immediate halt to all the savage acts perpetrated by the Iraqi regime against the Kuwaiti people. Those countries should strive for the full and unconditional withdrawal of Iraqi forces from Kuwait, the restoration of the legitimate Government and compensation for losses suffered, he declared.

Humanitarian and economic assistance

In September, the Office of the United Nations Disaster Relief Co-ordinator (UNDRO), in a report on the situation in Jordan, especially at the Jordanian-Iraqi border, said that the influx of displaced persons continued at the steady rate of 15,000 to 20,000 daily, with increasing numbers of women and children.

Japan, in response to an appeal by UNDRO and ICRC, informed [A/45/467-S/21673] the Secretary-General of its 29 August decision to provide emergency aid totalling \$10 million as a fund for evacuee relief activities in Jordan, and to extend 98 million yen in material assistance to the Government of Jordan. On 4 September, UNDRO reiterated an "urgent appeal" to the international community to help the displaced persons currently attempting to leave Kuwait and Iraq. It said that some 105,000 displaced people were in Jordan and another 60,000 at the border between Jordan and Iraq and that initial relief supplies were virtually exhausted.

Japan on 7 September informed [A/45/485-S/21722] the Secretary-General that in response to a request from the International Organization for Migration (IOM), it had decided to extend additional emergency aid of \$12 million to enable Asian evacuees in Jordan and other countries to return to their home countries. On 12 September, the Secretary-General announced the appointment of Sadruddin Aga Khan as his Personal Representative for Humanitarian Assistance relating to the crisis between Iraq and Kuwait. The Secretary-General said that since the crisis, a number of UN agencies, ICRC, the League of Red Crescent Societies, IOM and a number of non-governmental organizations had worked to deal with the situation along the borders of the countries neighbouring Iraq and Kuwait.

On 14 September, the Chairman of the Security Council Sanctions Committee said [SC/5210] that the situation concerning thousands of Asians and other foreign nationals stranded in Kuwait and Iraq was exceptionally difficult and appealed for emergency international relief to assist in their evacuation. It also considered favourably appeals for such assistance from India, the Philippines and Sri Lanka.

On the same day, Japan informed [S/21753] the Secretary-General that it would extend \$2 billion in economic assistance to Egypt, Turkey and Jordan, which had incurred serious economic losses due to the current situation. As part of this assistance, \$600 million would immediately be extended in untied emergency commodities loans on the extremely favourable terms of 1 per cent interest payable over 30 years. Japan would also dispatch a medical team to Saudi Arabia.

On 19 September, the World Food Programme (WFP) announced that it was providing more than 6,000 tons of emergency food aid worth \$2.4 million for evacuees from Kuwait and Iraq in transit through Jordan. UNDRO also warned of a new influx of third-country nationals from Kuwait into Jordan, as it was reported that the Iraqi authori-

ties had asked all foreigners still in Kuwait to leave within the coming weeks. An influx of some 40,000 evacuees was therefore anticipated.

On 16 October, UNDRO announced that, since 5 August, some 708,970 third-country nationals had been assisted to return to their countries of origin. A human tragedy of immense proportions had thus been averted. International donors and the affected countries had responded generously to the 27 August appeal launched by UNDRO. Pledges and donations included over \$100 million by Saudi Arabia and EEC for the repatriation of Egyptians, as well as other pledges and donations amounting to \$100 million. UNDRO received cash contributions of \$35 million, including \$22 million from Japan. Jordan disbursed some \$50 million for the evacuation process.

The Secretary-General chaired a meeting (Paris, 17 November) of 20 eminent persons, called at his initiative, to discuss informally the consequences of the Persian Gulf crisis on the world economy. The meeting outlined the scope for future action. The Secretary-General said that he would form a group of "friends of the Secretary-General", numbering five of the meeting's participants as well as the International Monetary Fund, the World Bank and EEC.

Cambodia

A solution to the conflict in Cambodia came closer within reach during the year, thanks to intensified efforts inside and outside the United Nations. The four Cambodian parties accepted a framework for a comprehensive political settlement drawn up by the five permanent members of the Security Council ("the Five") in August, and agreed to form a Supreme National Council (SNC) in which, throughout the transition period (from the signing of a settlement agreement to the formation of a new Cambodian Government following free and fair elections), Cambodia's independence, national sovereignty and unity would be embodied and which would represent Cambodia at the United Nations. SNC met for the first time in September, but differences among its 12 members persisted. Both the Security Council and the General Assembly, endorsing the framework for a comprehensive settlement elaborated by the Five, urged the parties to create a peaceful climate that would allow for its implementation.

Pursuant to calls by both the Council and the Assembly, the Co-Presidents of the Paris Interna-

tional Conference on Cambodia, initiated by France in 1989 [YUN 1989, p. 178], and the Five completed in November draft agreements on a comprehensive political settlement, based on the August framework. The draft, which also foresaw an enhanced role for the United Nations, was formally presented to the SNC members in December, who concurred on most of its fundamental points, opening the way for a future reconvening of the Paris Conference.

Meetings of the Five (January to August)

The five permanent members of the Security Council—China, France, the USSR, the United Kingdom and the United States—held six meetings between January and August to discuss the situation in Cambodia.

At their first meeting (Paris, 15-16 January), the Five set out guiding principles [A/45/91-S/21087] for a resolution of the conflict, including non-use of armed force and a comprehensive political settlement, verification by the United Nations of the withdrawal of foreign forces, a cease-fire and cessation of outside military assistance. The goal would be self-determination for the Cambodians through free, fair and democratic elections, and all parties would accept an enhanced UN role in the process.

During the transitional process, an SNC might be the repository of Cambodian sovereignty, and questions relating to that sovereignty should be resolved with the agreement of the Cambodian parties. An effective UN presence would be required during the transition in order to assure internal security. The Five committed themselves to honouring the results of free and fair elections, supported all responsible efforts by regional parties to achieve a comprehensive political settlement and agreed to remain in close touch with them with a view to reconvening the Paris Conference.

Following their second meeting (New York, 11-12 February), the Five issued a press statement [A/45/127-S/21149] declaring that they were building on the principles agreed on in Paris in January, focusing on: the modalities of peace-keeping, including military aspects, and the administrative structure during the interim period. The objective, they said, was to ensure a comprehensive political settlement leading to an early restoration of peace, to create a neutral political climate for elections and to preserve the unity of Cambodia during the transition period and beyond. They agreed that essential to an effective UN operation were verified withdrawal of foreign forces, a cease-fire, cessation of outside military assistance and cantonment of the armed forces of the factions into designated areas. A

number of options related to the establishment of SNC were discussed, as were the functions of a UN administration and the question of existing regimes. Consultations were held with the Secretary-General and other senior Secretariat officials on the enhanced role envisaged for the United Nations. The Five welcomed the establishment of an inter-Secretariat task force to facilitate contingency planning and noted the value of further UN fact-finding missions to Cambodia for a UN role to facilitate planning. The Five called on all concerned parties to protect and preserve the historical monuments at Angkor. In view of the progress made, they agreed to meet at the vice-ministerial level in the first half of March.

Prior to the third meeting of the Five (Paris, 12-13 March) [A/45/167-S/21196], discussions were held among the Cambodian parties and at an informal meeting on Cambodia in Jakarta, Indonesia, within the framework of the Paris International Conference on Cambodia. The Five, in the summary of their third meeting, noted that while no text was formally adopted at the Jakarta meeting, common understanding was reached among all concerned, notably the Cambodian parties, on the need for an enhanced UN role in dealing with the various aspects of the Cambodian settlement process and for the establishment of an SNC. The Five agreed on the following principles for the electoral process: an impartial system and procedures; the same rights, freedoms and opportunities for all Cambodian participants in the election process; commitment of all parties to honouring the results; and that the electoral process should lead to a single election of a constituent assembly to approve a constitution and transform itself into a legislative assembly.

The Five invited the four Cambodian parties to agree that SNC should be established as the unique legitimate body and source of authority in which, throughout the transition period, national sovereignty and unity would be enshrined. Its composition should be decided by the parties themselves and could include representatives of all shades of opinion among the Cambodian people. From its creation, SNC would delegate to a United Nations Transitional Authority in Cambodia (UNTAC) all necessary powers, including those to conduct free and fair elections. As the enshrinement of Cambodian sovereignty, SNC would occupy Cambodia's seat at the United Nations, its specialized agencies and other international bodies. As for UNTAC, it would be created by the UN Security Council, under the direct authority of the Secretary-General, who could appoint a Special Representative. UNTAC should exercise all powers necessary over the entire

Cambodian territory to assure the Cambodians freedom from intimidation and the threat of force and corruption, protect them from economic and social discrimination, and guarantee human and civil rights for all.

During their fourth meeting (New York, 25-26 May) [A/45/293-S/21318], the Five were briefed on the results of visits by UN fact-finding teams to Cambodia seeking information on technical questions raised at their March meeting in Paris. The Five reaffirmed the principles and modalities previously agreed to, including the modalities of a settlement involving an enhanced UN role and the creation of UNTAC. They reaffirmed that a comprehensive political settlement had to provide for the following: ensure the verification of the withdrawal of all foreign forces and cessation of external military assistance, a durable cease-fire, and the regrouping of the armed forces of the factions into designated areas, all under an effective UN peace-keeping operation; establish formally an SNC; ensure free and fair elections for a constituent assembly under UN auspices; enshrine fundamental human rights and freedoms for the Cambodian people, together with the necessary protections and guarantees; and provide a system of guarantees for Cambodia's independence, sovereignty, territorial integrity and inviolability, neutrality and national unity.

Noting recent positive steps towards peace, the Five welcomed the prospect of a June meeting in Tokyo, Japan, to bring together representatives of Cambodian parties, hoping it would lead to a continuous process, in particular through agreement to the formation of SNC.

They remained firmly convinced that only a comprehensive political settlement would bring lasting peace and stability and that all efforts should be designed to create conditions to reconvene the Paris Conference. The Five discussed alternative transitional arrangements involving varying degrees of exercise of authority by SNC and considered their implications for a UN role. Those indispensable requirements would be set out in more detail in working papers under preparation, to serve as a basis of discussion with the Cambodian parties whose representatives would be invited to discussions with the Five at their next meeting, to take place in Paris before the middle of July.

At their fifth meeting (Paris, 16-17 July) [A/45/353-S/21404], the Five reviewed developments, including the results of the 4-5 June Tokyo meeting that brought together representatives of the Cambodian parties. Joining the meeting, Under-Secretary-General Rafeeuddin Ahmed advised the Five on practical aspects of a

UN operation, in the light of recent fact-finding missions. The Five stated that they made significant progress on two key elements of a solution based on an enhanced UN role: transitional arrangements regarding Cambodia's administration during the pre-election period, and military arrangements. The Five agreed to accelerate their work on the remaining three areas-free and fair elections, safeguarding human rights and international guarantees. They made clear their belief that the time was past due for the Cambodian parties to turn from the battlefield to the negotiating table. The parties were called upon to agree to the establishment of SNC composed of representative individuals with authority among the Cambodians, to help create conditions for a meeting of all the parties with the Five.

Framework for a comprehensive settlement

At their sixth meeting (New York, 27-28 August), the Five reached final agreement on a framework for a comprehensive settlement of the Cambodian conflict based on an enhanced UN role. The framework document, which was attached to a statement [A/45/472-S/21689] at the end of their meeting, was composed of five sections comprising the indispensable requirements for such a settlement: transitional arrangements for Cambodia's administration during the pre-election period; military arrangements during the transitional period; elections under UN auspices; human rights protection; and international guarantees. Together with the two documents elaborated by the 1989 International Conference on Indo-Chinese Refugees [YUN 1989, p. 707], the framework document outlined a settlement process based on national reconciliation and involving an enhanced UN role that would ensure a just and lasting political solution. According to the statement, the basic approach of the Five was to enable the Cambodian people to determine their own political future through free and fair elections organized and conducted by the United Nations in a neutral political environment, with full respect for Cambodia's national sovereignty. The Five called on the Cambodian parties to commit themselves to the process and to form SNC as soon as possible on the basis outlined in the framework document. To that end, they supported Indonesia's efforts to convene in Jakarta a meeting of the Cambodian parties (see above), and urged the two Co-Presidents of the Paris Conference (France and Indonesia) to commend the framework to the Cambodian parties and persuade them to form SNC. Once that was accomplished, the Paris Conference, which included all interested parties and the Secretary-General, should be reconvened to

adopt the elements of the comprehensive political settlement and draw up a detailed plan of implementation. The Conference would then invite the Secretary-General to report to the Security Council, transmitting the Conference's recommendation that the Council adopt a resolution endorsing the final agreement and enabling the Secretary-General to implement it. The Five agreed to convene another meeting before mid-October.

Jakarta informal meeting (September)

In exercise of the mandate conferred on them by the Paris Conference in 1989, the Conference Co-Presidents convened an informal meeting of the Cambodian parties (Jakarta, Indonesia, 9-10 September 1990) to ascertain their views on the framework of a comprehensive settlement as agreed on by the five permanent Security Council members, as well as to finalize the formation of SNC on 28 August. In a joint statement [A/45/490-S/21732] issued at the close of the meeting, the Co-Presidents reported that the parties accepted the framework in its entirety as a basis for settling the Cambodian conflict and committed themselves to elaborating it into a comprehensive political settlement through the processes of the Paris Conference. The parties agreed on the nature and functions of SNC as the legitimate organ and source of authority in which, throughout the transition period, Cambodia's independence, sovereignty and unity would be embodied. SNC would be composed of representative individuals and would reflect all shades of opinion and represent Cambodia externally, occupying the country's seat at the United Nations, in specialized agencies and in other international institutions and conferences. At the time of signature of the comprehensive settlement, it would delegate to the United Nations all powers necessary to implement that agreement, including the conduct of free and fair elections and the relevant aspects of the administration of Cambodia. The parties agreed to form SNC with 12 members and to elect a Chairman who would be its thirteenth member. The Council was to hold its first meeting as soon as possible and all its decisions were to be made by consensus.

The Co-Presidents agreed to consult with the other participating countries with a view to reconvening the Paris Conference at the earliest opportunity.

By a press communique [A/45/519-S/21788] issued by the Permanent Mission of Cambodia to the United Nations on 18 September, those agreements were confirmed and it was stated that preparations were being made to elect the Chairman of SNC and complete its formation.

According to the communique, the Cambodian people wished Samdech Norodom Sihanouk to be elected Chairman and he had expressed his willingness to do so. Pending his election, it had been decided to keep the seat of Cambodia at the United Nations temporarily unattended. A new phase had begun leading to a fair, reasonable and comprehensive settlement, the communique stated, and efforts should continue to ensure that the problem was settled expeditiously on the basis of the framework document so that Cambodian independence, territorial integrity and sovereignty could be restored at an early date.

Ad Hoc Committee of the International Conference on Kampuchea

The Ad Hoc Committee of the International Conference on Kampuchea, established by the Conference in 1981 [YUN 1981, p. 239], acted as an advisory body to the Secretary-General between Conference sessions and advised the Conference President, after consultations with the Secretary-General, as to when the Conference should be reconvened. Its members were Belgium, Japan, Malaysia, Nepal, Peru, Senegal, Sri Lanka, the Sudan and Thailand. In a number of resolutions, the latest being 44/22 [YUN 1989, p. 180], the General Assembly had requested the Committee to continue its work pending the reconvening of the Conference.

In a September 1990 report [A/CONF.109/16] covering its meetings with representatives of States active in the search for a settlement of the Cambodian problem, the Ad Hoc Committee welcomed those efforts, including those of the five permanent Security Council members, noting that they were consistent with the principles contained in the Declaration on Kampuchea adopted by the Conference in 1981. The Committee expressed the belief that the progress achieved provided a basis for furthering dialogue and negotiation among the Cambodian parties and for the early establishment of SNC.

Meeting of SNC

The first meeting of the Supreme National Council was held on 17 and 18 September at the Cambodian Embassy in Bangkok, Thailand. The SNC members from the Cambodian National Resistance (CNR), in pursuance of the Jakarta Joint Statement of 10 September, called on all SNC members to accept Norodom Sihanouk as Council Chairman. However, the members of Hun Sen's delegation rejected the proposal.

On 19 September, the Democratic Kampuchea party, a component of the National Government

of Cambodia, in a press statement [A/45/521-S/21794], said that it deeply regretted that the meeting of the 12 SNC members (in alphabetical order, Chau Sen Coosal, Chem Snguon, Hor Nam Hong, Hun Sen, Ieng Mouly Khieu Samphan, Kong Som Ol, Prince Norodom Ranariddh, Sin Song, Son Sann, Son Sen, Tea Banh) was unable to produce positive results.

To refuse to accept Norodom Sihanouk as Chairman could be only construed as an attempt to kill the framework for a comprehensive settlement elaborated by the Five and the Jakarta Joint Statement and therefore to prolong the war in Cambodia.

Peace proposals by the parties and other communications (January-August). As the five permanent members of the Security Council continued their efforts to elaborate the principles of a peace settlement to the Cambodian conflict, the parties to the conflict, between January and June, outlined their own proposals and their reactions to those proposed by the Five.

On 10 January [A/45/80-S/21081], Prince Sihanouk, prior to the holding of the first meeting of the Five to discuss the situation in Cambodia, set out the positions of the four Cambodian factions on the possible setting up of a UN trusteeship in the country. He agreed that a trusteeship should be established for one or two years, replacing the current administrations, and a UN international control mechanism and a UN international peace-keeping force should be created to control the departure of all Vietnamese forces, disarm the four Cambodian factions and destroy their weapons and ammunition, protect the Cambodian people, and organize and supervise general elections. They should remain in Cambodia for five years after the elections. The seat of Cambodia at the United Nations should not be vacated until both the Coalition Government of Democratic Kampuchea and the illegal "State of Cambodia" were simultaneously dismantled.

Prince Sihanouk explained that the Khmer Rouge abided by that five-point plan and had particularly asked for the formation of a provisional quadripartite government, while Hun Sen and his group were totally against the plan.

On 17 January, following the meeting of the Five at which principles were elaborated for a resolution of the Cambodian problem, Prince Sihanouk reiterated [A/45/85-S/21090] his position demanding the complete dismantling of the Hun Sen regime in Cambodia and all other factions. He declared that he would not participate in any peace conference among the four Cambodian factions alone, but would in the context of a Cambodia-Vietnam or international conference.

The Democratic Kampuchea party on 4 April [A/45/208-S/21239] reiterated its view that the five-point proposal of Prince Sihanouk was an equitable and feasible peace plan. It also supported the principles for a settlement elaborated by the Five at their January meeting and shared the Secretary-General's view that the mandate to be entrusted to the United Nations should be well defined, realistic and practicable.

On 9 April [A/45/209-S/21240], Prince Sihanouk made new proposals, whereby the Five, the Secretary-General and the two existing Cambodian Governments—the National Government of Cambodia, recognized by the United Nations, and the Government of the State of Cambodia of Heng Samrin-Hun Sen, installed in Phnom Penh by Viet Nam—would proclaim an immediate cease-fire with the (provisional) maintenance in their positions of the four armies of the Khmer warring factions and of the Vietnamese army units still inside Cambodia. Prior to that, the Five would send a strongly armed contingent under UN command to implement the cease-fire. Later, the United Nations would compel the Khmer factions to regroup and restrict them to barracks. An international control mechanism (ICM) would be established by the Paris Conference to assist the UN military command in neutralizing the armies in Cambodia, and to prepare for and monitor general elections. The two Governments could be maintained, in conformity with the demand of Hun Sen, on condition that all administrative powers be transferred, pending general elections, to a UN Administering Authority (UNAA) and their foreign policy powers transferred to a Supreme Council of the Cambodian State, composed of six members each of CNR and of the Phnom Penh régime. General elections would be jointly organized by the Supreme Council and UNAA and monitored by ICM. and would not take place until: there was control and dismantling of arms caches of the Vietnamese and Khmer factions and other armed groups, Cambodian or foreign; repatriation of armed Vietnamese elements and illegal immigrants had taken place under the aegis of the International Committee of the Red Cross (ICRC) and the Office of the United Nations High Commissioner for Refugees (UNHCR); a census of the population of Cambodian and non-Cambodian nationality had been held; and the borders of Cambodia internationally recognized until 17 March 1970 (the eve of Lon Nol's putsch) had been verified in conformity with official maps prevailing in 1969. Given those tasks, general elections should not take place before two or three years after proclamation of the cease-fire.

On the same day [A/45/212-S/21244], Son Sann, Prime Minister of the National Government of Cambodia and President of the Khmer People's National Liberation Front (KPNLF), declared his support for all the international initiatives so far taken to resolve the Cambodian crisis, including that of the Secretary-General to organize general elections. He urged the Cambodian parties to come up with a compromise solution in order to allow the Cambodian people to determine freely the regime of their choice. In that context, he welcomed Prince Sihanouk's proposal for convening a meeting of the four Cambodian parties at Bangkok, Thailand, with the relevant Thai authorities.

On 30 May [A/45/315-S/21364], the three components of the National Government of Cambodia informed the Secretary-General that they fully supported the summary of conclusions of the Five at their fourth meeting (New York, 25 and 26 May) [A/45/293-S/21318], considering them as the basis for a comprehensive political settlement.

According to a 17 June memorandum [A/45/322-S/21373] of the Council of Ministers of the National Government of Cambodia, the efforts of the Five were flatly rejected by Viet Nam, which instead tried to impose a cease-fire without a comprehensive political settlement, thus preventing the Cambodians from carrying out their national liberation struggle. By opposing UN supervision and trying to keep the Phnom Penh regime in place, Viet Nam wanted to conceal its forces in Cambodia and pursue its occupation. With a view to contributing to an early restoration of peace and to promoting national reconciliation, the three components of the National Government and CNR renewed their full support of the May 1990 conclusions of the Five and expressed their readiness to participate in the work of the Five at their next meeting scheduled for July.

By another memorandum of the same date [A/43/320-S/21371], the Council of Ministers said it considered the Vietnamese regime installed in Phnom Penh as a party to peace negotiations. However, Viet Nam and its Phnom Penh regime opposed negotiations among the four Cambodian parties, and had demanded that the talks in Tokyo (4-5 June) only be held between two parties, the National Government of Cambodia and the Vietnamese-installed regime. Therefore, only the three components of CNR took part in the Tokyo meeting, which had been proposed by Prince Sihanouk in April. The three components of the National Government of Cambodia and CNR said that they were ready to participate in the work of the Five to which the four Cambodian parties would be invited at the forthcoming meeting scheduled for July.

On 8 July, the Vice-President of Cambodia in charge of foreign affairs said [A/45/3 -S/21392] in an interview with Xinhua News Agency that the three parties of CNR, headed by Prince Sihanouk, had agreed to participate in the fifth round of talks of the Five, scheduled for July, according to what was known as the "Five plus Four" (i.e., the four Cambodian parties) formula. However, the Hanoi authorities were hindering the process by putting forward a "Five plus Two" formula, aimed at preserving the Phnom Penh régime. The difference between both formulas was in substance a difference between a comprehensive political settlement with UN verification and control of the whole settlement process and a partial solution of a cease-fire without UN verification and control.

On 29 June, the Democratic Kampuchea party presented to the Secretary-General proposals [A/45/332-S/21381] for a comprehensive political settlement, within the framework of the 26 May summary of conclusions of the Five and under the control of a UN peace-keeping force, which would verify all aspects of the settlement process, from the signing of the initial agreement on a settlement, through the elections, the convening of the Constituent Assembly and the adoption of the Constitution, to the formation of a new national Government. The proposal aimed at ending the Vietnamese war of aggression and occupation, it was stated, securing the withdrawal of all Vietnamese forces from Cambodia and allowing the four Cambodian conflicting parties to sit together and through their common efforts try their best to solve the problems.

In a 19 July declaration, Prince Sihanouk stated [A/45/362-S/21413] that the decision of the United States and the European Community to abandon CNR and expel the National Government of Cambodia from the United Nations and declare Cambodia's seat vacant was a very grave injustice and constituted a formidable reward to the Phnom Penh regime and Viet Nam, which maintained more than 40,000 forces in Cambodia. He appealed to all peoples and Governments to prevent the unjust deprivation of the-UN seat. The National Government and CNR would never accept a pax Vietnamica, nor a so-called peace solution dictated by foreign Powers which were working for a de facto partition of Cambodia.

In a 23 July joint statement, the Association of South-East Asian Nations (ASEAN) Foreign Ministers [A/45/355-S/21408] asserted that all parties had hardened their positions and retreated from previous areas of agreement. The military conflict had intensified and there was a pressing need for a cease-fire. The Foreign Ministers fully supported an enhanced UN role, stressing that

there were several possible avenues towards a comprehensive political settlement, including a UN interim administration pending elections, and an SNC administering in the interim period through existing administrative structures in conjunction with the United Nations. Those avenues were acceptable if they allowed the Cambodians to make a choice through credible, free and fair elections under UN supervision. Changing the representation of Cambodia in the United Nations at the present, in the absence of an SNC, would set back the search for a comprehensive political solution, they said; SNC should occupy the UN seat once it was formed. In working towards a political settlement, they were convinced Prince Sihanouk would continue to play a key role. The Foreign Ministers, with whom they would co-ordinate, encouraged the Five to continue and intensify their own efforts.

In a statement [A/45/471-S/21687] issued in Beijing on 31 August, Prince Sihanouk said that the National Government of Cambodia and the tripartite CNR fully supported, without reservation, the most recent proposals of the Five-the framework for a comprehensive political settlement of the Cambodian situation issued on 28 August (see above)-and were committed to implementing it.

Viet Nam, on 31 August [A/45/477-S/21702], welcomed the efforts of the Five in working out the five documents regarding the Cambodian issue, saying that they were going in the right direction in the search for a comprehensive, fair and reasonable solution and that their agreements were basically in conformity with the contents agreed on by the countries participating in the 1989 Paris Conference. The Cambodian parties had already agreed that a solution should include a cease-fire, establishment of SNC, an important role for the United Nations, and free, democratic and fair elections. Questions relating to Cambodian sovereignty should be discussed and decided by the Cambodian people, and Viet Nam would respect those decisions.

SECURITY COUNCIL ACTION

On 20 September the Security Council adopted resolution 668(1990).

The Security Council,

Convinced of the need to find an early, just and lasting peaceful solution of the Cambodia conflict,

Noting that the Paris Conference on Cambodia, which met from 30 July to 30 August 1989, made progress in elaborating a wide variety of elements necessary for reaching a comprehensive political settlement,

Taking note with appreciation of the continuing efforts of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America, which

have resulted in the framework for a comprehensive political settlement of the Cambodia conflict,

Also taking note with appreciation of the efforts of the countries of the Association of South-East Asian Nations and other countries involved in promoting the search for a comprehensive political settlement,

Further taking note with appreciation of the efforts of Indonesia and France as Co-Presidents of the Paris Conference on Cambodia and of all participants in this Conference to facilitate the restoration of peace to Cambodia,

Noting that these efforts are aimed at enabling the Cambodian people to exercise their inalienable right to self-determination through free and fair elections organized and conducted by the United Nations in a neutral political environment with full respect for the national sovereignty of Cambodia,

1. Endorses the framework for a comprehensive political settlement of the Cambodia conflict and encourages the continuing efforts of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America in this regard;

2. Welcomes the acceptance of this framework in its entirety by all the Cambodian parties, as the basis for settling the Cambodia conflict, at the informal meeting of the Cambodian parties at Jakarta on 10 September 1990 and their commitment to it;

3. Also welcomes the commitment of the Cambodian parties, in full co-operation with all other participants in the Paris Conference on Cambodia, to elaborating this framework into a comprehensive 'political settlement through the processes of the Conference;

4. Welcomes, in particular, the agreement reached by all Cambodian parties at Jakarta to form a Supreme National Council as the unique legitimate body and source of authority in which, throughout the transitional period, the independence, national sovereignty and unity of Cambodia is embodied;

5. Urges the members of the Supreme National Council, in full accord with the framework document, to elect the Chairman of the Council as soon as possible, so as to implement the agreement referred to in paragraph 4 above;

6. Notes that the Supreme National Council will therefore represent Cambodia externally and it is to designate its representatives to occupy the seat of Cambodia at the United Nations, in the United Nations specialized agencies and in other international institutions and international conferences;

7. Urges all parties to the conflict to exercise maximum self-restraint so as to create the peaceful climate required to facilitate the achievement and the implementation of a comprehensive political settlement;

8. Calls upon the Co-Presidents of the Paris Conference to intensify their consultations with a view to reconvening the Conference, whose task will be to elaborate and adopt the comprehensive political settlement and to draw up a detailed plan of implementation in accord with the above-mentioned framework;

9. Urges the Supreme National Council, all Cambodians and all parties to the conflict to co-operate fully in this process;

10. Encourages the Secretary-General to continue, within the context of preparations for reconvening the Paris Conference and on the basis of the present reso-

lution, preparatory studies to assess the resource implications, timing and other considerations relevant to the United Nations role;

11. Calls upon all States to support the achievement of a comprehensive political settlement as outlined in the above-mentioned framework.

Security Council resolution 668(1990)

20 September 1990 Meeting 2941 Adopted unanimously
Draft prepared in consultations among Council members (S/21800).

Meeting of the Five (October)

The five permanent members of the Security Council held further consultations on Cambodia in New York on 15 and 16 October. They noted [A/45/671-S/21908] with concern the continuing difficulties over the SNC chairmanship and the consequent inability to form a delegation to occupy Cambodia's UN seat. They recalled their statement in the framework agreement that they would welcome the election of Prince Sihanouk as Chairman and urged the Cambodian parties to resolve at an early date the outstanding questions related to that matter. They reiterated their appeal to the parties to co-operate fully in the settlement process, as they committed themselves during the September Jakarta meeting. Successful reconvening of the Paris Conference required a properly functioning SNC and a peaceful situation in Cambodia. They called for its reconvening before the end of 1990 to adopt the comprehensive settlement agreement.

On 10 October, the three components of CNR called [A/45/620-S/21866] for a further meeting of SNC, possibly with the presence of the Co-Presidents of the Paris Conference, to elect the Council Chairman.

Report of Secretary-General. In a 10 October report on the situation in Cambodia [A/45/605], the Secretary-General said that during 1990 he had actively continued efforts, within the framework of his good offices, towards a negotiated settlement of the Cambodia problem. He and his Special Representative, Rafeeuiddin Ahmed, maintained regular contacts with the parties and countries concerned and followed closely the various initiatives and diplomatic exchanges. He had had discussions with the Ministers for Foreign Affairs of the five permanent Security Council members, the Co-Presidents of the Paris Conference and the leaders of other member countries of the Conference. He had created a task force on Cambodia in February, composed of senior Secretariat officials, to develop ideas regarding a potential UN role in Cambodia during the transition period. The task force conducted five fact-finding missions to Cambodia between March and October to gather information and data relevant to the eventual deployment of an in-

tegrated UN operation. Following the endorsement by the Security Council on 20 September of the framework for a comprehensive political settlement, the Secretary-General had instructed the task force to identify practical ways in which the United Nations could discharge its tasks outlined in the framework. In April, a voluntary fund for the Cambodian peace process was established on the suggestion of Australia, to facilitate the planning aspects of a comprehensive political settlement.

In accordance with General Assembly resolution 44/22 [YUN 1989, p. 180], the Secretary-General continued to co-ordinate humanitarian relief assistance to the Cambodian people along the Thai-Cambodian border and within Cambodia and Thailand. At the end of September, there were some 298,000 Cambodians in evacuation sites under the care of the United Nations Border Relief Operation (UNBRO) and some 15,000 Cambodian refugees under the care of UNHCR. Efforts to assist the Cambodian border population were hampered by the insufficiency of resources to meet the needs of that population, forcing UNBRO to reduce programmes in 1990 by some \$5.4 million.

The Secretary-General expressed concern over reports of the movement of displaced persons at the border inside Cambodia prior to a peacesettlement, without sufficient preparation or consultation. In January, some 4,400 persons were relocated to unknown locations across the border under extremely poor conditions. The plight of those people underscored the dangers for those who attempted to return outside a UN-assisted voluntary repatriation programme. To prepare for orderly repatriation, a skills-training programme was being carried out with assistance from the World Health Organization (WHO), the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the International Labour Organisation (ILO). UNHCR, which had assumed the lead role in repatriation, had prepared a planning framework for a repatriation operation, and the Secretary-General's Special Representative for the co-ordination of humanitarian assistance, S. A. M. S. Kibria, convened inter-agency workshops also involving non-governmental organizations (NGOs), to co-ordinate a joint programme of assistance for the returnees. UNHCR was working closely with UNBRO to ensure a smooth transition between border relief and repatriation operations. In the meantime, voluntary repatriation of individual cases continued with the parties. A serious problem deserving urgent attention was, according to the Secretary-General, the presence of land-mines and other anti-personnel devices, particularly in the western provinces of Cambodia to which most

of the refugees and displaced persons were expected to return. A mine-awareness programme for the civilian population living in the vicinity of the Thai-Cambodian border had begun.

With the agricultural sector of the Cambodian economy remaining fragile and in anticipation of possible food shortages, the World Food Programme had taken steps to increase buffer stocks throughout the country, the Secretary-General reported. Humanitarian assistance also continued to be provided by the United Nations Children's Fund (UNICEF), UNHCR, the Food and Agriculture Organization of the United Nations, ICRC and an increasing number of NGOs.

The Secretary-General concluded that considerable progress had been achieved in the negotiating process and a solution to the tragic conflict in Cambodia might be within reach. The establishment of a durable peace would require the full support and continued co-operation of all involved, and would ultimately depend on the Cambodian parties' willingness to overcome their long-standing differences and achieve a genuine national reconciliation. He hoped that they would resolutely meet that challenge and, as a first step, reach the necessary compromises for SNC to assume its role in the settlement process. He also hoped that the Cambodian parties would heed the Security Council's call for maximum self-restraint and that SNC would be able to agree, as soon as possible, to a voluntary cease-fire and moratorium on arms supplies, so as to establish a climate conducive to the successful completion of the negotiating process in the framework of the Paris Conference and to the rapid deployment of a UN operation, following the conclusion of a comprehensive peace accord.

The Secretary-General regarded as gratifying that the international community and the Cambodians were planning to entrust the United Nations with wide-ranging responsibilities in the process leading to the restoration of peace. That, however, would only be possible on the basis of a specific, realistic and practicable mandate. He intended to continue to work closely with all concerned to ensure that such a mandate was formulated and the Organization was provided with the human and financial resources indispensable to an effective operation.

GENERAL ASSEMBLY ACTION

On 15 October, the General Assembly adopted resolution 45/3.

The situation in Cambodia

The General Assembly,

Having considered the item entitled "The situation in Cambodia",

Convinced that an early, just and durable solution of the Cambodia conflict achieved through national reconciliation among the Cambodian parties free from external interference, within the framework for a comprehensive political settlement, will contribute to regional and international peace and security,

Noting that the Jakarta informal meetings on Cambodia have made a significant contribution towards achieving a comprehensive settlement,

Also noting that the Paris Conference on Cambodia, which met from 30 July to 30 August 1989, made progress in elaborating a wide variety of elements necessary for reaching a comprehensive political settlement,

Welcoming Security Council resolution 668(1990) of 20 September 1990,

Welcoming also an enhanced role for the United Nations in Cambodia and the continuing efforts of the Secretary-General within the framework for a comprehensive political settlement,

Recognizing that international humanitarian assistance has alleviated the suffering of the Cambodian people, particularly those who have sought temporary refuge in neighbouring countries,

Taking note of the report of the Secretary-General and the progress towards a comprehensive political settlement,

1. Reiterates the urgent need for a comprehensive political settlement as outlined in the framework for a comprehensive political settlement of the Cambodia conflict, which has been endorsed by the Security Council in its resolution 668(1990) and which the Paris Conference on Cambodia is called upon to elaborate and adopt;

2. Welcomes the acceptance of this framework in its entirety by all the Cambodian parties, as the basis for settling the Cambodia conflict, at the informal meeting of the Cambodian parties in Jakarta on 10 September 1990 and their commitment to it;

3. Further welcomes the commitment of the Cambodian parties, in full co-operation with all other participants in the Paris Conference on Cambodia, to elaborating this framework into a comprehensive political settlement through the processes of the Conference;

4. Welcomes, in particular, the agreement reached by all Cambodian parties in Jakarta forming a Supreme National Council as the unique legitimate body and source of authority in which, throughout the transitional period, the independence, national sovereignty and unity of Cambodia is embodied;

5. Notes that the Supreme National Council will therefore represent Cambodia externally and occupy the seat of Cambodia at the United Nations, in the United Nations specialized agencies and in other international institutions and international conferences;

6. Urges that, in working towards the goal of a comprehensive political settlement, the Cambodian leaders should co-operate in assuming their responsibilities in order to achieve national reconciliation;

7. Also urges all parties to the conflict to exercise maximum self-restraint so as to create the peaceful climate required to facilitate the achievement and the implementation of a comprehensive political settlement;

8. Calls upon the Co-Presidents of the Paris Conference on Cambodia to intensify their consultations with a view to reconvening the Conference, whose task will be to elaborate and adopt the comprehensive political

settlement and draw up a detailed plan of implementation in accordance with the framework for a comprehensive political settlement;

9. Stresses that an enhanced role for the United Nations in Cambodia, charged with a clear and practical mandate, would help achieve the goal of the exercise of the right to self-determination for the Cambodian people through free and fair elections organized and conducted by the United Nations in a neutral political environment with full respect for the national sovereignty of Cambodia;

10. Encourages the Secretary-General to continue, within the context of preparations for reconvening the Paris Conference on Cambodia and on the basis of the present resolution, preparatory studies to assess the resource implications, timing and other considerations relevant to the role of the United Nations;

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 necessary;

12. Expresses its deep appreciation once again to donor countries, the United Nations and its agencies and other national and international humanitarian organizations that have rendered assistance to the Cambodian people and appeals to them to provide financial and material resources for the speedy repatriation and rehabilitation of Cambodian displaced persons as well as for the economic and social reconstruction of Cambodia;

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

14. Decides to include in the provisional agenda of its forty-sixth session the item entitled "The situation in Cambodia".

General Assembly resolution 45/3

15 October 1990 Meeting 30 Adopted without vote

Draft by President (A/45/L.5); agenda item 32.

Meeting of the Five (November)

The five permanent Security Council members met in Paris (23-26 November) to assist the Co-Presidents of the Paris Conference in their efforts to bring about a comprehensive political settlement of the Cambodian conflict. Building on the results of a working group meeting in Jakarta (9-10 November) [A/45/719-S/21940] under the co-chairmanship of the two Co-Presidents of the Paris Conference, the Five reached consensus on a draft comprehensive political settlement developed directly from the 28 August framework agreement, as endorsed by the Security Council in September (resolution 668(1990) above) and the General Assembly in October. In a communique [A/45/829-S/21985] issued on 26 November, the Five stated that the Co-Presidents had thus fulfilled the first necessary condition for reconvening the Paris Conference and were in a position to present to the Co-ordinating Committee a draft agreement which could be submitted for adoption by the Conference, meeting at the ministerial level. In the light of the positive results, it was now ur-

gent that the Cambodians made their contribution through SNC. The Co-Presidents and the Five strongly urged the Cambodians to ensure that the Council was fully functioning so that the Conference could be reconvened. The Five reaffirmed that Prince Sihanouk should be elected SNC Chairman. Related questions, including the possible expansion of SNC and the vice-chairmanship, should be decided by the Cambodians.

At a meeting in Paris (21-23 December), the Co-Presidents of the Paris Conference presented to the 12 SNC members the draft agreements they had prepared with the five permanent Security Council members. The UN Secretary-General's Special Representative also attended the meeting. In the course of the discussions, the SNC members reiterated their acceptance of the August framework document formulated by the Five in its entirety as the basis for settling the Cambodia conflict. They concurred on most fundamental points of the November draft agreement. The remaining questions were to be further discussed by the Co-ordinating Committee and among the SNC members. It was agreed that the draft agreements should be transmitted, together with an explanatory note concerning certain provisions in the texts, to the Co-ordinating Committee, which should be reconvened at an early date. The two Co-Presidents, the SNC members and the Secretary-General's Special Representative agreed that for the Paris Conference to be reconvened in an atmosphere propitious to national reconciliation, one important condition would be for all parties to the conflict to exercise genuine restraint on the battlefield.

The draft agreement on a comprehensive political settlement covered arrangements during the transition period, and in its annexes dealt with the proposed mandate of UNTAC; withdrawal, cease-fire and related measures; elections; repatriation of refugees and displaced persons; and principles for a new constitution. The draft agreement, as well as a draft agreement concerning the sovereignty, independence, territorial integrity and inviolability, neutrality and national unity of Cambodia, and a declaration on the rehabilitation and reconstruction of Cambodia, were transmitted [A/46/61-S/22059] to the Secretary-General together with the final statement issued at the end of the Paris meeting.

Other aspects

Military aspects

By a communique [A/45/124-S/21146] of 14 February, issued at the end of talks held on 11 and 12 February in Phnom Penh, the Foreign Ministers

of Cambodia, the Lao People's Democratic Republic and Viet Nam acclaimed that the total withdrawal of Vietnamese army volunteers from Cambodia 15 months ahead of schedule was a decisive factor for an overall political solution. The pivotal matter was to prevent the Khmer Rouge from re-establishing the genocidal regime in Cambodia.

On 17 June, the National Government of Cambodia stated [A/45/321-S/21372] that there was no effective withdrawal of Vietnamese forces from Cambodia as claimed by Viet Nam. Some 100,000 Vietnamese soldiers remained in the country, as well as in regular units, wearing the uniforms of the Phnom Penh regime's army and militia. They continued to fight against the National Government and the Cambodian National Resistance of Norodom Sihanouk. The return of Vietnamese forces to Cambodia was also widely reported in the international press.

Given those conditions, it would be unjust to impose a cease-fire, thus preventing the Cambodian people from carrying out their struggle for national liberation. Viet Nam and the Phnom Penh regime were trying to impose a cease-fire without UN monitoring. It was the National Government's view that a cease-fire should be part of a comprehensive solution, effective only when an interim administration was in place and a UN international control mechanism and peace-keeping force were operational.

In another 17 June statement [A/45/323-S/21375], the National Government, referring to the destruction caused by Viet Nam to the Angkor Wat and other centuries-old monuments, reiterated its call for the establishment of the Angkor peace zone based on the withdrawal of all armed forces, including the Vietnamese occupying forces, and the deployment of a UN international mechanism to verify that the area remained neutral.

By a communique [A/45/432-S/21591] of 15 August, the High Command of the National Army of Democratic Kampuchea informed the Secretary-General that between 20 July and 9 August Viet Nam had dispatched some 5,000 fresh Vietnamese forces to Cambodia, together with heavy artillery, tanks and other war materials. This was clear proof that Viet Nam was unwilling to reach a comprehensive political settlement of the Cambodian problem created by its invasion and occupation. In a memorandum of 12 October [A/45/661-S/21900], CNR stated that from August to early October another 8,000 Vietnamese troops were sent to Cambodia and there had been increasing activities to recruit Cambodian civilians into the Heng Samrin-Hun Sen army, which was trying to capture liberated zones controlled by the resistance forces.

On 18 October, the National Government of Cambodia reported [A/45/660-S/21899] that since September, Viet Nam and the Hun Sen-Heng Samrin party had stepped up their military operations throughout Cambodia, particularly in Battambang province, as well as in Kompong Cham and Kompong Thorn. The National Government condemned what it called the escalation of Viet Nam's invasion and occupation and called on friendly countries to prevent Viet Nam and the Phnom Penh party from sabotaging the peace process.

Sino-Vietnamese talks

In early June, talks were held between China and Viet Nam aimed at contributing to a solution to the Cambodian conflict. On 21 June, the Vietnamese Deputy Foreign Minister, reporting [A/45/331-S/21380] on the outcome of those talks, stated that both Viet Nam and China had reached consensus on some fundamental points and agreed that the Cambodia issue had to be solved through an overall political solution, including the total and internationally verified withdrawal of Vietnamese troops; a cease-fire; cessation of foreign military aid to all Cambodia parties; holding free, fair and democratic elections under international control; and the establishment of a peaceful, independent, neutral and non-aligned Cambodian State, having friendly relations with all other countries, particularly with close neighbours such as Viet Nam, China, the Lao People's Democratic Republic and Thailand. Differences existed, however, with regard to Cambodia's internal affairs, with China favouring agreement on the functions and powers of SNC and on measures to deal with the armed forces of all Cambodian parties after the enforcement of a cease-fire. Viet Nam stated that it was ready to join China and other countries in respecting the Cambodians' decision in accepting China's view. While the Chinese side demanded that SNC be the only supreme authority organ in the transition period, Viet Nam held that this should be arranged among the Cambodian factions themselves.

Reporting on the informal talks between China and Viet Nam, a leading member of the Asian Department of China's Foreign Ministry on 28 June said [A/45/337-S/21388] his country favoured a situation in which SNC either should be the sole legal interim organ of the highest authority in Cambodia with temporary legislative powers and administrative authority or should authorize the United Nations to execute administration during the transition period. Viet Nam opposed a UN administration in Cambodia, and objected to the transfer of temporary legislative and administrative authority to SNC, while insist-

ing that power be left in the hands of the Phnom Penh regime, and SNC's power and functions be limited to a co-ordinating role between the two existing Governments of Cambodia. Viet Nam also opposed the cantonment of the armed forces of the Cambodian factions and their complete disarming or drastic reduction and objected to the sending of international peacekeeping forces into Cambodia. Viet Nam thus stood for keeping the Phnom Penh regime and its armed forces intact so as to maintain the *fait accompli* created by the Vietnamese invasion and to continue its control over Cambodia, China alleged.

Human rights

The Commission on Human Rights, by a resolution of 19 February [E/1990/22 (res. 1990/9)] 1, reiterated its condemnation of the persistent gross and flagrant human rights violations in Cambodia and emphasized that the Cambodians should be enabled to exercise their inalienable right to self-determination through free, fair and democratic elections under UN supervision. The Commission reiterated its conviction that the following were the principal components of any just, lasting and comprehensive political settlement: the withdrawal of all foreign forces from Cambodia under UN supervision; the cessation of all outside military assistance; the creation of an interim administering authority; the promotion of national reconciliation under the leadership of Prince Sihanouk; the non-return to policies and practices of a recent past; the restoration of Cambodia's independence, sovereignty, territorial integrity and neutral and non-aligned status; the reaffirmation of the right of the Cambodians to determine their own destiny; and the commitment by all States not to interfere or intervene in Cambodia's internal affairs.

The Commission called on all parties to intensify efforts towards assuring that the Cambodian problem be resolved through such a settlement in order to end human rights abuses and enable the Cambodians to determine their own future. It expressed its strong conviction that genuine and lasting peace could be achieved only through the exercise by the Cambodians of their rights and fundamental freedoms.

The Commission resolution was endorsed by the Economic and Social Council in decision 1990/256 of 25 May. By that decision, the Council affirmed that a complete withdrawal of foreign forces must be verified by the United Nations; called on all parties to engage in negotiations for a comprehensive settlement, including elections under UN administration; and expressed grave concern over Cambodian civilians stranded in Thailand as a result of continu-

ing hostilities in Cambodia and over continued violations of human rights, particularly the shelling of Cambodian civilian camps along the border. The Council stressed that any Government elected through free, fair and democratic elections should take effective measures to guarantee the human rights and fundamental freedoms of the Cambodians. (For further details on the human rights situation in Cambodia, see PART THREE, Chapter X.)

Afghanistan

In 1990, the United Nations continued to pursue the implementation of the 1988 Agreements on the Settlement of the Situation Relating to Afghanistan [YUN 1988, p. 184]. Referred to as the Geneva Agreements, they comprised four instruments: a bilateral agreement between Afghanistan and Pakistan on the principles of mutual relations; a declaration on international guarantees; a bilateral agreement between Afghanistan and Pakistan on the return of refugees; and an agreement on the interrelationships for the settlement of the situation in Afghanistan. They were also signed by the USSR and the United States as State guarantors. The withdrawal of forces from Afghanistan was monitored by the United Nations Good Offices Mission in Afghanistan and Pakistan (UNGOMAP), which was established under the Geneva Agreements and whose mandate ended on 15 January 1990.

UNGOMAP was temporarily extended until 15 March. On that date, the Office of the Secretary-General in Afghanistan and Pakistan (OSGAP) was established, headed by the Secretary-General's Personal Representative, Benon Sevan.

During the year, UN activities were significantly expanded, through the efforts of the United Nations Co-ordinator for Humanitarian and Economic Assistance Programmes relating to Afghanistan (UNOCA) and others.

In October, the Secretary-General reported on UN humanitarian and economic assistance programmes and his own endeavours, as well as those of his Personal Representative, to achieve a comprehensive political settlement. In his report on the work of the Organization [A/45/1], the Secretary-General expressed the view that the opportunity now existed for collective and concerted efforts, both at the national and international levels, to achieve a resolution of the Afghan conflict.

The General Assembly, in November, called on all parties concerned to work urgently towards a settlement, the cessation of hostilities and the creation of peace and normalcy.

Letter of Secretary-General. By a letter [S/21071] of 9 January, the Secretary-General, recalling his earlier indication that more still needed to be done to implement the Geneva Agreements, and after consultation with the parties, requested the concurrence of the Security Council with his proposal to extend the temporary detachment of military officers to Afghanistan and Pakistan, as the concurrence of the countries supplying the military personnel had already been obtained.

SECURITY COUNCIL ACTION

On 11 January, the Security Council adopted resolution 647(1990).

The Security Council,

Recalling the letters dated 14 and 22 April 1988 from the Secretary-General to the President of the Security Council concerning the Agreements on the Settlement of the Situation Relating to Afghanistan, signed at Geneva on 14 April 1988,

Recalling also the note by the Secretary-General of 15 February 1989 and his report of 20 October 1989,

Recalling further its resolution 622(1988) of 31 October 1988,

Taking note of the letter dated 9 January 1990 from the Secretary-General to the President of the Security Council,

1. Confirms its agreement to the measures envisaged in the Secretary-General's letter of 9 January 1990 concerning the arrangements for the temporary deployment in Afghanistan and Pakistan of military officers from existing United Nations operations to assist in the mission of good offices for a further period of two months;

2. Requests the Secretary-General to keep the Security Council informed of further developments in accordance with the Agreements on the Settlement of the Situation Relating to Afghanistan, signed at Geneva on 14 April 1988.

Security Council resolution 647(1990)

11 January 1990 Meeting 2904 Adopted unanimously
Draft prepared in consultations among Council members (S/21073).

On 12 March, the Secretary-General reported [S/21188] to the Council President that his consultations with the signatories to the Geneva Agreements indicated that another extension of the temporary deployment of the military officers beyond 15 March would not meet the necessary consensus. He would therefore redeploy a limited number of military officers as military advisers to his Personal Representative to assist him in the further implementation of the responsibilities entrusted to him by General Assembly resolution 44/15 [YUN 1989, p. 183], particularly with

regard to the request for him to encourage and facilitate early realization of a comprehensive political settlement.

The Council President informed [S/21218] the Secretary-General on 28 March that the Council members had no objection to the proposed action. The arrangements for UNGOMAP accordingly came to an end on 15 March.

Report of Secretary-General. In a 17 October report [A/45/635-S/21879], presented pursuant to General Assembly resolution 44/15 [YUN 1989, p. 1831, the Secretary-General stated that up to 15 March, when the arrangements for UNGOMAP came to an end, the mission continued to discharge its mandate, monitoring the implementation of all aspects of the Geneva Agreements and providing good offices to parties. UNGOMAP continued to receive numerous complaints from each party against the other, of alleged violations of the first instrument of the Geneva Agreements, i.e., the bilateral agreement between Afghanistan and Pakistan on the principles of mutual relations, in particular non-interference and non-intervention.

By the end of its mandate, UNGOMAP had received 1,168 notes verbales from Afghanistan containing 7,545 complaints of alleged violations by Pakistan and 211 notes verbales from Pakistan containing 1,317 complaints of alleged violations by Afghanistan. UNGOMAP had submitted to the two parties 102 reports on numerous inspections regarding the complaints, and the two parties had held 15 joint meetings under UNGOMAP auspices to consider the inspection reports. Since the end of the arrangements for UNGOMAP, Afghanistan continued submitting complaints of alleged violations of the Geneva Agreements to OSGAP, copies of which OSGAP submitted to Pakistan.

To further intensify his efforts for a comprehensive political settlement, the Secretary-General on 15 March established OSGAP, headed by his Personal Representative, Benon Sevan, and organized into two small headquarters units— one in Islamabad, with a sub-office in Peshawar, and one in Kabul. OSGAP's Military Advisory Unit comprised 10 military advisers, one each from Austria, Canada, Denmark, Fiji, Finland, Ghana, Ireland, Nepal, Poland and Sweden. The Unit maintained a continued assessment of the security situation in Afghanistan and elaborated and updated plans for military support to a possible increased UN involvement. The military advisers were organized in two small units in Islamabad and Kabul. OSGAP's expenses were met from the UN regular budget, with local operating costs, as with UNGOMAP, borne by Afghanistan and Pakistan.

Despite the set-back in establishing the formal mechanisms foreseen in the Geneva Agreements, measures were taken to provide direct assistance to a significant number of refugees already returning voluntarily to Afghanistan, with assistance programmes being implemented by UNHCR, in close co-operation with UNOCA and the World Food Programme (WFP). By the end of September, some 50,000 refugees along Pakistan's border with Afghanistan had benefited from a voluntary repatriation project that had started in July and was extended to February/March 1991. UNHCR had also been providing direct and individual support to an estimated 15,000 Afghan returnees passing through reception and transit centres established by the Afghan Government. Progress was also being made by UN agencies in providing assistance to internally displaced persons who were beginning to return to their villages of origin in increasing numbers.

UN humanitarian and economic assistance programmes were significantly expanded during the year. Through the efforts of UNOCA, aid commodities reached needy Afghans in practically every province in spite of logistic and other difficulties. Currently, the Secretary-General reported, there were over 400 UN projects and sub-projects—ranging from mine clearance activities to agriculture, health, education and restoration of physical infrastructure—inside the country, of which 121 had been completed, 246 were under implementation and over 50 were in the pipeline.

According to the Secretary-General, the problem of acute food shortages in some areas, noted in 1989, was now in large measure under control. In addition to UN offices in Iran, Pakistan and the USSR, the UN presence had been considerably strengthened within Afghanistan to facilitate aid delivery, monitor distribution and initiate rehabilitation projects. The response to the appeal for assistance, launched by the Secretary-General in October 1988 [YUN 1988, p. 396], stood at \$1,029 million, but the imbalance between contributions in cash and in kind, as well as the high proportion of contributions earmarked for specific projects, continued to affect operational flexibility.

In order to move closer to the realization of a comprehensive political settlement, the Secretary-General intensified consultations with all segments of the Afghan people, the two parties and the two guarantors of the Geneva Agreements as well as the Governments of neighbouring and other countries. During the reporting period, he held discussions with the Foreign Minister of Afghanistan and, in September, with President Najibullah in Paris. His Personal Rep-

representative met with the Afghan Foreign Minister almost on a monthly basis and also had several substantive discussions with the President. The Personal Representative also maintained close contacts with the leaders of opposition groups and other prominent Afghans in Peshawar and Tehran and outside the region. In April and September the Secretary-General met with the Foreign Minister of Pakistan and had been in touch, through his Personal Representative, with the President and Prime Minister. He met with the President of the USSR in Moscow in January, and had several meetings with the Soviet Foreign Minister. He held discussions with the United States President in June, as well as with the Secretary of State. He discussed the Afghan situation several times with the Foreign Minister of Iran, who had also met with his representatives in Tehran.

The Secretary-General reported that a number of specific proposals and suggestions had been put forward by the Government of Afghanistan, the opposition leaders, prominent Afghans currently residing outside the region and the guarantors. The basic aim of all the proposals and suggestions was to bring about the establishment of a Government in Afghanistan that would be supported by the majority of the Afghan people and thus end the fighting and suffering. Most recommended free and fair elections, bearing in mind the Afghan traditions as a means to achieve that objective. Most proposals, however, had been put forward not as a result of dialogue among the opposing parties but, rather, unilaterally. There had been progress towards consensus among the guarantors and the countries neighbouring Afghanistan, which, the Secretary-General emphasized, was necessary to encourage an Afghan national consensus and Afghan political process; that in turn would enable the Afghan people to exercise, unhindered, their right to self-determination. Responses received so far from the Governments concerned clearly indicated a desire to achieve a settlement through political means.

In the Secretary-General's view, the time had come to define in a more concrete manner the emerging international consensus, which should comprise the recognition of the right of the Afghan people to determine their own future, free from outside interference, as well as the necessity for a credible and impartial transition mechanism with appropriate powers and authority, as might be agreed, that would allow the Afghans to participate in a free and fair election process, taking into account their traditions. The consensus should further indicate the need for a cessation

of hostilities and a halt to the arms supply to all sides, as well as the necessity for the implementation of all other transitional arrangements. The Secretary-General also believed that the need for international economic assistance would be recognized. Far from imposing a solution on the Afghan people, an international consensus would free the Afghan question from its external constraints and allow the Afghan people to exercise, unhindered, their right to self-determination; but even with such consensus achieved, a long and difficult road lay ahead for the Afghan people, and it would then be up to them to reach agreement on the transition period and the transition mechanism.

Concluding, the Secretary-General appealed to all Afghan leaders and the Afghan people as a whole to place the interest of their nation above all others in order to achieve a comprehensive political settlement.

GENERAL ASSEMBLY ACTION

On 7 November, the General Assembly adopted resolution 45/12.

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 43/20 of 3 November 1988 and 44/15 of 1 November 1989,

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 also 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 situation in Afghanistan, which resulted from the violation of principles of the Charter and of the recognized norms of inter-State conduct,

Noting the conclusion at Geneva, on 14 April 1988, of the Agreements on the Settlement of the Situation Relating to Afghanistan and the completion of the withdrawal of foreign troops in accordance with those Agreements,

Aware of the continuing concern of the international community at the sufferings of the Afghan people and the magnitude of the social and economic problems posed to Pakistan and Iran by the presence on their soil of millions of Afghan refugees,

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

Conscious that a successful final political settlement of the Afghanistan problem would have a favourable impact on the international situation and provide an impetus for the resolution of other acute regional conflicts,

Expressing its appreciation to the Secretary-General and his Personal Representative for their efforts to bring about peace and security,

Taking note of the report of the Secretary-General and the status of the process of political settlement,

1. Emphasizes the importance of the Agreements on the Settlement of the Situation Relating to Afghanistan, hereinafter referred to as the "Geneva Agreements", concluded at Geneva on 14 April 1988 under United Nations auspices, which constitute an important step towards a comprehensive political solution of the Afghanistan problem;

2. Expresses its deep appreciation to the Secretary-General and his Personal Representative for their constant efforts to achieve a political solution of the Afghanistan problem;

3. Calls for the scrupulous respect for and faithful implementation of the Geneva Agreements by all parties concerned, who should fully abide by their letter and spirit;

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

5. 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;

6. Calls upon all parties concerned to work urgently for the achievement of a comprehensive political solution, the cessation of hostilities and the creation of the necessary conditions of peace and normalcy that would enable the Afghan refugees to return voluntarily to their homeland in safety and honour;

7. Emphasizes the need for an early start of the intra-Afghan dialogue for the establishment, through democratic procedures acceptable to the Afghan people, including free and fair elections, of a broad-based government to ensure the broadest support and immediate participation of all segments of the Afghan people;

8. Calls upon all parties concerned to exert every effort to promote a political settlement acceptable to the Afghan people in order to bring to an end the protracted conflict that has prevailed in Afghanistan for the past several years;

9. Requests the Secretary-General and his Personal Representative to continue to encourage and facilitate the early realization of a comprehensive political settlement in Afghanistan in accordance with the provisions of the Geneva Agreements and of the present resolution;

10. Expresses its appreciation for the efforts of the United Nations High Commissioner for Refugees aimed at providing humanitarian assistance to the Afghan refugees and facilitating their voluntary return, and appeals to the parties concerned to take all necessary measures to ease their lot;

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

12. Also expresses its appreciation for the efforts of the Co-ordinator for Humanitarian and Economic Assistance Programmes Relating to Afghanistan and calls upon all States to provide to the Co-ordinator adequate financial and material resources for the purposes of achieving the speedy repatriation and rehabilitation of the Afghan refugees, as well as for the economic and social reconstruction of the country;

13. Requests the Secretary-General to keep Member States and the Security Council informed of progress towards the implementation of the present resolution and to submit to the General Assembly at its forty-sixth session a report on the situation in Afghanistan and on progress achieved in the implementation of the Geneva Agreements and the political settlement relating to Afghanistan;

14. Decides to include in the provisional agenda of its forty-sixth session the item entitled "The situation in Afghanistan and its implications for international peace and security".

General Assembly resolution 45/12

7 November 1990 Meeting 37 Adopted without vote

Draft by President (A/45/L.3); agenda item 29.

Financial implications. ACABQ, A/45/7/Add.4: 5th Committee, A/45/710; S-G, A/C.5/45/25 & Corr.1.

Meeting numbers. GA 45th session: 5th Committee 21, 23; plenary 37.

In a statement [A/C.5/45/25] to the Fifth (Administrative and Budgetary) Committee, the Secretary-General indicated that the draft resolution, if adopted, would entail additional requirements (\$6,742,100). The Advisory Committee on Administrative and Budgetary Questions (ACABQ) reduced [A/45/7/Add.4] those estimates to \$6,150,000, and based on the Advisory Committee's comments and observations, the Fifth Committee informed [A/45/710] the Assembly that adoption of the text would require an additional appropriation in the amount specified by ACABQ.

Other situations

Iran-Iraq

Relations between Iran and Iraq improved in 1990 as important aspects of Security Council resolution 598(1987) [YUN 1987, p. 223], which established the basic framework for a settlement, were implemented, with the United Nations Iran-Iraq Military Observer Group (UNIIMOC) fulfilling the role assigned to it. Resolution 598(1987) provided for discontinuance of military activities, observance of a cease-fire and withdrawal of the parties' troops to the interna-

tionally recognized boundaries as described in the 1975 Treaty concerning the State Frontier and Neighbourly Relations between Iran and Iraq, and its protocols and annexes. UNHMOG was set up in 1988 [SC res. 619(1988)] to verify, confirm and supervise the implementation of resolution 598(1987). In 1990, its mandate was extended three times, first for a six-month period until 30 September, then twice for two months each, until 31 January 1991. Concurrent with the withdrawal to the internationally recognized boundaries, which started on 17 August, the exchange and repatriation of prisoners of war began. In addition, a new phase of direct talks between the two countries was initiated. However, certain elements of resolution 587(1987) still remained to be implemented. On 17 September, the General Assembly, by decision 44/472, included the item "Consequences of the prolongation of the armed conflict between Iran and Iraq" in the draft agenda of its forty-fifth (1990) session. By decision 45/431 of 14 December, the Assembly decided to conclude consideration of the item "Consequences of the prolongation of the armed conflict between Iran and Iraq" since there was no request for discussion of the item during the forty-fifth session.

New phase of direct talks

The Secretary-General, in a 22 March 1990 report on UNHMOG [S/21200], stated that during the reporting period (23 September 1989 to 22 March 1990) he had explored the positions of Iran and Iraq on those provisions of resolution 598(1987) that had not yet been implemented. The visits of his Personal Representative, Jan Eliasson, in November 1989 to the region were aimed at encouraging the two nations to focus on an agenda for a new phase of direct talks. In his presentation to both sides at the conclusion of his visits, Ambassador Eliasson made specific suggestions on how to finalize a concrete programme of work. In particular, he put forward a specific list of issues to be implemented as an integrated whole. The presentation made clear that direct talks between the Foreign Ministers of both countries under the Secretary-General's auspices had been recognized as the appropriate vehicle for developing a common understanding on the implementation of resolution 598(1987). Such talks, appropriately structured, should permit finalization of the understanding with a view to implementation.

In December 1989, the Secretary-General held separate discussions with the Foreign Ministers of both countries, emphasizing the need for appropriately structured direct talks based on a specific agenda.

SECURITY COUNCIL ACTION (February)

On 27 February 1990, the Security Council President issued the following statement [S/21172] of behalf of the Council.

The Council expresses its appreciation to the Secretary-General for his briefing on the situation between Iran and Iraq and on his integrated approach to the format, agenda and timetable for direct talks between the parties aimed at achieving the full implementation of resolution 598(1987) of 20 July 1987.

Accordingly, the Council fully supports the efforts of the Secretary-General aimed at the holding of appropriately structured direct talks between both parties under his auspices, for a period of two months and with a specific agenda, the elements of which he outlined to the members of the Council, that he would propose to the parties, on the basis of the concluding observations contained in his report of 22 September 1989.

The Council calls upon both parties to co-operate fully with the Secretary-General in his ongoing efforts, considering that 18 months after the cease-fire between Iran and Iraq, resolution 598(1987) has not yet been fully implemented.

The Council requests the Secretary-General to report to it at the conclusion of this stage of his efforts and to inform it on the results achieved and on the further steps he envisages for the full implementation of resolution 598(1987).

Meeting number. SC 2908.

On 6 March, the Secretary-General met with representatives of Iran and Iraq, respectively, and suggested, for acceptance by their Governments, a draft agenda for those talks. Since then, his Personal Representative continued contacts with both sides with the aim of arranging those talks. As at 22 March, no final answer had been received from either Government. The Secretary-General believed it was time for the leadership of the two nations to notify him of their acceptance of the proposed agenda and to give added political impetus to the talks by indicating their sincerity and determination to implement resolution 598(1987).

In a 23 November report on UNHMOG, the Secretary-General said [S/21960] it was evident that while both sides would favour the convening of a meeting of appropriately structured direct talks, their expectations of what such a meeting would entail were at variance. In late April, Iran and Iraq exchanged letters at the Presidential level and a series of direct bilateral contacts between the two Governments commenced in Geneva. In July, the Secretary-General met in Geneva, separately, with the Foreign Ministers of both countries and, on the afternoon of 3 July, was able to convene a joint meeting of the two Ministers. Both sides reaffirmed their commitment to implementing resolution 598(1987) as

the framework within which all contacts between them were taking place, as well as their support for the Secretary-General's role in that connection. Immediately after the meeting, the Secretary-General's Personal Representative held follow-up discussions with officials from both sides. Bilateral contacts continued in July and August. Communications [S/21528, S/21556] exchanged between them at the Presidential level indicated that implementation of resolution 598(1987) would be carried out in accordance with the 1975 Treaty concerning the State Frontier and Neighbourly Relations between Iran and Iraq and conventions to which both were parties. In October, the two Governments resumed diplomatic relations.

The Secretary-General pointed out that while implementation of important parts of resolution 598(1987) had taken place, the fundamental change in the relations between the two countries had come at a time of new crisis for the region. As contacts continued between the two Governments to put their relations on a normal footing, it appeared that the part of resolution 598(1987) requesting the Secretary-General to examine, in consultation with the two countries and other States of the region, measures to enhance the security and stability of the region should at an appropriate time be looked at anew. It seemed to the Secretary-General that full implementation of resolution 598(1987) could well contribute to a marked improvement of the situation in the region as a whole, and he therefore intended to remain in close touch with the Governments concerned with regard to the yet unimplemented paragraphs of the resolution.

UN Iran-Iraq Military Observer Group

Report of Secretary-General (March). As requested in Security Council resolution 642(1989) [YUN 1989, p. 185], the Secretary-General submitted a 22 March 1990 report [S/21200] on UNIIMOG's activities since 23 September 1989. The report provided information on the Group's deployment and structure and described steps to monitor compliance with the cease-fire, which came into effect on 20 August 1988 [YUN 1988, p. 1931, and to investigate alleged violations of it. According to the Secretary-General, there was a general calm along the cease-fire lines through the mandate period and a significant and encouraging decline in major violations. UNIIMOG's new standing operating procedures for violations went into effect and helped simplify the system of reporting, processing and resolving violations. The flooding of no man's land by Iran persisted, and efforts to persuade the Iraqi authorities to allow the fires in the three oil and gas wells in that area to be extin-

guished were unsuccessful. In February 1990, Iran moved heavy machinery, civilian workers and troops into no man's land at the southernmost well and started preliminary work to cap it. UNIIMOG persuaded the Iranian authorities to withdraw all personnel and equipment.

The mixed military working group, the establishment of which was agreed to in 1989 [YUN 1989, p. 184], had so far not been convened. However, the Chief Military Observer continued to pursue measures to ease tension between the parties. A total of 168 Iranian and 252 Iraqi war dead were repatriated during the reporting period. UNIIMOG continued efforts for the release of Iranian soldiers and other prisoners captured since August 1988, including, most recently, three Iraqi soldiers captured in December 1989. In January 1990, Iran released a limited number of prisoners and Iraq responded on a proportional basis. On 13 March, 20 non-Iraqi prisoners of war were released by Iran.

UNIIMOG continued to play an indispensable part in ensuring the maintenance of the cease-fire and in furthering progress towards full implementation of Security Council resolution 598(1987), the Secretary-General said. He therefore recommended extension of its mandate for six months, until 30 September 1990.

SECURITY COUNCIL ACTION

On 29 March, the Security Council adopted resolution 651(1990).

The Security Council,
Recalling its resolutions 598(1987) of 20 July 1987, 619(1988) of 9 August 1988, 631(1989) of 8 February 1989 and 642(1989) of 29 September 1989,

Having considered the report of the Secretary-General on the United Nations Iran-Iraq Military Observer Group of 22 March 1990, and taking note of the observations expressed therein,

Decides:

(a) To call once again upon the parties concerned to implement immediately Security Council resolution 598(1987):

(b) To extend the mandate of the United Nations Iran-Iraq Military Observer Group for a further period of six months, that is, until 30 September 1990:

(c) To request the Secretary-General to submit, at the end of this period, a report on the developments in the situation and the measures taken to implement resolution 598(1987).

Security Council resolution 651(1990)

29 March 1990 Meeting 2916 Adopted unanimously
Draft prepared in consultations among Council members (S/21217).

Report of Secretary-General (September). In a report [S/21803] covering the period 23 March to 21 September 1990, submitted pursuant to Security Council resolution 651(1990), the Secretary-

General stated that on 17 August Iraq started withdrawing its troops. Although UNIMOG had been made aware of Iraq's intention to withdraw only two days before, it was able to respond immediately and efficiently to the new operational requirements. It monitored the withdrawal of all forces to the internationally recognized boundaries as mandated by the Council. Withdrawal of Iraqi forces took place to those boundaries described in the 1975 Treaty concerning the State Frontier and Neighbourly Relations between Iran and Iraq and its protocols and annexes. UNIMOG was able to confirm that, within the five-day withdrawal period announced by Iraq (17-21 August), almost all Iraqi forces were withdrawn to the Iraqi side of the internationally recognized boundaries. On the basis of its own interpretation of the internationally recognized boundaries, UNIMOG requested both Iraq and Iran to withdraw from certain positions. Each side had assured UNIMOG that it had no intention to occupy territory of the other and both had survey teams visiting the entire length of the border. The main problem during the withdrawal process had been mines. UNIMOG proposed to both parties the establishment of areas of separation and of arms limitations along the internationally recognized boundaries, with neither side deploying military forces closer than one kilometre to the boundaries. One side had agreed in principle to the proposal, subject to further negotiations; the other was studying it. But in practice both sides had already established some positions within the proposed area of separation. Iran agreed to UNIMOG's proposal for the creation of a mixed military working group, which could negotiate such matters as areas of separation and limitations. While Iraq had agreed in principle, a final decision was still awaited. Together with the commencement of the withdrawal of forces, both countries started repatriation of prisoners of war.

The withdrawal being almost complete, the Secretary-General said he would report shortly to the Security Council on other aspects of the settlement under resolution 598(1987), after further contacts with the parties. In the meantime, he recommended extension of UNIMOG's mandate for a limited period of two months, until 30 November, to permit it to complete its tasks related to the withdrawal of all forces to the internationally recognized boundaries and to allow time for the parties and the Council to judge whether there was a continuing requirement for an impartial third party to monitor the cease-fire. During the extension phase, UNIMOG would continue to verify, confirm and supervise

the remaining withdrawal stages; help the parties resolve any local tensions; and assist in establishing an area of separation into which each party would agree not to deploy military forces. Only about 60 per cent of the current military observer strength would be required to perform those tasks.

SECURITY COUNCIL ACTION

On 27 September, the Security Council adopted resolution 671(1990).

The Security Council,

Recalling its resolutions 598(1987) of 20 July 1987, 619(1988) of 9 August 1988, 631(1989) of 8 February 1989, 642(1989) of 29 September 1989 and 651(1990) of 29 March 1990,

Having considered the report of the Secretary-General on the United Nations Iran-Iraq Military Observer Group of 21 September 1990, and taking note of the observations expressed therein,

1. Decides to extend the mandate of the United Nations Iran-Iraq Military Observer Group for a further period of two months, that is, until 30 November 1990, as recommended by the Secretary-General;

2. Requests the Secretary-General to submit, during November, a report on his further consultations with the parties about the future of the Military Observer Group, together with his recommendations on this matter.

Security Council resolution 671(1990)

27 September 1990 Meeting 2944 Adopted unanimously
Draft prepared in consultations among Council members (S/21822).

Report of Secretary-General (November). In a 23 November report [S/21960] covering the period 22 September to 20 November, presented pursuant to Security Council resolution 671(1990), the Secretary-General stated that the two sides had almost completed the process of withdrawal to the internationally recognized boundaries. Despite some cases of local tension, there were no serious incidents. Difficulties occurred because of the presence of unmarked minefields in the areas from which the forces were to withdraw, especially on the Iranian side of the border. UNIMOG continued to supervise the withdrawal of the forces of the two sides and their assumption of new positions on or close to the border. On 20 November, there were still 18 Iraqi positions that UNIMOG judged to be on the Iranian side of the border and 24 Iranian positions that were judged to be on the Iraqi side.

Concurrent with the commencement of the 17 August withdrawal of forces (see above), both sides began to repatriate their prisoners of war. While a substantial number of prisoners were exchanged, the repatriation came to a halt on 15 September. The parties, however, indicated that the issue was being discussed bilaterally and it

was hoped that repatriation would soon be resumed. Following discussions between the parties, it was agreed that such resumption would begin on 21 November.

UNIIMOG continued to promote the idea of an area of separation and an area of limitation of armaments on either side of the border as a means of building confidence and reducing the risk of incidents. The Chief Military Observer, on 20 and 21 August, transmitted proposals to that effect. Both sides stated that they accepted the principle of an area of separation and were ready to discuss arrangements for its establishment. The first meeting of the mixed military working group was scheduled for 28 October, but had to be cancelled due to political difficulties that could not be resolved at the technical and military levels. UNIIMOG continued to promote the repatriation of war dead. During the reporting period, 10 Iraqi and 3 Iranian war dead were repatriated.

Concerning the future of UNIIMOG, both sides expressed the view that during a renewed mandate period its tasks should be to resolve the remaining problems on the border; arrange an exchange of information between the parties about unmarked minefields; and assist the parties in negotiating and implementing an area of separation and, thereafter, an area of limitation of armaments. However, they did not share the same views as to the length of the mandate period and the strength of UNIIMOG's forces. Iran favoured an extension of the mandate period for two months, while Iraq preferred six months. As to the strength of the forces, Iraq wanted UNIIMOG to remain at its current strength, whereas Iran favoured a reduction to about half. The Secretary-General recommended that the Security Council extend the mandate of UNIIMOG for two months, until 31 January 1991, with a strength not exceeding 120 military observers, plus the necessary support personnel.

SECURITY COUNCIL ACTION

On 28 November, the Security Council adopted **resolution 676(1990)**.

The Security Council,

Recalling its resolutions 598(1987) of 20 July 1987, 619(1988) of 9 August 1988, 631(1989) of 8 February 1989, 642(1989) of 29 September 1989, 651(1990) of 29 March 1990 and 671(1990) of 27 September 1990,

Having considered the report of the Secretary-General on the United Nations Iran-Iraq Military Observer Group of 23 November 1990 and taking note of the observations expressed therein,

1. Decides to extend the mandate of the United Nations Iran-Iraq Military Observer Group for a further period of two months, that is, until 31 January 1991, as recommended by the Secretary-General;

2. Requests the Secretary-General to submit, during January 1991, a report on his further consultations with the parties about the future of the Military Observer Group, together with his recommendations on this matter.

Security Council resolution 676(1990)

28 November 1990 Meeting 2952 Adopted unanimously

Draft prepared in consultations among Council members (S/21970).

Composition

As at 22 March 1990 [S/21200], UNIIMOG personnel, including headquarters staff at Baghdad and Tehran, totalled 403: 354 military observers from 25 countries (Argentina, Australia, Austria, Bangladesh, Canada, Denmark, Finland, Ghana, Hungary, India, Indonesia, Ireland, Italy, Kenya, Malaysia, New Zealand, Nigeria, Norway, Poland, Senegal, Sweden, Turkey, Uruguay, Yugoslavia, Zambia), plus 17 in an air unit from New Zealand; 28 military police from Ireland; and 4 military medical personnel from Austria. There were 104 international staff and 98 local civilian staff members. Command was exercised by Major-General Slavko Jovic of Yugoslavia as Chief Military Observer.

After September, UNIIMOG's military staff was reduced to about 60 per cent of its previous strength, and its civilian staff to about 80 per cent. As of 20 November, UNIIMOG personnel, including headquarters staff in Tehran and Baghdad, was composed of 184 military observers drawn from the same 25 countries as at the beginning of the year, a 17-member air unit, 25 military police, and a 4-member medical section. Command continued to be exercised by Major-General Jovic until 14 November when he returned to his country's service. Brigadier-General S. Anam Khan of Bangladesh, Assistant Chief Military Observer on the Iraqi side, then took command as Acting Chief Military Observer.

Financing

Following the March 1990 extension of UNIIMOG's mandate, the Secretary-General on 16 April [A/45/847] requested ACABQ's concurrence for entering into commitments in the amount of \$38,408,000 gross (\$37,424,000 net) for the period 1 April to 30 September 1990, and for crediting \$5 million against the assessments to be levied against Member States, while indicating that the projected expenditure for the mandate period from 1 October 1989 to 31 March 1990 would amount to approximately \$29.8 million gross (\$29 million net), with potential savings of about \$4.4 million gross (\$4.8 million net). The Chairman informed the Secretary-General on 20 April of the Advisory Committee's concurrence to en-

tering into commitments of \$29.8 million gross (\$29 million net) and to the crediting of \$5 million to Member States against their assessments for that period. Following the extension of UNII-MOG's mandate from 1 October to 30 November, the Secretary-General requested and obtained ACABQ's concurrence to enter into commitments in an amount of \$9,823,000 gross (\$9,503,000 net), to be financed from the unencumbered balance remaining from previous appropriations and authorizations made available to UNII-MOG. The Advisory Committee also agreed to the Secretary-General's proposal that, instead of crediting Member States with only the \$5 million remaining from the \$10 million called for by General Assembly resolution 44/189 [YUN 1989, p. 1871, the full assessments to Member States for the two-month mandate period in the amount of \$9,503,000 net be offset against credits to them from the unencumbered balance. By doing so, Member States were credited with \$14,503,000 net. Subsequent to the extension of UNII-MOG's mandate for a further two months (1 December 1990-31 January 1991), the Secretary-General estimated costs for that period at \$7,274,000 gross (\$6,946,000 net), to be financed from the unencumbered balance remaining. He estimated that from 1 February 1991, should the Security Council renew the mandate, financing of UNII-MOG would be at a rate of \$3,475,000 gross (\$3,269,000 net) per month.

The Advisory Committee Chairman, in an oral report to the Fifth Committee on 18 December, concurred with the Secretary-General's estimates for the two-month extension and noted that, should UNII-MOG's mandate be extended beyond 31 January 1991, the Assembly could authorize the Secretary-General into commitments up to the proposed level subject to ACABQ's prior concurrence.

As at 30 November 1990, assessments totalling \$172,924,713 had been apportioned among Member States for the period from UNII-MOG's inception (9 August 1988) to 30 September 1990. Contributions received for the same period amounted to \$163,147,999, representing a shortfall of \$9,776,714. Assessments that would have been apportioned among Member States for the period from 1 October to 30 November were not made in the light of ACABQ's concurrence that the requirements for maintaining UNII-MOG for those two months, i.e., \$9,823,000 gross (\$9,503,000 net), be financed from unencumbered balances, thus in effect crediting Member States with that amount. Voluntary contributions for the period from 1 October 1989 to 30 September 1990 amounted to \$2,217,956, the equivalent of 2,893,600 Swiss francs.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/245.

Financing of the United Nations Iran-Iraq Military Observer Group

The General Assembly,

Having considered the report of the Secretary-General on the financing of the United Nations Iran-Iraq Military Observer Group, and the related oral report of the Chairman of the Advisory Committee on Administrative and Budgetary Questions,

Bearing in mind Security Council resolution 619(1988) of 9 August 1988, by which the Council established the United Nations Iran-Iraq Military Observer Group, and the subsequent resolutions by which the Council extended the mandate of the Military Observer Group, the latest of which was resolution 676(1990) of 28 November 1990,

Recalling its resolution 42/233 of 17 August 1988 on the financing of the Military Observer Group and its subsequent resolutions thereon, the latest of which was resolution 44/189 of 21 December 1989,

Reaffirming that the costs of the Military Observer Group are expenses of the Organization to be borne by Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations,

Recalling its previous decisions regarding the fact that, in order to meet the expenditures caused by the Military Observer Group, a different procedure is required from the one 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 such operations involving heavy expenditures,

Bearing in mind the special responsibilities of the States permanent members of the Security Council, as indicated in General Assembly resolution 1874(S-IV) of 27 June 1963, in the financing of such operations,

Noting with appreciation that voluntary contributions have been made to the Military Observer Group by certain Governments,

Mindful of the fact that it is essential to provide the Military Observer Group with the necessary financial resources to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

1. Concur with the observations, recommendations and conclusions made by the Chairman of the Advisory Committee on Administrative and Budgetary Questions;

2. Urges all Member States to make every possible effort to ensure payment of their assessed contributions to the United Nations Iran-Iraq Military Observer Group in full and on time;

3. Decides to appropriate to the Special Account referred to in General Assembly resolution 42/233 the amount of 29.8 million United States dollars gross (29 million dollars net) authorized by the Assembly and apportioned in accordance with paragraphs 5 and 7 of its resolution 44/189 for the operation of the Military Observer Group for the period from 1 April to 30 September 1990;

4. Decides also that there shall be set off against the apportionment among Member States, as provided for in paragraph 3 of the present resolution, their respective share in the unencumbered balance of 5 million dollars gross for the period from 1 April to 30 September 1990, inclusive;

5. Decides further to appropriate to the Special Account the amount of 9,823,000 dollars gross (9,503,000 dollars net) authorized by the Assembly and apportioned in accordance with paragraphs 6 and 7 of its resolution 44/189 for the operation of the Military Observer Group for the period from 1 October to 30 November 1990;

6. Decides that there shall be set off against the apportionment among Member States, as provided for in paragraph 5 of the present resolution, their respective share in the unencumbered balance of 9,823,000 dollars gross (9,503,000 dollars net) for the period from 1 October to 30 November 1990, inclusive;

7. Decides also to appropriate to the Special Account the amount of 7,274,000 dollars gross (6,946,000 dollars net) authorized by the General Assembly and apportioned in accordance with paragraphs 6 and 7 of its resolution 44/189 for the operation of the Military Observer Group for the period from 1 December 1990 to 31 January 1991;

8. Decides further that there shall be set off against the apportionment among Member States, as provided for in paragraph 7 of the present resolution, their respective share in the unencumbered balance of 7,274,000 dollars gross (6,946,000 dollars net) in respect of the period from 1 December 1990 to 31 January 1991, inclusive;

9. Decides to defer any action on the estimated unencumbered balance of the appropriations as may be called for until its forty-sixth session;

10. Authorizes the Secretary-General to enter into commitments for the Military observer Group at a rate not to exceed 3,475,000 dollars gross (3,269,000 dollars net) per month, subject to the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions, for the period from 1 February 1991 to 31 January 1992, inclusive, should the Security Council decide to continue the Group beyond the period of two months authorized under its resolution 676(1990), the said amounts to be apportioned among Member States in accordance with the scheme set out in the present resolution;

11. Decides, as an ad hoc arrangement, to apportion the amounts referred to in paragraph 10 of the present resolution among Member States in accordance with the composition of groups set out in paragraphs 3 and 4 of General Assembly resolution 43/232 of 1 March 1989, as adjusted by the Assembly in its resolution 44/192 B of 21 December 1989, and taking into account the scale of assessments for the years 1989, 1990 and 1991;

12. Decides also that Liechtenstein shall be included in the group of Member States set out in paragraph 3 (b) of General Assembly resolution 43/232 and that its contribution to the Military Observer Group shall be calculated in accordance with the provisions of the resolution to be adopted by the Assembly at its forty-fifth session regarding the scale of assessments;

13. Decides further that Namibia shall be included in the group of Member States set out in paragraph 3 (d) of General Assembly resolution 43/232 and that its

contribution to the Military Observer Group shall be calculated in accordance with the provisions of the resolution to be adopted by the Assembly at its forty-fifth session regarding the scale of assessments;

14. Decides that, in accordance with regulation 5.2 (c) of the Financial Regulations of the United Nations, the contributions to the Military Observer Group until 30 September 1990 of the Member States referred to in paragraphs 12 and 13 of the present resolution shall be treated as miscellaneous income to be set off against the apportionments authorized in paragraph 11 of the present resolution;

15. Approves the following special arrangements for the Military Observer Group with regard to the application of article IV of the Financial Regulations of the United Nations, whereby appropriations required in respect of obligations owed to Governments providing contingents and/or logistic support to the Group shall be retained beyond the period stipulated under financial regulations 4.3 and 4.4:

(a) At the end of the twelve-month period provided in regulation 4.3, any unliquidated obligations of the financial period in question relating to goods supplied and services rendered by Governments for which claims have been received or which are covered by established reimbursement rates shall be transferred to accounts payable; such accounts payable shall remain recorded in the Special Account until payment is effected;

(b) (i) Any other unliquidated obligations of the financial period in question owed to Governments for goods supplied and services rendered, as well as other obligations owed to Governments, for which required claims have not yet been received shall remain valid for an additional period of four years following the end of the twelve-month period provided for in regulation 4.3;

(ii) Claims received during this four-year period shall be treated as provided under subparagraph (a) above, if appropriate;

(iii) At the end of the additional four-year period any unliquidated obligations shall be cancelled and the then remaining balance of any appropriations retained there for will be surrendered;

16. Requests the Secretary-General to submit to the Advisory Committee proposed guidelines for setting limits to the period within which Governments are required to submit their claims;

17. Invites voluntary contributions to the Military Observer Group in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure established by the General Assembly in its resolution 44/192 A of 21 December 1989;

18. Requests the Secretary-General to take all necessary action to ensure that the Military Observer Group is administered with a maximum of efficiency and economy.

General Assembly resolution 45/245

21 December 1990 Meeting 72 Adopted without vote

Approved by Fifth Committee (A/45/897) without Vote. 19 December (meeting 50); draft by Chairman (A/C.5/45/L.11), orally revised by Ireland; agenda item 130.

Meeting numbers. GA 45th session: 5th Committee 49, 50; plenary 72.

Korean question

The annual report of the United Nations Command (UNC) concerning the maintenance of the 1953 Korean Armistice Agreement was submitted to the Security Council on 14 June 1990 [S/21358] by the United States on behalf of the Unified Command established pursuant to Council resolution 84(1950) [YUN 1950, p. 230]. The report provided background information on UNC and its mission, as well as on the Armistice mechanism and its procedures.

Of 16 UN Member States that provided military forces to UNC, 8-Australia, Canada, Colombia, France, the Philippines, Thailand, the United Kingdom and the United States-were still represented in UNC. Officers from those Member States participated not only in the Military Armistice Commission (MAC), but also in multinational investigations of Armistice violations.

The report stated that the North Korean side continued to misuse MAC as a forum for disseminating political propaganda and for presenting non-Armistice-related political overtures clearly outside MAC's purview and the Armistice Agreement, thereby subverting the true purpose of MAC and converting it into a propaganda forum. Set up to supervise the Agreement's implementation and settle any violations of it through negotiations, MAC held eight meetings in 1989. A major, serious Armistice violation, a fourth infiltration tunnel constructed by North Korea across the Military Demarcation Line in the demilitarized zone (DMZ), which apparently extended from the North Korean portion of the DMZ over 1,000 metres into the UNC portion of the DMZ, was intercepted on 3 March. Three tunnels had been discovered previously, in 1974, 1975 and 1978.

Other issues considered were the misuse of the joint security area (Panmunjom)- the conference area for MAC, the Neutral Nations Supervisory Commission and south-north dialogue-for political rallies and illegal transit by unauthorized individuals.

On the question of Korean war remains, UNC reminded the Democratic People's Republic of Korea (DPRK) of its obligations under the Armistice Agreement to return the remains of two UNC soldiers, members of the United States Army, it had admitted were in its possession.

The DPRK reiterated its demand that UNC cease its annual joint military training exercise "Team Spirit", conducted jointly by the United States and the Republic of Korea. UNC, in its report, pointed out that such exercises were not addressed by the Armistice Agreement and thus could not constitute a violation of it, as the DPRK maintained. On the other hand, UNC noted, the secret exercises routinely held by the DPRK were a

cause of serious concern. To demonstrate its good faith, UNC on 3 March 1989 notified the DPRK of "Team Spirit 89" to be conducted in mid-March, with an invitation to observe.

Among other confidence-building measures proposed by UNC were restoration of the Joint Observer Team to investigate serious Armistice violations; removal of propaganda signs in the DMZ; and establishment of a viable verification system in the DMZ and the joint security area (Panmunjom). The DPRK, however, did not respond positively to most of UNC's initiatives.

The report concluded that for more than 36 years, MAC had served as the only official channel of communication between the opposing military commanders in Korea, its most positive aspect being that it was still operative and used to defuse serious incidents and prevent the resumption of hostilities.

The opposing military commanders, however, had no mandate to resolve political issues, such as the question of the withdrawal of foreign forces or turning the Armistice Agreement into a peace treaty. Therefore, UNC would continue to perform its important peace-keeping role in the Republic of Korea, particularly in maintaining the Armistice, until an effective and enduring mechanism was established through political dialogue between the two parties directly concerned to ensure a more durable peace on the Korean peninsula.

In his New Year Address on 1 January 1990, and a statement of 27 February [S/21171], transmitted to the President of the Security Council, the President of the DPRK proposed [S/21063], as a step towards reunification, that the wall built in the area south of the Military Demarcation Line be dismantled and that there be free travel between the two countries as well as exchanges in all spheres, including politics, the economy and culture. It undertook to promote many-sided talks, including between the authorities of the north and the south. The first north-south high-level talks in 45 years, led by the Prime Ministers of the two countries, were held from 4 to 7 September in Seoul, the second from 16 to 19 October in Pyongyang and a third in December.

During the year, the question of UN membership for Korea was raised. On 24 May, the DPRK proposed [S/21787] joint admission of the north and the south with a single seat, providing for alternating representation between the two sides on a monthly basis or at mutually agreed intervals and joint action on matters of agreement, but abstentions on issues they could not agree upon. The Republic of Korea, on 26 September, rejected [S/21827] that

idea and proposed [S/22024] instead on 20 December that both Koreas seek separate UN membership pending unification and that they develop a special mode of co-operation to facilitate and strengthen that process. If the DPRK was unwilling or not yet ready to join the United Nations with the south, the Republic of Korea would exercise its sovereign right to seek UN membership independently.

Myanmar

On 18 December, the General Assembly, by decision 45/432, on the recommendation of the Third (Social, Humanitarian and Cultural) committee, decided to defer until its forty-sixth session consideration of a draft resolution entitled “Respect for the will of the people of Myanmar” [A/C.3/45/L.58].

Chapter IV

Middle East

During 1990, the United Nations continued its efforts to support the search for a peaceful settlement to the situation in the Middle East, which remained a serious threat to international peace and security. In December, the General Assembly reaffirmed the imperative necessity of establishing a comprehensive, just and lasting peace in the region, based on full respect for the Charter of the United Nations and the principles of international law. It also reaffirmed its call for convening an international peace conference on the Middle East.

The Security Council in 1990 met on numerous occasions to discuss developments in the Middle East, particularly in the occupied territories. In October, after a violent incident at the Haram al-Sharif (Al-Aqsa) Mosque, resulting in more than 20 Palestinian deaths and the injury of more than 150 persons, the Council welcomed the decision of the Secretary-General to send a mission to the region to look into the circumstances surrounding those events. Israel's subsequent refusal to accept the mission was deplored by the Council.

The Committee on the Exercise of the Inalienable Rights of the Palestinian People (Committee on Palestinian Rights) continued to keep under review the question of Palestine-reaffirmed by the General Assembly as the core of the Middle East problem-and to exert all efforts to promote the implementation of its recommendations. In its 1990 report, the Committee concluded that, in the 15 years since its establishment, an international consensus had gradually been achieved on the essential principles for a solution of the question and that developments since the beginning of the intifadah, the Palestinian uprising, had led to an even wider consensus.

The Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (Committee on Israeli Practices) in 1990 reported a further escalation of tension in the occupied territories, which, in its opinion, had reached a very dangerous level.

Economic and social developments in the occupied territories were monitored by the Economic and Social Council, which in 1990 adopted resolutions on the situation of Palestinian

women, Israeli economic practices in the occupied territories, and assistance to the Palestinian people.

Various UN organizations and agencies continued to provide assistance to Palestinians in 1990, notably the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), which provided education, health and relief services to 2.4 million Palestinian refugees in Jordan, the Syrian Arab Republic, the West Bank and the Gaza Strip.

During 1990, the Council extended the mandates of the United Nations Interim Force in Lebanon (UNIFIL), the United Nations Disengagement Observer Force (UNDOF), and the United Nations Truce Supervision Organization (UNTSO).

On 17 September, by decision 44/470, the General Assembly included in the draft agenda of its forty-fifth session the item "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". By decision 45/430 of 14 December, the Assembly deferred the item to a later date during the forty-fifth session, and included it in the provisional agenda of its forty-sixth session. The subject had been on its agenda since 1981, following the bombing by Israel of a nuclear facility near Baghdad [YUN 1981, p. 275].

Overall situation

In his annual report on the work of the Organization [A/45/1], the Secretary-General stated that the Middle East as a whole continued to be the most explosive region of the world and that long-standing grievances, which had festered for years, had been aggravated by an escalating arms race throughout the area. Lasting peace would come to the Middle East only when the principles of international law governed the relations between States, when disputes were resolved through peaceful means, the aspirations of those deprived of their rights had been fulfilled, and

regional security and economic arrangements-which took into account the concerns of all the parties in the area-had been established.

The Secretary-General noted with disappointment that an impasse had been reached in the effort to promote a dialogue between Israelis and Palestinians, and the situation in the occupied territories, where the intifadah soon entered its fourth year, remained bleak, with little hope of early progress. In addition to efforts to promote a dialogue, the Security Council could make an important commitment to resolutions 242(1967) [YUN 1967, p. 2571 and 338(1973) [YUN 1973, p. 213] which, in the Secretary-General's view, together with the legitimate political rights of the Palestinian people, including self-determination, could constitute the basis of a just and lasting peace in the area.

In December, the General Assembly expressed its grave concern that the Palestinian and other occupied Arab territories still remained under Israeli occupation, that the relevant resolutions of the United Nations had not been implemented and that the Palestinian people was still denied the restoration of its land and the exercise of its inalienable national rights in conformity with international law. The Assembly also reaffirmed its conviction that the question of Palestine was the core of the conflict in the Middle East and that no comprehensive, just and lasting peace in the region would 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 the occupied Palestinian and other Arab territories.

During the year, the Security Council met on numerous occasions to discuss the situation in the Middle East and in the occupied Arab territories. In October, the Council adopted resolution 672(1990), by which it expressed alarm at the violence that took place at the Haram al-Sharif and other Holy Places of Jerusalem resulting in over 20 Palestinian deaths and the injury of more than 150 people. By resolution 673(1990), the Council deplored Israel's refusal to receive the mission of the Secretary-General to the region and urged it to reconsider its decision. In December, the Council adopted resolution 681(1990) expressing grave concern over the rejection by Israel of its two October resolutions and deploring Israel's decision to resume the deportation of Palestinian civilians in the occupied territories. In a Presidential statement prior to the vote, the members of the Council reaffirmed their determination to support an active negotiating process in which all relevant parties would participate, and which

should take into account the right to security of all States in the region, including Israel, and the legitimate political rights of the Palestinians.

Reports of Secretary-General. In pursuance of General Assembly resolution 44/40 A [YUN 1989, p. 1901, the Secretary-General presented on 26 November a comprehensive report [A/45/726-S/21947] covering the developments in the Middle East in all their aspects. The report addressed such issues as UN peace-keeping activities, the situation in the occupied territories, the Palestine refugee problem, the question of Palestine and the situation in the Middle East.

In his report, the Secretary-General observed that the prospects for progress in the Arab-Israeli peace process appeared regrettably to have stalled and efforts to achieve an Israeli-Palestinian dialogue had reached an impasse in the early months of 1990. Since then, the situation in the occupied territories had worsened, causing the Security Council to focus increasingly on the question of safety and protection of the Palestinian civilians residing there. He, however, pointed out that the implementation of steps by the international community to ensure the Palestinians' safety and protection would not alone bring an end to the conflict between Israelis and Palestinians, which, he said, was essentially political in nature and was central to the broader Arab-Israeli dispute with its many complex and interrelated issues.

Underlining the unanimity within the Security Council that efforts must be continued on an urgent basis to achieve a comprehensive, just and lasting settlement of the situation in the Middle East, particularly a solution of the Palestinian problem in all its aspects, the Secretary-General believed that such a settlement could best be achieved through a negotiating process that involved all the parties concerned.

Under the agenda item on the Middle East situation, the Secretary-General submitted to the Assembly two further reports. A 15 October report [A/45/595] contained replies from two Member States-Senegal and the Syrian Arab Republic-to his request for information on steps taken or envisaged concerning implementation of the provisions of Assembly resolutions 44/40 B and C [YUN 1989, pp. 223 & 199], which dealt, respectively, with Israeli policies in the Syrian territory occupied by Israel and the transfer by some States of their diplomatic missions to Jerusalem. The Assembly, by those two resolutions, had called on States to adopt a number of measures concerning their relations with Israel and on the States concerned to abide by the relevant Assembly resolutions.

In a report of 12 November [A/45/709-S/21929] dealing mainly with the proposed convening of an international peace conference on the Middle East (see below), the Secretary-General noted a sense of urgency among the international community to achieve a just and comprehensive settlement of the Arab-Israeli conflict, underscored also by the members of the Security Council who remained deeply preoccupied by the lack of progress in achieving peace in the Middle East and by the increasingly serious situation facing the occupied territories and their inhabitants. He shared the Council's view that a prolonged delay in settling the Middle East problem posed a grave threat to peace and security in the region as well as the world, a situation aggravated by the high level of armaments in many Middle Eastern countries.

The Secretary-General felt encouraged by the unanimity within the Council that efforts must urgently continue to achieve a comprehensive settlement, particularly a solution of the Palestinian problem in all its aspects. He believed that a negotiating process would be effective only if it involved all the parties concerned, including the Palestine Liberation Organization (PLO), and aimed at just and lasting settlement of the Arab-Israeli conflict based on Council resolutions 242(1967) and 338(1973) and the legitimate political rights of the Palestinian people, including self-determination.

GENERAL ASSEMBLY ACTION

On 13 December 1990, the General Assembly adopted resolution 45/83 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, 39/146 A to C of 14 December 1984, 40/168 A to C of 16 December 1985, 41/162 A to C of 4 December 1986, 42/209 A to D of 11 December 1987, 43/54 A to C of 6 December 1988 and 44/40 A to C of 4 December 1989.

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, 659(1990) of 31 July 1990, and other relevant resolutions,

Taking note of the reports of the Secretary-General of 15 October 1990, 12 November 1990 and 26 November 1990,

Reaffirming the need for continued collective support for the decisions adopted by the Twelfth Arab Summit Conference, held at Fez, Morocco, on 25 November 1981 and from 6 to 9 September 1982, which were confirmed by subsequent Arab summit conferences, including the Extraordinary Arab Summit Conference held at Casablanca, Morocco, from 23 to 26 May 1989,

Reiterating its previous resolutions on the question of Palestine and its support for the Palestine Liberation Organization as the sole legitimate representative of the Palestinian people,

Considering that the convening of the International Peace Conference on the Middle East, under the auspices of the United Nations, in accordance with General Assembly resolution 44/42 of 6 December 1989 and other 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 also 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 on the question of Palestine and on the situation in the Middle East,

Gravely concerned that the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories 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, to the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories,

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 the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories,

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 with-

drawal of Israel from the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories;

2. Reaffirms that a just and comprehensive settlement of the situation in the Middle East cannot be achieved without the participation on an equal footing of all the parties to the conflict, including the Palestine Liberation Organization, the representative of the Palestinian people;

3. Declares once more that peace in the Middle East is indivisible and must be based on a comprehensive, just and lasting solution of the Middle East problem, under the auspices of the United Nations and on the basis of its relevant resolutions, which ensures the complete and unconditional withdrawal of Israel from the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories, 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 relating 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, 39/49A to D of 11 December 1984, 40/96 A to D of 12 December 1985, 41/43 A to D of 2 December 1986, 42/66 A to D of 2 December 1987, 43/54 A to C of 6 December 1988, and 43/175 A to C, 43/176, 43/177 of 15 December 1988 and 44/42;

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, which was confirmed by subsequent Arab summit conferences, including the Extraordinary Arab Summit Conference held at Casablanca, Morocco, from 23 to 26 May 1989, 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 territory occupied since 1967 including Jerusalem, and the other occupied Arab territories, 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 territory and outside this territory, including expropriation, establishment of settlements, annexation and other terrorist, aggressive and repressive measures, which are in violation of the Charter and the principles of international law and the relevant international conventions;

9. Strongly condemns the imposition by Israel of its laws, jurisdiction and administration on the occupied Syrian Arab Golan, 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 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 territory occupied since 1967, including Jerusalem, and the other occupied Arab territories, and have had adverse effects on efforts for the establishment of a comprehensive, just and lasting peace in the Middle East and pose a threat to 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 regime 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 convening the International Peace Conference on the Middle East, under the auspices of the United Nations, with the participation of the five permanent members of the Security Council and all parties to the conflict, including the Palestine Liberation Organization, the sole legitimate representative of the Palestinian people, on an equal footing, and that the Conference should be effective with full authority, in order to achieve a comprehensive and just solution based on the withdrawal of Israel from the occupied Palestinian territory, including Jerusalem, and the other occupied Arab territories, and the attainment of the inalienable rights of the Palestinian people in accordance with the United Nations resolutions relevant

to the question of Palestine and the situation in the Middle East;

14. Endorses the call for setting up a preparatory committee, within the framework of the Security Council, with the participation of the permanent members of the Council, to take the necessary action to convene the Conference;

15. 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-sixth session a comprehensive report covering the developments in the Middle East in all their aspects.

General Assembly resolution 45/83 A

13 December 1990 Meeting 67 99-19-32 (recorded vote)

12-nation draft (A/45/L.35); agenda item 35.

Meeting numbers. GA 45th session: plenary 60-63, 67.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Argentina, Bahrain, Bangladesh, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Chad, Chile, China, Colombia, Comoros, Cuba, Cyprus, Djibouti, Ecuador, Egypt, El Salvador, Ethiopia, Gabon, Gambia, Ghana, Guatemala; Guinea, Guinea-Bissau, Guyana, Honduras, India, Indonesia, Iran, Iraq, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Peru, Philippines, Qatar, Rwanda, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Australia, Belgium, Canada, Costa Rica, Denmark, France, Germany, Iceland, Ireland, Israel, Italy, Luxembourg, Netherlands, New Zealand, Norway, Poland, Portugal, United Kingdom, United States.

Abstaining: Antigua and Barbuda, Austria, Bahamas, Barbados, Bulgaria, Central African Republic, Congo, Côte d'Ivoire, Czechoslovakia, Dominica, Dominican Republic, Fiji, Finland, Greece, Haiti, Hungary, Jamaica, Japan, Liechtenstein, Malawi, Malta, Papua New Guinea,* Paraguay, Romania, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Solomon Islands, Spain, Sweden, Uruguay.

*Later advised the Secretariat it had intended to vote in favour.

Proposed peace conference

As requested by General Assembly resolution 44/42 [YUN 1989, p. 197], the Secretary-General continued his efforts in 1990 with the parties concerned, and in consultation with the Security Council, to facilitate the convening of an international peace conference on the Middle East. On 12 November, he submitted to the Assembly a progress report [A/45/21929] setting out the results of the Security Council President's consultations with the Council members and positions of concerned parties, as well as his own observations.

The Council President stated that the Council members remained deeply preoccupied by the lack of progress in achieving peace in the Middle East and by the increasingly serious situation facing the occupied territories and their inhabitants, and they were convinced that efforts must continue on an urgent basis to achieve a comprehensive, just and lasting settlement of the Middle East situation, particularly a solution to the Pal-

estinian problem in all its aspects. In that regard, several members underlined the necessity to step up efforts to convene an international peace conference on the Middle East under the aegis of the United Nations and requested the Secretary-General to pursue his efforts and consultations in that regard.

Several members indicated that the Council should begin urgent consideration of the Middle East situation with a view to reaching early agreement, in particular on the establishment of a preparatory committee for a conference. Others felt that the parties directly concerned must reach agreement on the exact form of a conference, which should not prejudice the outcome of the negotiations. Another said the proposal failed to address the centrality of direct negotiations. Egypt, Jordan, Lebanon, the Syrian Arab Republic and PLO supported the conference's convening.

Israel continued to advocate direct negotiations as the most promising framework to advance the Middle East peace process.

The Secretary-General observed that sufficient agreement did not exist, either within the Security Council or among the parties to the conflict, to permit the convening of an international Middle East peace conference. He expressed his deep concern at the absence of any diplomatic process aimed at overcoming the obstacles to an effective negotiating process, and shared the view of the Security Council that a prolonged delay in the settlement of the Middle East problem posed a grave threat to peace and security in the region as well as the world. While there was a willingness of the parties to achieve a settlement throughout negotiations, there were divergent views as to the framework of such negotiations and the context within which they should take place; in that connection, the parties' positions with respect to an international conference had evolved in recent years. Concluding, the Secretary-General reiterated the need to revive efforts aimed at ensuring a just and lasting settlement of the conflict.

In its 1990 annual report to the General Assembly [A/45/35 & Corr.1], the Committee on Palestinian Rights expressed deep regret over the decision of the United States to suspend its dialogue with PLO, as such dialogue was a positive step which could lead to the removal of obstacles to the convening of an international peace conference on the Middle East. The Committee called on those States that had thus far prevented the implementation of resolution 44/42 to reconsider their position and to join the international consensus. The Committee expressed its support for every effort by the permanent members of the Security Council to bring the position of the parties to the conflict closer to each other, to create a

climate of confidence between them, and to facilitate in that way the convening and successful outcome of an international peace conference.

GENERAL ASSEMBLY ACTION

On 6 December, the General Assembly adopted resolution 45/68.

International Peace Conference on the Middle East

The General Assembly,

Having considered the report of the Secretary-General of 12 November 1990,

Having heard the statement made on 3 December 1990 by the chairman of the observer delegation of Palestine,

Stressing that achieving a comprehensive settlement of the Middle East conflict, the core of which is the question of Palestine, will constitute a significant contribution to international peace and security,

Aware of the over whelming support for the convening of the International Peace Conference on the Middle East,

Noting with appreciation the endeavours of the Secretary-General to achieve the convening of the Conference,

Preoccupied by the increasingly serious situation in the occupied Palestinian territory as a result of persistent policies and practices of Israel, the occupying Power, and by the continuing lack of progress in achieving peace in the Middle East,

Aware of the ongoing uprising (intifadah) of the Palestinian people since 9 December 1987, aimed at ending Israeli occupation of Palestinian territory occupied since 1967,

1. Reaffirms the urgent need to achieve a just and comprehensive settlement of the Arab-Israeli conflict, the core of which is the question of Palestine;

2. Calls Once again for the convening of the International Peace Conference on the Middle East, under the auspices of the United Nations, with the participation of all parties to the conflict, including the Palestine Liberation Organization, on an equal footing, and the five permanent members of the Security Council, based on Council resolutions 242(1967) of 22 November 1967 and 338(1973) of 22 October 1973 and the legitimate national rights of the Palestinian people, primarily the right to self-determination;

3. Reaffirms the following principles for the achievement of comprehensive peace:

(a) The withdrawal of Israel from the Palestinian territory occupied since 1967, including Jerusalem, and from the other occupied Arab territories;

(b) Guaranteeing arrangements for security of all States in the region, including those named in resolution 181(II) of 29 November 1947, within secure and internationally recognized boundaries;

(c) Resolving the problem of the Palestine refugees in conformity with General Assembly resolution 194(III) of 11 December 1948, and subsequent relevant resolutions;

(d) Dismantling the Israeli settlements in the territories occupied since 1967;

(e) Guaranteeing freedom of access to Holy Places, religious buildings and sites;

4. Notes the expressed desire and endeavours to place the Palestinian territory occupied since 1967, including Jerusalem, under the supervision of the United Nations for a limited period, as part of the peace process;

5. Once again invites the Security Council to consider measures needed to convene the International Peace Conference on the Middle East, including the establishment of a preparatory committee, and to consider guarantees for security measures agreed upon by the Conference for all States in the region;

6. Requests the Secretary-General to continue his efforts with the parties concerned, and in consultation with the Security Council, to facilitate the convening of the Conference, and to submit progress reports on developments in this matter.

General Assembly resolution 45/68

6 December 1990 Meeting 59 144-2 (recorded vote)

18-nation draft (A/45/L.27 & Add.1); agenda item 23.

Meeting numbers. GA 45th session: plenary 49-53, 59.

Recorded vote in Assembly as follows:

In Favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Dominica, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Israel, United States.

SECURITY COUNCIL ACTION

In the context of its consideration of the situation in the occupied Arab territories (see below), the President of the Security Council, on 20 December, made the following statement on behalf of the Council members [S/22027]:

The members of the Council reaffirm their determination to support an active negotiating process in which all relevant parties would participate leading to a comprehensive, just and lasting peace to the Arab-Israeli conflict through negotiations which should be based on Council resolutions 242(1967) of 22 November 1967 and 338(1973) of 22 October 1973 and should take into account the right to security of all States in the region, including Israel, and the legitimate political rights of the Palestinian people.

In this context, they agree that an international conference, at an appropriate time, properly structured, should facilitate efforts to achieve a negotiated settlement and lasting peace in the Arab-Israeli conflict.

However, they are of the view that there is not unanimity as to when would be the appropriate time for such a conference.

In the view of the members of the Council, the question of the Arab-Israeli conflict is important and unique and must be addressed independently, on its own merits.

Jerusalem

Report of Secretary-General. In an October 1990 report [A/45/595], the Secretary-General submitted to the General Assembly replies he received from two Member States--Senegal and the Syrian Arab Republic--to his request for information on steps taken or envisaged to implement General Assembly resolution 44/40 C [YUN 1989, p. 1991 dealing with the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478(1980) [YUN 1980, p. 426].

GENERAL ASSEMBLY ACTION

On 13 December, the General Assembly adopted resolution 45/83 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, 39/146 C of 14 December 1984, 40/168 C of 16 December 1985, 41/162 C of 4 December 1986, 42/209 D of 11 December 1987, 43/54 C of 6 December 1988 and 44/40 C of 4 December 1989, 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 15 October 1990,

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. Deplores 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 more 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-sixth session on the implementation of the present resolution.

General Assembly resolution 45/83 C

13 December 1990 Meeting 67 145-1-4 (recorded vote)

17-nation draft (A/45/L.37 & Add.1); agenda item 35.

Meeting numbers. GA 45th session: plenary 60-63, 67.

Recorded vote in Assembly as follows:

In Favour: Afghanistan, Albania, Algeria, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Côte Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Israel.

Abstaining: Costa Rica, Dominica, Malawi, United States.

UN Truce Supervision Organization

In his November report on the Middle East [A/45/726-S/21947] the Secretary-General provided information on the activities of three UN peace-keeping operations in the region: two peace-keeping forces, the United Nations Interim Force in Lebanon (UNIFIL) and the United Nations Disengagement Observer Force (UNDOF), and one observer mission, the United Nations Truce Supervision Organization (UNTSO) (see pp. 286-295).

UNTSO in 1990 continued to assist UNDOF and UNIFIL in the performance of their tasks and maintained two of its own observer groups, in Beirut and in Egypt. Set up by the Security Council in August 1982 following the occupation of West Beirut by Israeli troops, the activities of the UNTSO Observer Group at Beirut had been reduced since the withdrawal of the Israeli forces from the Beirut area in September 1983 and in 1990 it comprised eight observers. The Observer Group in Egypt, which was established in 1979 after withdrawal of the second United Nations Emergency Force (UNEF II), had a total strength of about 50 observers. The Group maintained liaison offices in Cairo and Ismailia, and six outposts in the Sinai.

Question of Palestine

Having been first considered by the General Assembly at its second session in 1947, the question of Palestine was one of the most difficult and persistent issues facing the United Nations. It had been identified as the core of the Arab-

Israeli conflict in the Middle East, which periodically resulted in armed hostilities in the region, thereby imperilling international peace and security.

The Assembly repeatedly reaffirmed the inalienable rights of the Palestinian people to self-determination, national independence and sovereignty. It emphasized that full respect for and realization of those inalienable rights were indispensable for the solution of the question of Palestine, and recognized that the Palestinian people was a principal party in the establishment of a just and lasting peace in the Middle East.

According to the proposed medium-term plan for the period 1992-1997 [A/45/6 (Prog.5)], the realization of the inalienable rights of the Palestinian people had been recognized as a condition *sine qua non* for a just solution to the Palestine question. Although regularly endorsed since 1976 by the Assembly, the relevant recommendations of the Committee on Palestinian Rights had neither been acted upon by the Security Council nor otherwise implemented. However, the Palestinians remained committed to the exercise of their legitimate national and political rights, and the Palestinian uprising, which had started in December 1987, continued as an expression of their determination to bring to an end the Israeli occupation. The Assembly and the Council had repeatedly expressed concern at the tragic loss of life and violations of human rights of the Palestinian people. The situation created by the uprising and the subsequent political developments had made it imperative to renew efforts to break out of the prevailing impasse and to make concrete progress towards a peaceful, negotiated settlement.

Committee on Palestinian Rights

As mandated by General Assembly resolution 44/41 A [YUN1989,p.195], the Committee on the Exercise of the Inalienable Rights of the Palestinian People, established in 1975 [GA res. 3376(XXX)], continued to keep under review the situation relating to the question of Palestine, promote implementation of its recommendations endorsed by the Assembly, and extend its co-operation to non-governmental organizations (NGOs) in their contribution towards heightening international awareness of the facts relating to the question. In response to urgent developments affecting the inalienable rights of the Palestinian people, the Chairman of the Committee, on a number of occasions, brought such developments to the attention of the Secretary-General and the President of the Security Council.

In October, the Committee submitted to the Assembly an annual report on its activities [A/45/35 & Corr.1], which also contained its recommendations. The Committee noted that the intifadah, the uprising of the Palestinian people, which had entered its third year, had led to a process of irreversible psychological and political transformation that had affected not only the Palestinian people but also the Israeli political system itself. The process of economic disengagement from Israel had been strengthened, as international groups and foreign Governments had increased their financial commitment to the occupied Palestinian territory.

According to the report, Israel, in its efforts to suppress the uprising, had continued to resort to often excessive and indiscriminate force, including shooting at demonstrators, intensive use of tear-gas and severely beating detainees. Israeli occupation authorities continued to apply a variety of harsh measures and collective punishment, including deportations, large-scale arrests, detentions, raids on homes and villages, prolonged curfews, confiscation of property and destruction of trees and crops. The Committee was particularly concerned at the lawless and violent actions of Israeli settlers.

While noting the formal steps taken by the Israeli authorities for the gradual reopening of primary and secondary schools as a positive gesture, the Committee deplored that they persisted in seriously disrupting the normal functioning of the schools as a form of collective punishment. It also noted with concern that all Palestinian universities and institutions of higher education had been closed since the beginning of the uprising.

The Committee further noted with concern that the health situation in the occupied Palestinian territory, particularly in Gaza, remained deplorable and had continued to deteriorate since the beginning of the uprising. Also, there had been no improvement in the conditions of work and life there. According to the Committee, almost 40 per cent of Palestinians of the occupied territory went to work in Israel, but the majority of them enjoyed no legal or social protection. The Committee believed that recognition by Israel of Palestinian trade union organizations would ensure respect for the fundamental principles of freedom of association and lead to the Palestinian workers' being better defended.

In order to promote international awareness of the Palestine question and create conditions favourable for the implementation of its recommendations, the Committee and, under its guidance, the Division for Palestinian Rights, continued to organize regional seminars with the participation of prominent political personali-

ties, parliamentarians, policy makers and other experts, including Israelis and Palestinians. The Committee expressed satisfaction that the seminars had made a positive contribution to peace efforts by providing a forum for a balanced and constructive discussion of the issues involved.

In 1990, regional seminars were held for Latin America and the Caribbean (Buenos Aires, Argentina, 5-9 February), Africa (Freetown, Sierra Leone, 2-6 April), Europe (Stockholm, Sweden, 7-11 May) and North America (New York, 25-26 June).

The Committee continued to extend its co-operation to NGOs active on the question of Palestine and expand its contacts with them. To that end, the Division for Palestinian Rights, in consultation with the Committee and under its guidance, organized in 1990 a number of regional NGO symposia, held jointly with or after the regional seminars: a European regional NGO symposium in Geneva (27-28 August), followed by an international NGO meeting (29-31 August). The conclusions, recommendations and declarations of the various forums were annexed to the report.

The Committee was represented at a number of conferences and meetings, including the twenty-sixth Assembly of Heads of State and Government of the Organization of African Unity (Addis Ababa, Ethiopia, 9-11 July), and the nineteenth Islamic Conference of Foreign Ministers (Cairo, Egypt, 31 July-4 August). The Committee noted with satisfaction the increased awareness and mobilization of international public opinion in support of the attainment of the inalienable rights of the Palestinian people and of UN recommendations for a comprehensive, just and lasting solution to the question of Palestine.

In its 1990 recommendations, the Committee considered that international attention must remain focused on the imperative necessity to overcome the political and diplomatic stalemate that had hitherto blocked progress towards a settlement of the Palestine question. Pending progress towards such a settlement, the Committee urged that all necessary measures be taken immediately to protect the Palestinian people in the occupied territory. The Committee called on the Security Council to establish urgently an effective UN presence in the occupied territory with a legal mandate to protect the Palestinians there and, in that regard, endorsed the proposed establishment of a UN observer force. The Committee also reaffirmed that the United Nations had a duty and responsibility to render all assistance necessary to promote the social and economic development of the occupied Palestinian territory,

and called on the organizations of the UN system, as well as on Governments and intergovernmental and non-governmental organizations, to sustain and increase their economic and social assistance to the Palestinian people, in close co-operation with PLO.

The Division for Palestinian Rights, in accordance with its mandate, continued to prepare monthly bulletins covering action by the Committee and other UN bodies, reports of regional seminars, NGO symposia and international meetings, and monthly and bi-monthly reports on developments relating to the question of Palestine, monitored from the Arabic, English and Hebrew press for the use of the Committee. In 1990, the Division published two studies: on Palestinian children in the occupied Palestinian territory, and on the origins and evolution of the Palestine problem (1917-1988). In February and June, the Division issued an updated information note on the work of the Committee and the Division. An updated information note on the United Nations and NGO activities on the question of Palestine was issued in February.

The International Day of Solidarity with the Palestinian People was observed on 29 November 1990 at UN Headquarters in New York and at the UN Offices at Geneva and Vienna and was commemorated in many other cities throughout the world.

GENERAL ASSEMBLY ACTION

Following consideration of the report of the Committee on Palestinian Rights, the General Assembly adopted, on 6 December 1990, three resolutions on the Palestine question, including resolution 45/67 A.

The General Assembly,

Recalling its resolutions 181(II) of 29 November 1947, 194(III) of 11 December 1948, 3236(XXIX) of 22 November 1974, 3375(XXX) and 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, 38/58 A of 13 December 1983, 39/49 A of 12-December 1984, 40/96 A of 12 December 1985, 41/43 A of 2 December 1986, 42/66 A of 2 December 1987, 43/175 A of 15 December 1988 and 44/41 A of 6 December 1989,

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

1. Expresses its appreciation to the Committee on the Exercise of the Inalienable Rights of the Palestinian People for its efforts in performing the tasks assigned to it by the General Assembly;

2. Endorses the recommendations of the Committee contained in paragraphs 93 to 102 of its report

and draws the attention of the Security Council to the fact that action on the Committee's recommendations, as repeatedly endorsed by the General Assembly at its thirty-first session and subsequently, is 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 Rights 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, to make such adjustments in its approved programme of seminars and symposia and meetings for non-governmental organizations as it may consider necessary, to give special emphasis to the need to mobilize public opinion in Europe and North America, and to report thereon to the General Assembly at its forty-sixth session and thereafter;

5. Also 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 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(111), as well as other United Nations bodies associated with the question of Palestine, to continue 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;

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

General Assembly resolution 45/67 A

6 December 1990 Meeting 59 122-2-23 (recorded vote)

16-nation draft (A/45/L.24 & Add.1); agenda item 23.

Meeting numbers. GA 45th session: plenary 49-53. 59.

Recorded vote in Assembly as follows:

In favour Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SW, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Gambia, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Romania, Rwanda, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian

SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe,

Against: Israel, United States.

Abstaining: Australia, Austria, Belgium, Canada, Czechoslovakia, Denmark, Dominica, Finland, France, Germany, Iceland, Ireland, Italy, Japan, Liechtenstein, Luxembourg, Netherlands, New Zealand, Norway, Poland, Portugal, Sweden, United Kingdom.

On the same date, the Assembly adopted resolution 45/67 B.

The General Assembly,

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

Taking note, in particular, of the relevant information contained in paragraphs 52 to 78 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, 39/49 B of 11 December 1984, 40/96 B of 12 December 1985, 41/43 B of 2 December 1986, 42/66 B of 2 December 1987, 43/175 B of 15 December 1988 and 44/41 B of 6 December 1989,

1. Takes note with appreciation of the action taken by the Secretary-General in compliance with General Assembly resolution 44/41 B;

2. Requests the Secretary-General to provide the Division for Palestinian Rights of the Secretariat with the necessary resources and to ensure that it 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, paragraph 3 of resolution 38/58 B, paragraph 2 of resolution 40/96 B, paragraph 2 of resolution 42/66 B and paragraph 2 of resolution 44/41 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 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;

4. 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;

5. 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.

General Assembly resolution 45/67 B

6 December 1990 Meeting 59 121-2-22 (recorded vote)

15-nation draft (A/45/L.25 & Add.1); agenda item 23.

Meeting numbers. GA 45th session: plenary 49-53, 59.

Recorded vote in Assembly as follows:

In Favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Dominica, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Gambia, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran, Iraq, Jamaica, Kenya, Kuwait, Lao People's Democratic Re-

public, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Romania, Rwanda, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Israel, United States.

Abstaining: Australia, Austria, Belgium, Canada, Czechoslovakia, Denmark, Finland, France, Germany, Iceland, Ireland, Italy, Japan, Liechtenstein, Luxembourg, Netherlands, New Zealand, Norway, Poland, Portugal, Sweden, United Kingdom.

Public information activities

In accordance with General Assembly resolution 44/41 C (UN 1989, p. 1991, the Department of Public Information (DPI) of the Secretariat, in full co-operation and co-ordination with the Committee on Palestinian Rights, continued its special information programme on the question of Palestine during the biennium 1990-1991. DPI actively disseminated information through press releases, publications and audio-visual material. It provided full coverage of all UN meetings relevant to the question, as well as of seminars and symposia held by the Committee. In 1990, the Department focused increasingly on news items and information concerning the situation in the occupied territories as well as on efforts to convene an international peace conference on the Middle East under UN auspices (see above).

DPI continued to distribute its publications on the subject, including a revised version of the booklet entitled *The United Nations and the Question of Palestine*, issued in Arabic, English, French, German and Spanish.

In addition to short items in news and current affairs radio programmes, DPI produced special feature radio programmes and distributed them to hundreds of radio stations world wide. A 15-minute educational video for high-school-age students, with an accompanying study pamphlet for teachers on the question of Palestine, was produced in three languages for distribution world wide.

In 1990, the Department again organized activities to acquaint the media with the facts and developments pertaining to the Palestine question. In May, a team of 14 high-level journalists participated in the news mission to the Middle East organized by DPI. The team visited Tunis (Tunisia), Damascus (Syrian Arab Republic), Amman (Jordan) and Cairo (Egypt). A formal request to Israel for the news mission to visit the country and the West Bank went unanswered. DPI also organized two regional encounters for journalists on the Palestine question: in Buenos Aires (12-14 February) and in Singapore (26-28 March). Three series of national encounters were

organized: in Latin America and the Caribbean (Mexico City; Santiago, Chile; and Port of Spain, Trinidad and Tobago, 2-15 February), in Europe (Oslo, Norway; London; and Belgrade, Yugoslavia, 9-16 March) and in Asia (Tokyo; Manila, Philippines; Bangkok, Thailand; and New Delhi, India, 19-30 March).

UN information centres throughout the world disseminated newsletters, press releases and leaflets on the various aspects of the Palestine question.

GENERAL ASSEMBLY ACTION

On 6 December, the General Assembly adopted resolution 45/67 C.

The General Assembly,

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

Taking note, in particular, of the information contained in paragraphs 79 to 92 of that report,

Recalling its resolutions 44/41 C and 44/42 of 6 December 1989,

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 resolution 44/41 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 remainder of the biennium 1990-1991, with particular emphasis on public opinion in Europe and North America and, in particular:

(a) To disseminate information on all the activities of the United Nations system relating to the question of Palestine, including reports of the work carried out by the relevant United Nations organs;

(b) To continue to issue and update publications on the various aspects of the question of Palestine, including Israeli violations of the human rights of the Palestinian people and other Arab inhabitants of the occupied territories as reported by the relevant United Nations organs;

(c) To expand its audio-visual material on the question of Palestine, including the production of such material;

(d) To organize and promote fact-finding news missions for journalists to the area, including to the occupied territories;

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

General Assembly resolution 45/67 C

6 December 1990 Meeting 59 124-2-20 (recorded vote)

15-nation draft (A/45/L.26 & Add.1); agenda item 23.

Meeting numbers. GA 45th session: plenary 49-53, 59.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gabon, Gambia, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Romania, Rwanda, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yaman, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Israel, United States.

Abstaining: Australia, Belgium, Canada, Czechoslovakia, Denmark, Dominica, France, Germany, Iceland, Ireland, Italy, Japan, Liechtenstein, Luxembourg, Netherlands, New Zealand, Norway, Poland, Portugal, United Kingdom.

Assistance to Palestinians

Various UN organizations and agencies continued in 1990 to provide economic and social assistance to the Palestinian people. An overview of their activities, obtained by the United Nations Centre for Human Settlements (Habitat), which was entrusted with supervising the development of the programme of assistance, was contained in an October report [A/45/503] transmitted by the Secretary-General in response to General Assembly resolution 44/235 [YUN 1989, p. 202].

Earlier, in July [E/1990/71/Rev.I], the Secretary-General had briefly reported on the assistance programme to the Economic and Social Council.

The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) maintained in 1990 an extensive programme of education, health and relief services as well as other humanitarian assistance to Palestine refugees. In response to additional needs created by the uprising and its consequences, UNRWA extended its programme of emergency measures and expanded its welfare services to assist the families of those killed, disabled or detained. (For a full account of UNRWA activities, see below, under "The work of UNRWA".)

The United Nations Development Programme (UNDP), whose economic and social assistance was primarily for non-refugee Palestinian population in the occupied territory, continued to increase its assistance to the Palestinians with emphasis on job creation and self-sufficiency, according to a report of the UNDP Administrator [DP/1991/65]. The projects relating

to the construction of a citrus processing plant, a cement factory, a commercial port, a poultry hatchery and a vegetable grading and packing facility were high on the UNDP agenda. The Business Development Centre, designed to provide Palestinian entrepreneurs with services, training and credit, became fully operational, and several management and technical training sessions and feasibility studies for new business ventures were carried out. In spite of rising tension in the region and various complications, UNDP programme delivery in 1990 jumped to a record level of \$11.7 million, more than three times the level for 1989.

The United Nations Conference on Trade and Development (UNCTAD) during 1990 concentrated its Palestinian-related activities in four main areas: monitoring and analysing policies and practices of Israeli occupation authorities that hampered economic development in the occupied Palestinian territory; investigating the impact of such policies and practices on key economic sectors; developing the data base for the dissemination of information on the economy of the occupied Palestinian territory; and contributing to the relevant activities of the organizations of the UN system pursuant to General Assembly resolutions. A 1990 UNCTAD report on economic developments in the occupied Palestinian territory [TD/B/1266] provided an update of aggregate and sectoral developments in the Palestinian economy during 1988-1990, including the impact of the Palestinian uprising and related Israeli policy measures. In 1990, UNCTAD continued substantive work on an intersectoral study on prospects for sustained economic and social development in the West Bank and Gaza Strip. Based on the results of the analysis of the potentials of the Palestinian economy's development, a consolidated substantive frame of reference outlining development projects, strategy guidelines and policy options for action at various levels would be formulated. UNCTAD's project proposal for establishing an investment projects evaluation centre in the occupied Palestinian territory, aimed at initiating and developing Palestinian capabilities in resource allocation and management at both the entrepreneurial and institutional levels, received increasing support.

The United Nations Population Fund (UNFPA) provided, through the Economic and Social Commission for Western Asia, regional advisory services and training in demographic data collection and analysis. In 1990, UNFPA also funded two 3-year fellowships in demography aimed at upgrading the educational level of faculty staff for teaching at universities.

Assistance to Palestinian children and mothers in Jordan, Syria, Lebanon and the West Bank and Gaza Strip was provided by the United Nations Children's Fund (UNICEF). Major emphasis was placed on the reduction of infant mortality rates through improvements in primary health care and through the health education of mothers and primary school children, as well as immunization, oral rehydration therapy, and upgrading of water and sanitation infrastructure. The most notable of the many UNICEF activities in the occupied territory was the joint UNICEF/UNRWA physiotherapy programme, set up to provide emergency medical treatment to children suffering from limb fractures. Since its inception in 1988, the programme had reached over 3,600 children.

Pursuant to a 1989 decision by its Executive Board, the United Nations Educational, Scientific and Cultural Organization (UNESCO) established within the secretariat an intersectoral co-ordination mechanism to strengthen progressively UNESCO assistance to the Palestinians, and the Permanent Observer of Palestine was entitled to make direct requests under UNESCO's Participation Programme. In conformity with the Executive Board's decisions, 10 projects, representing a total cost of \$22,365,000, had been identified to respond to the education and training needs of the Palestinians. In May 1990, the Executive Board invited the UNESCO Director-General to pursue his action by circulating widely the study of those needs to multilateral and bilateral funding sources and by preparing project documents.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 26 July 1990, the Economic and Social Council adopted resolution 1990/59.

Assistance to the Palestinian people

The Economic and Social Council,

Recalling General Assembly resolution 44/235 of 22 December 1989,

Recalling also its own resolution 1989/96 of 26 July 1989,

[For remainder of text, see General Assembly resolution 45/183 below.]

Economic and Social Council resolution 1990/59

26 July 1990 Meeting 36 52-1 (roll-call vote)

Approved by Third Committee (E/1990/113) by roll-call vote (42-1-1). 19 July (meeting 13); 18-nation draft (E/1990/C.3/L.1); agenda item 12.

Roll-call vote in Council as follows:

In favour: Algeria, Bahamas, Bahrain, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, China, Colombia, Cuba, Czechoslovakia, Ecuador, Finland, France, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guinea, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Lesotho, Liberia, Libyan Arab Jamahiriya, Mexico, Netherlands, New Zealand, Nicaragua, Pakistan, Portugal, Rwanda, Saudi Arabia, Sweden, Thailand, Trinidad and Tobago, Tunisia, Ukrainian SSR, USSR; United Kingdom, Venezuela, Yugoslavia, Zaire, Zambia.

Against: United States.

Explaining its vote, the United States-the largest single donor to UNRWA which had contributed \$1.5 billion to the Agency between 1950 and 1989 and would disburse \$57 million to it in 1990 said that it had voted against the text because it failed to reflect the situation accurately and contained impractical ideas, while the United States preferred practical ways to increase investment, employment, production and income in the occupied territories.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/183.

Assistance to the Palestinian people

The General Assembly,

Recalling its resolution 44/235 of 22 December 1989,

Taking into account the intifadah of the Palestinian people & the occupied Palestinian territory against the Israeli occupation, including Israeli economic and social policies and practices,

Rejecting Israeli restrictions on external economic and social assistance to the Palestinian people in the occupied Palestinian territory,

Aware of the increasing need to provide economic and social assistance to the Palestinian people,

Affirming that the Palestinian people cannot develop their national economy as long as the Israeli occupation persists,

1. Takes note of the report of the Secretary-General on assistance to the Palestinian people;

2. Expresses its appreciation to the States, United Nations bodies and intergovernmental and non-governmental organizations that have provided assistance to the Palestinian people;

3. Requests the World Food Programme to provide food assistance to the Palestinian people in the occupied Palestinian territory;

4. Requests the international community, the organizations of the United Nations system and intergovernmental and non-governmental organizations to sustain and increase their assistance to the Palestinian people, in close co-operation with the Palestine Liberation Organization;

5. Calls for treatment on a transit basis of Palestinian exports and imports passing through neighbouring ports and points of exit and entry;

6. Also calls for the granting of trade concessions and concrete preferential measures for Palestinian exports on the basis of Palestinian certificates of origin;

7. Further calls for the immediate lifting of Israeli restrictions and obstacles hindering the implementation of assistance projects by the United Nations Development Programme, other United Nations bodies and others providing economic and social assistance to the Palestinian people in the occupied Palestinian territory;

8. Reiterates its call for the implementation of development projects in the occupied Palestinian territory, including the projects mentioned in its resolution 39/223 of 18 December 1984;

9. Calls for facilitation of the establishment of Palestinian development banks in the occupied Palestin-

ian territory, with a view to promoting investment, production, employment and income therein;

10. Requests the Secretary-General to report in full to the General Assembly at its forty-sixth session, through the Economic and Social Council, on the progress made in the implementation of the present resolution.

General Assembly resolution 45/183

21 December 1990 Meeting 71 135-2 (recorded vote)

Approved by Second Committee (A/45/848) by recorded vote (125-2). 7 November (meeting 35): 13-nation draft (A/C.2/45/L.12); agenda item 12.

Meeting numbers. GA 45th session: 2nd Committee 13-16, 22, 35; plenary 71.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Dominica, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Romania, Saint Kitts and Nevis, Saint Lucia, Saint Vincent, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe. Against: Israel, United States.

Educational institutions

In its annual report [A/45/35&Corr.1], the Committee on Palestinian Rights, with reference to reports of UNESCO, noted with great concern that the entire Palestinian educational system was in a state of paralysis owing to the prolonged closure of educational institutions since the beginning of the Palestinian uprising. While noting the formal steps taken for the gradual reopening of primary and secondary schools as a positive gesture, the Committee deplored that the Israeli occupation authorities persisted in seriously disrupting the normal functioning of schools as a form of collective punishment, as interference by soldiers, including shootings and arrests of students, raids on schools or surrounding them with barbed-wire fencing, arbitrary closure of schools or closure due to curfews continued to be reported.

The Committee strongly deplored that, due to the closure of all Palestinian universities and institutions of higher education since the beginning of the intifadah, 25,000 Palestinian students had been denied their right to education for three years and thousands of high school graduates had been barred from continuing their education. However, in 1990, some community col-

leges were reopened, as well as Bethlehem University.

The Committee on Israeli Practices also reported [A/45/576] on measures affecting freedom of education, which, according to the Committee, had been severely restricted as a result of prolonged closures of academic institutions which had caused the deterioration of academic standards and psychological stress in the educational process, as had been emphasized by several witnesses before the Committee. The lack of adequate equipment and material and financial constraints, as well as taxes imposed on educational institutions, were also denounced in some testimonies.

Report of Secretary-General. In October 1990, the Secretary-General informed [A/45/614] the General Assembly that no reply had been received from Israel to his March request for information on steps it had taken or envisaged to implement the 1989 Assembly demand in resolution 44/48 G [YUN 1989, p 226] that it rescind all actions and measures against all educational institutions, ensure their freedom and refrain from hindering their effective operation.

GENERAL ASSEMBLY ACTION

On 11 December, the General Assembly adopted resolution 45/74 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,

Deeply concerned at the continued and intensified harassment by Israel, the occupying Power, directed against educational institutions in the occupied Palestinian territory,

Recalling Security Council resolutions 605(1987) of 22 December 1987, 672(1990) of 12 October 1990 and 673(1990) of 24 October 1990,

Recalling also its resolutions 38/79 G of 15 December 1983, 39/95 G of 14 December 1984, 40/161 G of 16 December 1985, 41/63 G of 3 December 1986, 42/160 G of 8 December 1987, 43/21 of 3 November 1988, 43/58 G of 6 December 1988, 44/2 of 6 October 1989 and 44/48 G of 8 December 1989,

Taking note of the reports of the Secretary-General of 21 January 1988, 15 October 1990 and 31 October 1990,

Taking note also 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 Palestinian territory,

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 occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

2. Condemns Israeli policies and practices against Palestinian students and faculty members in schools, universities and other educational institutions in the

occupied Palestinian territory especially the opening of fire on defenceless students, causing many casualties;

3. Also condemns the systematic Israeli campaign of repression against and closing of universities, schools and other educational and vocational institutions in the occupied Palestinian territory, in large numbers and for prolonged periods, 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 flagrant contravention of the Geneva Convention;

4. Demands that Israel, the occupying Power, comply with the provisions of that Convention, rescind all actions and measures taken against all educational institutions, ensure the freedom of those institutions and refrain forthwith from hindering the effective operation of the universities, schools and other educational institutions;

5. Requests the Secretary-General to report to the General Assembly as soon as possible but not later than the beginning of its forty-sixth session on the implementation of the present resolution.

General Assembly resolution 45/74 G

11 December 1990 Meeting 65 145-2 (recorded vote)

Approved by Special Political Committee (A/45/823 & Corr.1) by recorded vote (120-2), 28 November (meeting 27); 12-nation draft (A/SPC/45/L.33); agenda item 75.

Meeting numbers. GA 45th session: SPC 18,20,22,24,26,27; plenary 65.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byeloryssian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Israel, United States.

Before the vote in the Committee, the United States, in spite of its strong concern over the current situation with respect to education in the territories, voiced its objection to the text because of unjustified and counter-productive sweeping condemnations of Israeli policies and practices.

Norway expressed reservations on some of the text's wording.

Economic and social conditions of Palestinians

The Committee on Palestinian Rights noted [A/45/35 & Corr.1] that the Director-General of the International Labour Organisation (ILO), in his annual report, stated that there had been no improvement in the conditions of work and life of the workers of the occupied Arab territories and their families. Continued military occupation and massive constraints placed on agriculture, industry and other sectors prevented the endogenous economic development of the territories. The development of human resources was in jeopardy as long as schools and universities remained closed. A dual legal system that was the source of serious inequality and tension had created a discriminatory situation with regard to social benefits and had a detrimental effect on the Palestinian economy. The report stressed that almost 40 per cent of Palestinians in the occupied territories went to work in Israel, but the majority of them enjoyed no legal or social protection. Recognition by Israel of the recently unified Palestinian trade union organizations would ensure respect for the fundamental principles of freedom of association and lead to the Palestinian workers' interests being better defended.

The Committee on Israeli Practices also reported [A/45/576] on the economic and social situation in the occupied territories, stating that prolonged curfews and economic sanctions brought an additional burden to a population already living under very harsh economic and social conditions.

By a 13 July note [E/1990/83], the Secretary-General informed the Economic and Social Council that owing to the need to undertake consultations with the relevant UN entities, it had not been possible to finalize the comprehensive report on Israeli land and water policies and practices in the occupied Palestinian and other Arab territories, which had been requested by the Council in resolution 1989/86 [YUN 1989, p. 228]. He expected the report to be completed in time for submission to the General Assembly at its forty-fifth session.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 24 July, the Economic and Social Council adopted resolution 1990/53.

Israeli economic practices in the occupied Palestinian and other Arab territories

The Economic and Social Council,
Recalling General Assembly decision 40/432 of 17 December 1985,

Recalling also its own resolution 1989/86 of 26 July 1989,

Expressing concern that the report requested in its resolution 1989/86 was not presented,

Requests the Secretary-General to prepare the report on Israeli land and water policies and practices in the occupied Palestinian and other Arab territories, taking into account Israeli settlement practices, and to submit that report to the General Assembly at its forty-sixth session, through the Economic and Social Council.

Economic and Social Council resolution 1990/53
24 July 1990 Meeting 34

46-1

17-nation draft (E/1990/L.43/Rev.1); agenda item 4.
Meeting numbers. ESC 30, 32, 34.

Speaking after the vote, the United States said it had cast a negative vote, as it had done in 1989, because the text did not serve any practical purpose. It would have supported the adoption of practical measures that could offer a solution to the situation in the occupied territories.

Palestinian women

In response to Economic and Social Council resolutions 1988/25 [YUN 1988, p. 634] and 1989/34 [YUN 1989, p. 663], the Secretary-General sent in December 1989 a mission of experts to obtain information on the situation of Palestinian women and children in the occupied territories. In February 1990, he submitted the report of the mission [E/CN.6/1990/10] containing its findings on the living conditions of Palestinian women, in particular the impact of the intifadah on their families, education, health, economy and employment. The report also presented recommendations aimed at the long- and short-term improvement of the living conditions of Palestinian women.

In May, the Economic and Social Council, after consideration of the report, adopted resolution 1990/11, expressing alarm at the critical situation of Palestinian women and children in the occupied Palestinian territory and reaffirming that the basic improvement of their living conditions, their advancement, full equality and self-reliance could only be achieved through an end of the occupation. The Council requested the Secretary-General to monitor the implementation of the recommendations contained in the mission's report (see also PART THREE, Chapter XIII).

The work of UNRWA

More than 2.4 million refugees were registered with UNRWA, as at 30 June 1990, in five areas: in and outside camps in the Israeli-occupied West Bank (414,298) and Gaza Strip

(496,339); Jordan (929,097); Lebanon (302,049); and the Syrian Arab Republic (280,731).

The General Assembly addressed the Palestine refugee problem and UNRWA activities in 11 resolutions adopted in December 1990. The resolutions dealt with: assistance to Palestine refugees (45/73 A) and to displaced persons (45/73 C); the Working Group on the Financing of UNRWA (45/73 B); scholarships for higher education and vocational training (45/73 D); a proposed University of Jerusalem "Al-Quds" for Palestine refugees (45/73 J); protection of Palestinian students and educational institutions and safeguarding of UNRWA facilities in the occupied Palestinian territory (45/73 K); Palestine refugees in the Palestinian territory occupied by Israel since 1967 (45/73 E); resumption of the ration distribution to Palestine refugees (45/73 F); return of population and refugees displaced since 1967 (45/73 G); revenues derived from Palestine refugees' properties (45/73 H); and protection of Palestine refugees (45/73 I).

UNRWA activities

In 1990, UNRWA, with a staff of 18,000, one of the largest single employers in the region, continued to provide education, health and social services to over 2 million Palestinian refugees, two thirds of whom no longer lived in refugee camps. The Agency maintained its own schools, training institutions, clinics and health and women's centres. UNRWA operations were co-ordinated from its headquarters in Vienna and Amman, Jordan, and from five field offices, with liaison offices in New York and Cairo, Egypt.

A total of 357,706 Palestine refugee children studied in the 631 UNRWA elementary and preparatory schools, served by 10,503 teachers. An additional 63,354 Palestinian pupils attended government and private schools. During the 1989/90 school year, vocational, technical and pre-service teacher training was provided in eight UNRWA training centres, with a total enrolment of 4,386 trainees and 497 instructors. The Institute of Education provided in-service training courses to 818 teachers through the Education Development Centres in each of the five fields of the operation. At the university level, 540 scholars benefited from the Agency's scholarship programme. Total expenditure in 1990 on the educational programme amounted to \$126.9 million, against a budgeted \$131.3 million, representing 51 per cent of UNRWA's total regular budget.

The Agency's health programme covered curative and preventive medical services, which were provided through 104 health clinics. In 1990, 3,877,313 visits were paid to those clinics by

refugee patients for medical consultations. Hospitalization was provided at heavily subsidized rates in 35 hospitals with which UNRWA had special agreements. In 1990, the number of bed/days utilized by refugees in those hospitals amounted to 225,068. Sanitation was also part of the health programme, as was the supplementary feeding programme through which about 27,100 pre-school and schoolchildren received a full midday meal six days a week served in 102 supplementary feeding centres. Total 1990 expenditure on the health programme amounted to \$48.2 million, out of a budgeted \$50.4 million, which was 20 per cent of the Agency's regular budget.

UNRWA relief and social services provided socio-economic support for the most disadvantaged of the Palestine refugees, facilitating their self-reliance. By the end of 1990, 36,216 families, or some 7.6 per cent of the registered refugee population, were receiving special hardship assistance, consisting of food, clothing, blankets, repair of shelters, selective cash grants in extreme distress, preferential access to vocational and teacher training, and small grants to establish self-support projects. The social services comprised case work, income-generating programmes and related skill-training, women's programmes, community-based rehabilitation of the disabled and projects to develop community facilities. In 1990, total expenditure on relief and social services amounted to \$27 million, against a budgeted \$28.9 million, or 11 per cent of UNRWA's regular budget.

The Agency's expanded programme of assistance, launched in 1988 and intended to improve the living conditions in the West Bank and Gaza Strip, covered also shelter rehabilitation, expansion of health services, environmental sanitation, improved water supply, employment, self-support projects, improvement of Agency installations and some education projects. Against the target of \$65 million, \$30 million had been received or pledged for the programme by mid-1990.

UNRWA took an active part in the international relief effort to assist thousands of evacuees from Iraq and Kuwait who passed through Jordan in August and September 1990, the majority of them of Palestinian origin. At the transit camp established in Amman, UNRWA set up a health clinic and provided daily food rations to the evacuees at the request of Jordan. Food was also provided to evacuees at the Andalus reception point near Amman airport, as well as logistic support to the government, UN bodies and NGOs. UNRWA assisted in establishing proper sanitary facilities at a number of reception points in Jor-

dan, provided health teams in Jordan and the Syrian Arab Republic and made loans of food commodities to a number of national and international humanitarian agencies. The Agency absorbed 2,500 additional children in its schools in Jordan.

Detailed information on all aspects of UNRWA activities in 1990 was contained in two reports of its Commissioner-General, covering the periods from 1 July 1989 to 30 June 1990 [A/45/13] and 1 July 1990 to 30 June 1991 [A/46/13].

Jordan. The 197 UNRWA schools in Jordan, with a total of 133,810 pupils, functioned normally throughout the 1989/90 school year. The Amman and Wadi Seer Training Centres operated successfully and trained a total of 1,168 students in 27 vocational and technical courses. In addition to teacher training, the Amman Centre provided courses in the paramedical and commercial areas. The Wadi Seer Centre offered courses in the mechanical, electrical and building trades, as well as a range of technician courses.

Health facilities in Jordan, serving about 850,000 refugees, included 18 health centres and points, 14 dental clinics, 10 laboratories, 8 specialist clinics, 12 diabetes clinics and 5 hypertension clinics.

The socio-economic situation of Palestinian refugees in Jordan was relatively stable and more comfortable than elsewhere. Nevertheless, rising unemployment affected refugees and the number of those living in poverty increased. In June, 30,687 refugees, or 3.7 per cent of the eligible population, were registered as special hardship cases. The women's programmes expanded over the year and were run from 10 women's programme centres, four of which moved into new or renovated premises with upgraded equipment. Courses were conducted in dressmaking, machine-knitting, artificial flower-making, hair-dressing and typing. UNRWA also provided the premises for a new wool-spinning project initiated in the spring of 1990.

The programme of community-based rehabilitation of the disabled also developed further at the four established centres in Jordan, and considerable progress was reported in the change of attitude of the community towards the disabled.

Lebanon. Apart from occasional interruptions due to strikes, the 76 UNRWA schools in Lebanon continued to function and 33,300 pupils attended them during the 1989/90 school year. However, some schools in central Lebanon were closed in February for security reasons. The Siblin Training Centre with 640 training places provided a total of 18 vocational and technical courses.

Despite the prevailing conditions in the country, UNRWA's health programmes improved during 1989/90. With the opening of four diabetes clinics and two hypertension clinics, the total number of UNRWA specialized clinics reached 11. Three additional dental units were established at Wavel, Saida Town and Rashidieh health centres, as well as a clinical laboratory at Ein el-Hilweh health centre. The health centre at Shatila camp was reconstructed, and major renovation of Rashidieh health centre was completed.

The need for material assistance for the destitute continued to be higher in Lebanon than in any other area of operation. By the end of June 1990, 35,350 persons were registered as special hardship cases, amounting to 13.8 per cent of the refugees eligible for services. However, due to heavy continuous fighting in east Beirut, many special hardship families were unable to collect their food rations. At a June meeting, representatives of UNRWA, UNICEF and local and international NGOs drew up proposals for a co-ordinated programme of assistance. In view of limited employment opportunities for Palestinians, UNRWA, within its income-generating programme for special hardship cases, supported 93 small enterprises and offered courses in dressmaking, artificial flower-making and hairdressing in its five women's programme centres.

The Agency's emergency operations-at a 1990 budget of \$10 million-were directed especially to alleviating the plight of refugees displaced by the fighting. Emergency health assistance and supplementary feeding were also extended to refugees not normally eligible for such services. Around \$2 million was spent on food aid. Four emergency general ration distributions of food, sugar and rice to approximately 230,000 beneficiaries were carried out in 1989/90. During that same period, 1,265 and 463 shelters, respectively, were repaired or reconstructed in the Burj el-Barajneh and Shatila camps.

Syrian Arab Republic. The 111 UNRWA schools in the Syrian Arab Republic, with a student population of 55,550, were open without interruption during the 1989/90 school year. Unfortunately, inadequate and insufficient school premises continued to pose a great problem for the Agency, which continued to experience difficulty in securing funds to carry out a sustained programme of construction at the desired speed. However, owing to an improved exchange rate available to UNRWA and the savings resulting therefrom, \$2 million were allocated to a number of projects, including construction of a school, renovation of sanitary facilities at 15 schools and construction of nine new classrooms. The Damascus Training

Centre with a total of 768 training places also needed reconstruction and replacement of equipment.

The construction of a health and feeding centre at Hama and the extension of the Yarmouk health centre were completed, and work started on a health centre in Latakia and a maternal and child health sub-centre in Yarmouk. To meet the increased demand on out-patient services in the southern area, an additional medical team was established to operate in Dera'a and Mazereeb health centres on a full-time basis. For eligible Palestinian refugees, UNRWA reserved 55 beds in private hospitals. The Agency also funded and implemented a water supply project for installations in Horns camp and continued to provide water to Damascus camps through its water tankers because of the low ground-water level there.

Through UNRWA's special hardship assistance programme, 14,454 Palestinians, or 6 per cent of the total number of eligible refugees, in the country received material help. The Agency also supported 32 disabled youngsters; however, the number of those in need was much higher.

West Bank and Gaza Strip. Of the 98 UNRWA schools in the West Bank, with a student population of 39,460, 90 schools with 36,700 pupils suffered severe disruptions during the 1989/90 academic year due to curfews, strikes and closure orders, which seriously affected the prescribed education curriculum. Under those circumstances, UNRWA paid special attention to the production of self-learning written materials which provided supplementary assistance to pupils. Two training centres in Ramallah and one in Kalandia offered 944 vocational and technical training places and 550 teacher-training places. While permitted to reopen in stages between March and May 1990 after two years of closure, the centres suffered occasional disruption caused by strikes, curfews and disturbances.

Similar disruptions occurred in the 149 UNRWA schools with 95,600 pupils in the Gaza Strip; however, there was no prolonged general closure of schools. Although by mid-May 1990 40 per cent of teaching time had been lost, the Agency was not allowed to extend the school year; thus contingency plans, including the distribution of self-learning materials, had to be put into effect. The Gaza Training Centre with 650 training places and 15 vocational and technical courses operated with general regularity during the 1989/90 academic year, but was also affected by strikes, curfews and closure orders.

The joint UNRWA-UNICEF physiotherapy programme continued to function in five health centres in the Gaza Strip and was extended to the West Bank where clinics were opened in Jenin

and Doura in April. In order to cope with the increased number of patients and casualties, UNRWA contributed to the expansion of Al Ahli hospital in Gaza, where it already subsidized 40 beds. With UNRWA's assistance, the health centres at Arrub, Kalandia and Jenin were renovated and upgraded.

In the area of environmental health, work on an internal sewerage scheme at Amari camp was completed, while a similar scheme at Dheisheh camp proceeded slowly owing to obstacles created by the Israeli security forces. Funds were allocated to implement internal sewerage systems at four other camps. In Gaza, emphasis was placed on upgrading water and liquid waste disposal in the Strip's eight congested camps. Despite certain improvements, refuse collection and disposal in camps throughout the occupied territories continued to suffer operational difficulties, especially during curfews and strikes.

By June, UNRWA was providing special hardship assistance to almost 71,400 refugees under the normal programme and to another 4,400 as a supplementary measure. Of refugees eligible for services, 13.4 per cent in Gaza and 9.1 per cent in the West Bank were registered by the Agency as special hardship cases. Those percentages were higher than the previous year and exceeded the Agency-wide average of 7.8 per cent. UNRWA paid special attention to promoting self-support projects. Agency social workers succeeded in establishing 45 small businesses in the West Bank and 25 in the Gaza Strip. In May, UNRWA provided a garment factory in Gaza with a \$25,000 loan, which allowed it to employ 60 workers, including 20 women. By June, the Agency's loan programme supported 105 projects in Gaza and 62 in the West Bank. Since the number of disabled refugees in the occupied territory increased during the Palestinian uprising, UNRWA supported community-based rehabilitation programmes.

To cope with the effects of the intifadah and Israeli countermeasures, the Agency instituted a programme of extraordinary measures, which included health, relief and social services, and general assistance. The 1990 budget for that programme in both the West Bank and Gaza was approximately \$29 million. The Agency instituted training programmes and provided medical supplies and equipment for its clinics to deal with large numbers of wounded and to evacuate casualties to hospitals. Most UNRWA clinics operated an additional shift for emergencies and five in Gaza remained open 24 hours a day. The provision of supplementary food to children and pregnant and nursing women was extended to more registered, as well as to non-registered, refugees

at a cost of \$1.8 million. Cash assistance, at a budgeted \$1.2 million, was provided to those in immediate distress, and needy families received food commodities at an expected cost of \$12 million.

GENERAL ASSEMBLY ACTION

On 11 December, the General Assembly adopted resolution 45/73 A.

Assistance to Palestine refugees

The General Assembly,

Recalling its resolution 44/47 A of 8 December 1989 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 1989 to 30 June 1990,

1. Notes with deep regret that repatriation or compensation of the refugees as provided for in paragraph 11 of General Assembly resolution 194(III) has not been effected, that no substantial progress has been made in the programme endorsed by the Assembly in paragraph 2 of its resolution 513(VI) of 26 January 1952 for The reintegration of refugees either by repatriation or resettlement and that; therefore, the situation of the refugees continues to be a matter of serious concern;

2. Expresses its thanks to the Commissioner-General and to all the staff of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, recognizing that the Agency is doing all it can within the limits of available resources, and also expresses its thanks to the specialized agencies and private organizations for their valuable work in assisting the refugees;

3. Reiterates its request that the headquarters of the Agency should be relocated to its former site within its area of operations as soon as practicable;

4. Notes with regret that the United Nations Conciliation Commission for Palestine has been unable to find a means of achieving progress in the implementation of paragraph 11 of General Assembly resolution 194(III), 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 1991;

5. Directs attention to the continuing seriousness of the financial position of the Agency, as outlined in the report of the Commissioner-General;

6. Notes with Profound concern that, despite the commendable and successful efforts of the commissioner-General to collect additional contributions, this increased level of income to the 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;

7. 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.

General Assembly resolution 45/73 A

11 December 1990 Meeting 65 146-0-1 (recorded vote)

Approved by Special Political Committee (A/45/822) by recorded vote (123-0-1), 26 November (meeting 22); draft by United States (A/SPC/45/L.5); agenda item 74.

Meeting numbers. GA 45th session: SPC 5-7, 22; plenary 65.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: None.

Abstaining: Israel.

Following the vote in the Committee, Israel said it welcomed the humanitarian assistance given through UNRWA to refugees; in addition, between 1 July 1989 and 1 July 1990, Israel had contributed over \$20 million towards education, welfare, health and housing for Palestine refugees and had made many good-will gestures, such as the release of detainees, the opening of schools and assistance with agricultural exports.

Speaking on behalf of the European Community (EC) members, Italy reaffirmed their full support for UNRWA's work but wondered, while in principle being in favour of the development of the various services the Agency could provide, about the advisability of confronting the Commissioner-General with unrealistic demands.

Iran explained that it had voted for all resolutions relating to the agenda item on UNRWA as they could only help alleviate the suffering of the Palestinians. The ultimate solution, however, would lie in the restoration of their right to self-determination and the establishment of a Palestinian State.

Other UNRWA matters

Humanitarian assistance to displaced and other persons

In addition to relief services, which included the provision of basic food commodities, blankets, clothing, shelter repair and cash grants, UNRWA continued to provide in 1990 a small measure of humanitarian assistance to persons displaced as a result of the June 1967 and subse-

quent hostilities but who were not registered with UNRWA as refugees. In Jordan, the Agency distributed rations on the Government's behalf to some 190,000 persons. It also administered community-based rehabilitation centres for the disabled in Jordan and initiated their extension to the other fields.

UNRWA remained concerned about the future of the Palestine refugees stranded at so-called Canada camp on the Egyptian side of the international border when Israel withdrew from the Sinai in April 1982, and who, under an agreement between Israel and Egypt, were to return to the Gaza Strip to reunite with their families. However, as at June 1990, UNRWA continued to provide food rations to some 4,000 Palestinians in the camp who were mostly unemployed and living in poverty.

GENERAL ASSEMBLY ACTION

On 11 December, the General Assembly adopted resolution 45/73 C.

Assistance to persons displaced as a result of the June 1967 and subsequent hostilities

The General Assembly;

Recalling its resolution 44/47 C of 8 December 1989 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 1989 to 30 June 1990,

Concerned about the continued human suffering resulting from the hostilities in the Middle East,

1. Reaffirms its resolution 44/47 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.

General Assembly resolution 45/73 C

11 December 1990 Meeting 65 Adopted without vote

Approved by Special Political Committee (A/45/822) without vote, 26 November (meeting 22); 22-nation draft (A/SPC/45/L.7); agenda item 74. Meeting numbers. GA 45th session: SPC 5-7, 22; plenary 65.

Repatriation of refugees

In September 1990, the Secretary-General reported [A/45/466] on Israel's reply to the General Assembly's call in resolution 44/47 G [YUN 1989, P. 235] that it take immediate steps for the return

of all displaced inhabitants and desist from measures obstructing their return. Israel stated that its position on the matter had been detailed fully in successive annual replies, the most recent contained in a 1989 report by the Secretary-General [YUN 1989, P. 234]. Israel also said that as a result of its continued effort to review individual cases of resettlement based on each case's merit, approximately 76,750 persons had already returned to the administered territories.

The Secretary-General stated that UNRWA was not involved in arrangements for the return of refugees or displaced persons; therefore, it would not necessarily be aware of the return of those who did not request provision of services. According to Agency records, between 1 July 1989 and 30 June 1990, 188 refugees registered with UNRWA had returned to the West Bank and 25 to the Gaza Strip. Some of them might not have been displaced in 1967, but might be family members of a displaced registered refugee whom they had accompanied on return or later joined. About 11,700 displaced refugees were known by UNRWA to have returned to the occupied territory since June 1967. The Agency was unable to estimate the total number of displaced inhabitants who had returned, as it kept records only 'of registered refugees and even those records, particularly with respect to the location of registered refugees, might be incomplete.

GENERAL ASSEMBLY ACTION

On 11 December, the General Assembly adopted resolution 45/73 G.

Return of population and refugees displaced since 1967

The General Assembly,

Recalling Security Council resolution 237(1967) of 14 June 1967,

Recalling also its resolutions 2252(ES-V) of 4 July 1967, 2452 A (XXIII) of 19 December 1968, 2535 B (XXIV) of 10 December 1969, 2672 D (XXV) of 8 December 1970, 2792 E (XXVI) of 6 December 1971, 2963 C and D (XXVII) of 13 December 1972, 3089 C (XXVIII) of 7 December 1973, 3331 D (XXIX) of 17 December 1974, 3419 C (XXX) of 8 December 1975, 31/15 D of 23 November 1976, 32/90 E of 13 December 1977, 33/112 F of 18 December 1978, 34/52 E of 23 November 1979, ES-7/2 of 29 July 1980, 35/13 E of 3 November 1980, 36/146 B of 16 December 1981, 37/120 G of 16 December 1982, 38/83 G of 15 December 1983, 39/99 G of 14 December 1984, 40/165 G of 16 December 1985, 41/69 G of 3 December 1986, 42/69 G of 2 December 1987, 43/57 G of 6 December 1988 and 44/47 G of 8 December 1989,

Having considered the report of the Secretary-General,

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 1989 to 30 June 1990,

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 is 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-sixth session, on Israel's compliance with paragraph 4 above.

General Assembly resolution 45/73 G

11 December 1990 Meeting 65 121-2-24 (recorded Vote)

Approved by Special Political Committee [A/45/822] by recorded vote [96-25], 26 November {meeting 22}; 14-nation draft [A/SPC/45/L.211] agenda item 74.

Meeting numbers. GA 45th session: SPC 5-7. 22; plenary 65.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Gambia, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Israel, United States.

Abstaining: Australia, Austria, Belgium, Bulgaria, Canada, Czechoslovakia, Denmark, Finland, France, Germany, Hungary, Iceland, Ireland, Italy, Liechtenstein, Luxembourg, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Sweden, United Kingdom.

Speaking before the vote in the Committee, the United States objected to the text on the grounds that it made no reference to necessary direct negotiations among all parties.

Food aid

In compliance with General Assembly resolution 44/47 F [YUN 1989, P. 235], the Secretary-General reported in September 1990 [A/45/465] that UNRWA continued to distribute rations to the most needy sector of the refugee popula-

tion—special hardship cases—who numbered 146,271 persons in December 1989. Two emergency distributions, including commodities such as flour, sugar, skim milk and corned beef, were made in 1989 to about 203,000 refugees in Lebanon, and about 20,000 tons of food commodities were distributed by the Agency to needy families in the West Bank and the Gaza Strip. However, it had not been possible to resume general distribution of basic food rations to all refugees due to the lack of additional resources.

GENERAL ASSEMBLY ACTION

On 11 December 1990, the General Assembly adopted resolution 45/73 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, 40/165 F of 16 December 1985, 41/69 F of 3 December 1986, 42/69 F of 2 December 1987, 43/57 F of 6 December 1988, 44/47 F of 8 December 1989 and all its previous resolutions on the question, including resolution 302(IV) of 8 December 1949,

Having considered the report of the Secretary-General,

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 1989 to 30 June 1990,

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, 39/99 F, 40/165 F, 41/69 F, 42/69 F, 43/57 F and 44/47 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 of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to resume on a continuing basis the interrupted general ration distribution to Palestine refugees in all fields;

4. Requests the Secretary-General, in consultation with the Commissioner-General, to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

General Assembly resolution 45/73 F

11 December 1990 Meeting 65 118-20-9 (recorded vote)

Approved by Special Political Committee (A/45/822) by recorded Vote (93-20-9), 26 November (meeting 22); 13-nation draft (A/SPC/45/L.20); agenda item 74.

Meeting numbers. GA 45th session: SPC 5-7, 22; plenary 65.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Australia, Belgium, Canada, Denmark, Finland, France, Germany, Iceland, Ireland, Israel, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Sweden, United Kingdom, United States.

Abstaining: Austria, Bulgaria, Czechoslovakia, Greece, Hungary, Liechtenstein, Poland, Romania, Spain.

The United States, before the vote in the Committee, opposed the text, saying that it attempted to usurp the authority of the UNRWA Commissioner-General.

Education and training

Protection of Palestinian students and educational institutions

Pursuant to General Assembly resolution 44/47 K [YUN 1989, P. 233] condemning Israeli policies and practices against Palestinian students and faculties, especially the opening of fire on students, causing many casualties, and calling on Israel to open immediately all closed educational institutions, the Secretary-General in February 1990 requested Israel to inform him of steps it had taken or envisaged taking to implement the relevant provisions of that resolution. In its June reply, Israel stated that the resolution was unbalanced, distorting its role and policy, which remained to encourage the improvement and development of the educational system in Judea, Samaria and the Gaza District. During the period of Israeli administration, the level of education and literacy in those territories had improved markedly and many new institutions of learning were established. Since December 1987, however, the schools were frequently exploited as centres for organizing and launching violent activities, and unrest was caused by masked extremists, affiliated with PLO and other groups, who forcefully entered classrooms during school hours and compelled students to join violent demonstrations. Measures taken by the authorities as a direct result of, and in reaction to, activities of those extremist elements had had some degree of success and had enabled the reopening of primary and secondary schools. Extremist ele-

ments had, however, continued to disrupt the school system, both through violent agitation and frequent strikes, while the Assembly resolution ignored those facts, Israel said. On its side, Israel would continue to make every effort to normalize the educational environment within the framework of the difficult security situation caused by violent agitation and intimidation by PLO and other extremist affiliates.

The Secretary-General's report [A/45/646] also contained information on Israel's compliance with Assembly resolution 44/47 K, based on the UNRWA Commissioner-General's reports.

During the period from 1 July 1989 to 30 June 1990, there were 112 cases of unauthorized entry by Israel into UNRWA schools in the West Bank and 295 into schools in the Gaza Strip. UNRWA had taken up those cases with the Israeli authorities who, in a number of instances, claimed that Agency premises were entered because stones had been thrown from within, or stone-throwers were being chased into the premises. During the same period, UNRWA reported nine fatalities and 3,795 cases of injury among students and trainees at its educational institutions in the West Bank, and four fatalities and 3,768 injuries in Gaza, attributable to beatings, tear-gas inhalation, rubber bullets and live ammunition. In addition, a total of 371 students and trainees in the West Bank and 111 in the Gaza Strip were detained, of whom 148 and 79, respectively, were released by 30 June 1990.

UNRWA training centres in the West Bank, closed by military order from the beginning of 1988, reopened in the spring of 1990, while the training centre in the Gaza Strip operated without protracted closures during the 1989/90 academic year. The 1989/90 UNRWA school year was shortened from 210 to 141 days, on account of general closure orders affecting all schools. The 141 operating days were further reduced by various factors such as intrusions by Israeli military personnel, individual school closures, strikes, curfews and local disturbances, resulting in an overall loss of 48 per cent of a normal school year. The most seriously affected in the West Bank were the five schools in Tulkarm camp serving 2,363 pupils, which were closed by military orders from 11 February to 22 May 1990 and again during several curfews in May and June. UNRWA scheduled those schools to reopen on 10 July for one month to make up for lost time, but the authorities insisted that they remain closed. In the Gaza Strip, the 1989/90 school year was shortened by 10 days to 200 days, on account of general closure orders affecting all schools. Various other factors contributed to the overall loss of 39 per cent of a normal school year.

The loss of teaching time affected the level of curriculum coverage and forced all UNRWA schools, other than the eight in East Jerusalem to which the general closure order did not apply, to concentrate only on basic subjects, the Secretary-General reported. The Israeli authorities also took the position that the Agency should conform to the school opening and closure dates of schools run by the Civil Administration, which did not help UNRWA in its efforts to try to make up for lost time.

GENERAL ASSEMBLY ACTION

On 11 December, the General Assembly adopted resolution 45/73 K.

Protection of Palestinian students and educational institutions and safeguarding of the security of the facilities of the United Nations Relief and Works Agency for Palestine Refugees in the Near East in the occupied Palestinian territory

The General Assembly,

Recalling Security Council resolution 605(1987) of 22 December 1987,

Recalling its resolutions 43/21 of 3 November 1988, 43/57 I of 6 December 1988, 44/2 of 6 October 1989 and 44/47 K of 8 December 1989,

Taking note of the report of the Secretary-General dated 21 January 1988, submitted in accordance with Security Council resolution 605(1987), and the report dated 31 October 1990, submitted in accordance with Council resolution 672(1990),

Having considered the report of the Secretary-General,

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 1989 to 30 June 1990,

Taking note, in particular, of paragraph 114 of that report, in which it is stated that during the reporting period "unauthorized entry by the Israeli authorities into Agency premises increased" and that "555 intrusions into Agency premises were recorded in the Gaza Strip and 191 in the West Bank" and furthermore "in the month of June 1990 alone, 22 incursions into health centres were registered" and that "on 12 June 1990, Israeli soldiers pursuing stone throwers threw two tear-gas grenades into the Rimal health centre in Gaza Town affecting patients including 66 registered infants awaiting treatment",

Gravely concerned and alarmed by the deteriorating situation in the Palestinian territory occupied by Israel since 1967, including Jerusalem,

1. Condemns the repeated Israeli raids on the premises and installations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, and calls upon Israel, the occupying Power, to refrain from such raids;

2. Deplores the policy and practices of Israel, the occupying Power, which have led to the prolonged closure of educational institutions, a large number of which are operated by the Agency, and the repeated disruption of medical services;

3. Calls upon Israel, the occupying Power, to open immediately all closed educational institutions and to refrain from closing them thereafter;

4. Requests the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

General Assembly resolution 45/73 K

11 December 1990 Meeting 65 145-2 (recorded vote)

Approved by Special Political Committee (A/45/822) by recorded vote (121-2), 26 November (meeting 221; 13-nation draft (A/SPC/45/L.25); agenda item 74.

Meeting numbers. GA 45th session: SPC 5-7, 22; plenary 65.

Recorded Vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Israel, United States.

Speaking before the vote, the United States said that, despite its concerns over school closures and disruption of UNRWA activities, it did not support the text because of the harsh condemnation of Israel. With respect to raids on UNRWA installations, addressed in the resolution, Israel stated that the Agency was employing residents of the occupied territories who had been sentenced for security violations; the Palestinians were taking advantage of UNRWA and exploiting it to further their political goals.

Proposed University of Jerusalem "Al Quds"

As requested by the General Assembly in resolution 44/47 J [YUN 1989, P. 236], the Secretary-General reported [A/45/530] in September 1990 on efforts to establish a university for Palestine refugees in Jerusalem. The proposed university, first considered by the Assembly in 1980 [YUN 1980, p.444], had since been the subject of nine further Assembly resolutions and annual reports of the Secretary-General on measures taken towards its establishment, including a functional feasibility study. In order to assist in completing the study, the Rector of the United Nations University, at the Secretary-General's request, made available the services of an expert to visit the area and meet with Israeli officials.

On 5 June 1990, the Secretary-General requested Israel to facilitate the visit of the expert. In a reply of 29 June, Israel referred to its previous statements, adding that it had voted consistently against the resolution on the subject, that its position remained unchanged and that the sponsors of the resolution sought to exploit higher education in order to politicize issues totally extraneous to genuine academic pursuits. Accordingly, Israel was unable to assist in taking the matter further.

In view of that position, the Secretary-General concluded, it had not been possible to carry out the study as planned.

GENERAL ASSEMBLY ACTION

On 11 December, the General Assembly adopted resolution 45/73 J.

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, 39/99 K of 14 December 1984, 40/165 D and K of 16 December 1985, 41/69 K of 3 December 1986, 42/69 K of 2 December 1987, 43/57 J of 6 December 1988 and 44/47 J of 8 December 1989,

Having considered the report of the Secretary-General

Having also considered 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 1989 to 30 June 1

1 Emphasizes the need for strengthening the educational system in the Palestinian territory occupied by Israel since 5 June 1967 including Jerusalem, and specifically the need for the establishment of the proposed university;

2 Requests the Secretary-General continue to take all necessary measures for establishing the University of Jerusalem "Al-Quds" in accordance with Assembly resolution 35/19 B of 3 November 1980 giving due consideration to the recommendations consistent with the provisions of that resolution;

3 Calls once more upon Israel, the occupying Power, to co-operate in the implementation of the present resolution and to remove the hindrances that it has put in the way of establishing the University of Jerusalem "Al-Quds"

4 Also requests the Secretary-General to report to the General Assembly at its forty-sixth session on the progress made in the implementation of the present resolution.

General Assembly resolution 45/73 J

11 December 1990 Meeting 65 145-2 (recorded vote)

Approved by Special Political Committee (A/45/822) by recorded vote (121-21), 26 November (meeting 22): 15-nation draft (A/SPC/45/L.24); agenda item 74.

Meeting numbers. GA 45th session: SPC 5-7, 22; plenary 65.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon,

Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Israel, United States.

Though strongly supporting practical efforts to promote higher educational opportunities for Palestinian refugees, the United States said it opposed the text as an unreasonable and unworkable approach to the problem. Israel pointed out that before 1967 there had been no single functioning university in the territories, while since then six universities had been established, all enjoying academic freedom.

Scholarships

The Secretary-General reported [A/45/463] in September 1990 on responses to the appeal of the General Assembly in resolution 44/47 D [YUN 1989, P. 237] for special allocations for scholarships and grants to Palestine refugees, for which UNRWA acted as recipient and trustee.

During the academic year 1989/90, a total of 68 awards were made available by Japan, which had contributed \$1 million to be spent over a period of five years. Scholarships were also granted by the Federal Republic of Germany, Kuwait and Switzerland. Fellowships were offered by UN agencies, including the World Intellectual Property Organization (WIPO), the International Maritime Organization (IMO), UNESCO, the Food and Agriculture Organization of the United Nations (FAO), the Universal Postal Union (UPU) and the World Health Organization (WHO). According to UNRWA [A/45/13], a total of 539 Palestine refugees were scholarship holders during the academic year 1989/90.

GENERAL ASSEMBLY ACTION

On 11 December 1990, the General Assembly adopted resolution 45/73 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, 39/99 D of 14 December 1984, 40/165 D of 16 December 1985, 41/69 D of 3 December 1986, 42/69 D of 2 December 1987, 43/57 D of 6 December 1988 and 44/47 D of 8 December 1989,

Cognizant of the fact that the Palestine refugees have, for the last four decades, lost their homes, lands and means of livelihood,

Having considered the report of the Secretary-General,

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 1989 to 30 June 1990,

1. Urges all States to respond to the appeal contained in General Assembly resolution 32/90 F of 13 December 1977 and reiterated in subsequent relevant resolutions in a manner commensurate with the needs of Palestine refugees for higher education, including vocational training;

2. Strongly appeals to all States, specialized agencies and non-governmental organizations to augment the special allocations for grants and scholarships to Palestine refugees in addition to their contributions to the regular budget of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;

3. Expresses its appreciation to all Governments, specialized agencies and non-governmental organizations that responded favourably to its resolutions 41/69 D, 42/69 D, 43/57 D and 44/47 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 Palestinian territory 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 Agency to act as the recipient and trustee for the special allocations for grants 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-sixth session on the implementation of the present resolution.

General Assembly resolution 45/73 D

11 December 1990 Meeting 65 146-0-1 (recorded vote)

Approved by Special Political Committee (A/45/822) by recorded vote (122-0-1), 26 November (meeting 22); 14-nation draft (A/SPC/45/L.18); agenda item 74.

Meeting numbers. GA 45th session: SPC 5-7. 22; plenary 65.

Recorded vote in Assembly as follows:

/n favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus.

Czechoslovakia, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: None.

Abstaining: Israel.

Speaking before the vote in the Committee, the United States said it supported the practical approach to meeting the needs of refugees for higher education; it had reservations, however, with regard to the proposed University "Al-Quds".

Property rights

Report of Secretary-General. In August 1990, the Secretary-General reported [A/45/429] on revenues derived from Palestine refugee property, as requested by General Assembly resolution 44/47 H [YUN 1989, P. 238] which he had brought in February 1990 to Israel's attention, requesting information on its implementation. He also had brought the relevant provisions of General Assembly resolutions 44/47 A-K to the attention of the Chairman of the United Nations Conciliation Commission for Palestine and to all Member States, requesting information in their possession concerning Arab property, assets and property rights in Israel.

Israel, in its reply of 29 June, stated that its position had been set out in statements to the Special Political Committee and in a 1989 report of the Secretary-General [YUN 1989, P. 238], adding that there was no legal basis for taking the steps proposed by the Assembly resolution, as property rights within the borders of a sovereign State were exclusively subject to that State's domestic laws. The right of States to regulate and dispose of property within their territory (and income derived from that property) was a generally accepted principle. Significantly, the resolution's sponsors had not suggested that similar steps be taken concerning the confiscated Jewish property in Arab countries. As a result of the 1948 war, approximately 800,000 Jewish refugees from Arab countries were resettled in Israel. The property they had left behind, estimated to be worth billions of dollars, was expropriated by the Arab countries in which they had lived. There could be no difference in law, justice or equity between the

claims of Arab and Jewish property owners, Israel asserted.

With regard to the Assembly's request for information from other Member States, no replies had been received, the Secretary-General reported.

Report of Conciliation Commission. In its forty-fourth annual report [A/45/382] covering the period from 1 September 1989 to 31 August 1990, the United Nations Conciliation Commission for Palestine stated that the circumstances that had limited its possibilities of action regarding compensation for Palestine refugee properties remained unchanged. The events that had occurred in the area had further complicated an already very complex situation. Nevertheless, the Commission continued to hope that the situation and related circumstances in the region would improve towards a comprehensive, just and lasting peace in the Middle East, thus enabling it to carry forward its mandate as defined by General Assembly resolution 194(III) [YUN 1948-49, P. 174].

GENERAL ASSEMBLY ACTION

On 11 December 1990, the General Assembly adopted resolution 45/73 H.

Revenues derived from Palestine refugees' 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, 40/165 H of 16 December 1985, 41/69 H of 3 December 1986, 42/69 H of 2 December 1987, 43/57 H of 6 December 1988, 44/47 H of 8 December 1989 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,

Taking note also of the report of the United Nations Conciliation Commission for Palestine, covering the period from 1 September 1989 to 31 August 1990,

Recalling that the Universal Declaration of Human Rights 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 therefrom, 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, 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 more upon Israel to render all facilities and assistance to the Secretary-General in the implementation of the present resolution;

3. Calls upon the Governments of all the other 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-sixth session on the implementation of the present resolution.

General Assembly resolution 45/73 H

11 December 1990 Meeting 65 120-2-25 (recorded vote)

Approved by Special Political Committee (A/45/822) by recorded vote (95-2-26), 26 November (meeting 22); 14-nation draft (A/SPC/45/L.22); agenda item 74.

Meeting numbers. GA 45th session: SPC 5-7, 22; plenary 65.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Gambia, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Israel, United States.

Abstaining: Australia, Austria, Belgium, Bulgaria, Canada, Czechoslovakia, Denmark, Finland, France, Germany, Hungary, Iceland, Ireland, Italy, Japan, Liechtenstein, Luxembourg, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Sweden, United Kingdom.

Before the Committee vote, the United States objected to the text on the grounds that it made no reference to necessary direct negotiations among all parties.

Refugee protection

In October 1990, the Secretary-General reported [A/45/641] on the implementation of General Assembly resolution 44/47 I [YUN 1989, P. 239] holding Israel responsible for the security of Palestine refugees in the occupied territory and calling on it to compensate UNRWA for the damage to Agency property and facilities resulting from its 1982 invasion of Lebanon.

Responding in June to the Secretary-General's February request for information on steps taken or envisaged to comply with the resolution, Israel stated that the adoption of the resolution was hypocritical, anachronistic and out of place. Despite its withdrawal from Lebanon in 1985, Israel was still being blamed for the suffering of the Palestinians in Lebanon and for Arab persecution of Palestinian refugees. Thousands of Palestinians had been killed and wounded in Lebanese refugee camps in vicious fighting totally unconnected with Israel. Likewise, Palestinian refugee camps in Syria and Jordan were the scenes of considerable human misery. The selective and distorted presentation of the Palestinian refugees' situation in Arab countries, Israel said, clearly illustrated the resolution's double standards and blatant disregard for the refugees' general welfare.

The Secretary-General cited the UNRWA Commissioner-General's report for the period from 1 July 1989 to 30 June 1990 [A/45/13], stating that, in consultation with the Secretary-General, he had continued his efforts in support of the safety and security of the Palestine refugees. In that connection, UNRWA international staff, in particular refugee affairs officers, assigned to the occupied territory had helped to lower tensions and prevent maltreatment of the refugees, especially of women and children. The Commissioner-General protested to the Israeli authorities against excessive use of force, collective punishment, punitive demolitions, sealing of shelters and other such measures, as a failure on Israel's part to uphold standards required under international humanitarian law.

Following Israel's withdrawal from the Saida and Tyre areas in 1985, there was nothing further to state in the context of the current report regarding the Palestine refugees in Lebanon, the report said.

GENERAL ASSEMBLY ACTION

On 11 December 1990, the General Assembly adopted resolution 45/73 I.

Protection of Palestine refugees

The General Assembly,

Recalling, in particular, recent Security Council resolutions 605(1987) of 22 December 1987, 607(1988) of 5 January 1988, 608(1988) of 14 January 1988, 636(1989) of 6 July 1989, 641(1989) of 30 August 1989, 672(1990) of 12 October 1990 and 673(1990) of 24 October 1990,

Also recalling its 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, 39/99 I of 14 December 1984, 40/165 I of 16 December 1985, 41/69 I of 3 December 1986, 42/69 I of 2 December 1987, 43/21 of 3 Novem-

ber 1988, 43/57 I of 6 December 1988 and 44/47 I of 8 December 1989,

Taking note of the report of the Secretary-General dated 21 January 1988, submitted in accordance with Security Council resolution 605(1987), and the report dated 31 October 1990, submitted in accordance with Council resolution 672(1990),

Having considered the report of the Secretary-General,

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 1989 to 30 June 1990,

Gravely concerned and alarmed by the deteriorating situation in the Palestinian territory occupied by Israel since 1967, including Jerusalem,

Taking into account the need to consider measures for the impartial protection of the Palestinian civilian population under Israeli occupation,

Referring to the humanitarian principles of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and to the obligations arising from the regulations annexed to the Hague Convention IV of 1907,

Deeply concerned at the marked deterioration in the security situation experienced by the Palestine refugees as stated by the Commissioner-General in his report,

Deeply distressed at the suffering of the Palestinian and Lebanese population which has resulted from continuing Israeli acts of aggression against Lebanon and other hostile acts,

1. Holds Israel responsible for the security of the Palestine refugees in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, 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;

2. Calls upon all the High Contracting Parties to the Convention to take appropriate measures to ensure respect by Israel, the occupying Power, for the Convention in all circumstances in conformity with their obligation under article 1 thereof;

3. Strongly urges the Security Council to consider the current situation in the occupied Palestinian territory, taking into account the recommendations contained in the reports of the Secretary-General dated 21 January 1988 and 31 October 1990;

4. Urges the Secretary-General, in consultation with the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, to continue his efforts in support of the upholding of 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;

5. Culls once again upon Israel to desist forthwith from acts of aggression against the Lebanese and Palestinian population in Lebanon;

6. Demands that Israel, the occupying Power, release forthwith all arbitrarily detained Palestine refugees, including the employees of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;

7. Calls once again upon Israel to compensate the Agency for damages to its property and facilities resulting from the invasion of Lebanon by Israel in 1982, without prejudice to the latter's responsibility for all damages resulting from that invasion, as well as for other damages to the Agency resulting from the policies and practices of Israel, the occupying Power, in the occupied Palestinian territory;

8. Requests the Secretary-General, in consultation with the Commissioner-General, to report to the General Assembly, before the opening of its forty-sixth session, on the implementation of the present resolution.

General Assembly resolution 45/73 1

11 December 1990 Meeting 65 145-2 (recorded vote)

Approved by Special Political Committee (A/45/822) by recorded vote (120-2), 26 November (meeting 22); 14-nation draft (A/SPC/45/L.23/Rev.1), orally revised; agenda item 74.

Meeting numbers. GA 45th session: SPC 5-7, 22: plenary 65.

Recorded vote in Assembly as follows:

/n favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Israel, United States.

Speaking before the Committee vote, the United States said it believed that Israel, as the occupying Power, had the authority and responsibility to maintain security in the West Bank and Gaza, and must carry out those obligations in strict accordance with the provisions of the 1949 Geneva Convention relative to the Protection of Civilian Persons in Time of War (fourth Geneva Convention).

Removal and resettlement of refugees

In September 1990, the Secretary-General reported [A/45/464] in accordance with General Assembly resolution 44/47 E [YUN 1989, P. 241] demanding that Israel desist from resettling Palestine refugees in the Palestinian territory occupied by it since 1967 and from destroying their shelters. In reply to the Secretary-General's February request for information regarding implementation of the resolution, Israel considered the resolution unbalanced and distorted in that it intentionally ignored the improved living conditions in the Gaza District, including the consider-

able increase of pupils attending schools, the significant drop in the illiteracy rate, the extensive development of medical care and the improvement of environmental services.

Since 1967, Israel had initiated community development projects in the Gaza District, enabling some 20,000 families-i.e., approximately 150,000 persons-to leave the refugee camps on a voluntary basis and relocate to nearby residential areas. That figure represented over one third of the total refugee population in Gaza.

Notwithstanding subversive efforts to the contrary, Israel stated that it was determined to pursue the task of improving the refugees' living conditions through projects such as the refugee housing programmes and would welcome all assistance from the international community in that regard.

The Secretary-General's report also contained information on the subject provided by the UNRWA Commissioner-General [A/45/13]. According to that information, shelter demolitions continued as punitive actions and on the grounds that they had been built without proper authority on State land outside camp boundaries. Israeli authorities had, to date, allocated approximately 3,914 plots of land in the Gaza Strip for housing projects. A total of 2,605 had been built on by 3,714 refugee families comprising 22,946 persons, buildings on 236 plots were under construction, 936 were still vacant and 137 had been built on by non-refugees. In addition, 3,034 refugee families, consisting of 18,823 persons, had moved into 2,666 completed housing units consisting of 5,893 rooms. Refugee families were continuing to purchase plots of land at subsidized rates for the construction of houses in projects developed by the Israeli authorities in the Beit Lahiya, Nazleh and Tel-es-Sultan areas. The construction of Israeli-sponsored multi-storey apartment blocks in Sheikh Radwan continued, but was slowed down considerably due to the prevailing situation.

With regard to the request to the Commissioner-General in resolution 44/47 E that he address the acute situation of the Palestine refugees in the occupied territory and extend all Agency services to them, the report noted that UNRWA had been providing emergency food, medical and other assistance to those in need in the territory and that it had begun a longer-term programme to upgrade infrastructure, especially in the camps, and to improve economic and social conditions (for details, see above).

The Secretary-General regretted that he was currently unable to comply with the Assembly's request that he resume issuing identification

cards to all Palestine refugees and their descendants in the occupied territory, irrespective of whether they were recipients of UNRWA rations and services. Under an arrangement that had been followed for 40 years, he reported, all refugee families registered with UNRWA were in possession of Agency-issued registration cards, which indicated the number of family members and their eligibility for services but were not identification cards. The Commissioner-General did not have the means to issue identity cards as such, the Secretary-General added, but would keep the situation under review to see whether appropriate documentation regarding the registration status of individual members of refugee families could be issued.

GENERAL ASSEMBLY ACTION

On 11 December, the General Assembly adopted resolution 45/73 E.

Palestine refugees in the Palestinian territory occupied by Israel since 1967

The General Assembly,

Recalling Security Council resolution 237(1967) of 14 June 1967,

Recalling also its resolutions 2792 C (XXVI) of 6 December 1971, 2963 C (XXVII) of 13 December 1972, 3689 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 and I of 16 December 1982, 38/83 E and J of 15 December 1983, 39/99 E and J of 14 December 1984, 40/165 E and J of 16 December 1985, 41/69 E and J of 3 December 1986, 42/69 E and J of 2 December 1987, 43/57 E of 6 December 1988 and 44/47 E of 8 December 1989,

Having considered the report of the Secretary-General,

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 1989 to 30 June 1990,

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 Palestinian territory occupied by Israel since 1967 away from their 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. Strongly reiterates its demand that Israel desist from the removal and resettlement of Palestine refugees in the Palestinian territory occupied by Israel since 1967 and from the destruction of their shelters;

2. Requests the Commissioner-General of the United Nations Relief and Works Agency for Palestine

Refugees in the Near East to address the acute situation of the Palestine refugees in the Palestinian territory occupied by Israel since 1967 and accordingly to extend all the services of the Agency to those refugees;

3. Requests the Secretary-General, in co-operation with the Commissioner-General, to resume issuing identification cards to all Palestine refugees and their descendants in the occupied Palestinian territory, irrespective of whether or not they are recipients of rations and services of the Agency;

4. Also requests the Secretary-General, after consulting with the Commissioner-General, to report to the General Assembly, before the opening of its forty-sixth session, on the implementation of the present resolution and in particular on Israel's compliance with paragraph 1 above.

General Assembly resolution 45/73 E

11 December 1990 Meeting 65 145-2 (recorded vote)

Approved by Special Political Committee (A/45/822) by recorded vote (121-21, 26 November (meeting 22); 14-nation draft (A/SPC/45/L.19); agenda item 74.

Meeting numbers. GA 45th session: SPC 5-7, 22; plenary 65.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Israel, United States.

The United States explained that it could not support the text as it referred to an "inalienable right of return" while making no reference to negotiations for a comprehensive and lasting peace among the parties, which would be necessary to resolve the underlying issues. The Commissioner-General should retain the authority to administer UNRWA's programmes with regard to such matters as issuance of identification cards without outside interference. Also, while opposing such measures as the destruction of dwellings in the territories, the United States did not object in principle to the concept of voluntary relocation of refugees.

UNRWA financing

In 1990, UNRWA's income under its General Fund amounted to \$237.9 million. Of that amount, the Agency reallocated \$4.6 million to fund a shortfall in income in funded ongoing ac-

tivities and \$0.3 million partially to fund the emergency-related programmes in Lebanon and the occupied territory, leaving the General Fund with a net income of \$233 million. Total General Fund expenditure amounted to \$229.9 million, leaving a surplus of income over expenditure of \$3.1 million. After extraordinary adjustments, the Agency in 1990 was able to increase its working capital reserve by \$2.7 million, to a level of \$31.6 million. Capital and special projects were budgeted at \$15 million, of which \$3.9 million was funded through special contributions and \$9.2 million from the General Fund.

Separate from the regular operations covered by the Agency's budget, UNRWA continued in 1990 to operate a supplementary budget for emergency operations in Lebanon, the West Bank and the Gaza Strip. Total 1990 expenditure for those activities amounted to \$33.5 million, against a total income of \$19.4 million.

According to the audited financial statements and the report of the Board of Auditors [A/45/Add.3], UNRWA's 1990 budget totalled \$314.3 million, of which \$257.8 million was for the regular budget and the rest for the emergency budgets of extraordinary character, i.e., \$35.4 million for all funds of the Extraordinary Measures in Lebanon and the Occupied Territory (EMLOT), and \$21.1 million for the Expanded Programme of Assistance (EPA).

Total expenditure in 1990 on the education programme amounted to \$126.9 million, on the health programme \$48.2 million, and on the relief and social services programme \$27 million.

Working Group on UNRWA financing

In 1990, the Working Group on the Financing of UNRWA, established by the General Assembly in December 1970 [YUN 1970, P. 280], to study all aspects of the financing of the Agency, held two meetings, on 14 September and 11 October.

In its report to the Assembly [A/45/645], the Working Group noted that in 1989 UNRWA had received sufficient funding to enable it to deliver its regular programme as budgeted, except for construction. Expenditure on the regular programme amounted to some \$222 million, but only \$1.7 million had been received for construction out of a budgeted total of \$11.3 million. In addition, the Agency continued to deliver emergency-related programmes in Lebanon, the West Bank and the Gaza Strip costing some \$35 million a year from funds specifically contributed for those purposes. At the end of 1989, there was a balance of \$29 million in the General Fund, slightly less than at the beginning of 1988, representing an operational reserve sufficient to maintain regular operations for about six weeks. The

fund to finance ongoing emergency operations showed a balance at the end of 1989 of only \$10 million.

According to current indications, it appeared that UNRWA would receive sufficient income to finance the essential part of its regular programme throughout 1990. As previously, however, the construction budget remained largely unfunded. By October, only one single contribution of \$317,000 had been received out of a total budgeted expenditure of \$12 million. Therefore, once again, much-needed construction had to be postponed. In addition, the Agency maintained three emergency-related programmes, financed from the EMLOT Fund, the EPA Fund and the Gaza Hospital Fund, respectively. The EMLOT Fund, for the financing of emergency operations such as the provision of food and additional medical and relief services, was seriously underfunded, and an additional \$10 million was urgently needed to finance operations until the end of 1990. The EPA Fund, established in 1988 to finance a \$65 million programme on infrastructural improvements, especially in the camps, was still short of about \$35 million. Contributions to the Gaza Hospital Fund, set up in 1990 to finance a much-needed general hospital of 200 beds in Gaza and running costs for three years, thus far amounted to only \$7 million out of the total of \$35 million required.

The Agency's budget for its regular programme in 1991 provided for a total expenditure of \$254.6 million, approximately 5 per cent over the projected expenditure of \$242.3 million for 1990. That increase reflected the need to provide services for a larger number of beneficiaries, especially in education, and to meet unavoidable salary and price increases. In addition to obtaining contributions to finance the regular programme in 1991, the Agency required \$35 million to maintain its emergency measures, a further \$35 million to finance its programme of infrastructural improvements and \$28 million for the Gaza Hospital.

The Working Group expressed concern over the difficulties in maintaining the required level of contributions and strongly urged that Governments that did not contribute to UNRWA start doing so, those that had contributed only relatively small amounts should increase their contributions and those that had contributed generously should continue to do so and strive to increase their contributions. The Working Group also urged Governments to consider making special additional contributions in support of the emergency-related programmes and construction projects.

GENERAL ASSEMBLY ACTION

On 11 December, the General Assembly adopted resolution 45/73 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, 44/47 B of 8 December 1989 and the previous resolutions on this question,

Recalling also its decision 36/462 of 16 March 1982, whereby it took note of the special report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East and adopted the recommendations contained therein,

Having considered the report of the Working Group,

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 1989 to 30 June 1990,

Deeply concerned at the critical financial situation of the Agency, which has affected and affects the continuation of the provision of the necessary Agency services to the Palestine refugees, including the emergency-related programmes,

Emphasizing the continuing need for extraordinary efforts in order to maintain, at least at the present minimum level, the activities of the Agency, as well as to enable the Agency to carry out essential construction,

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.

General Assembly resolution 45/73.B

11 December 1990 Meeting 65 Adopted without vote

Approved by Special Political Committee (A/45/822) without vote. 26 November (meeting 22); 14-nation draft (A/SPC/45/L6); agenda item 74. Meeting numbers. GA 45th session: SPC 5-7,22; plenary 65.

Accounts for 1989

Following the audit of the UNRWA financial statements for the year ended 31 December 1989, the Board of Auditors made several recommendations [A/45/5/Add.3]. The Advisory Committee on Administrative and Budgetary Questions (ACAQ) commented [A/45/570 & Corr.1] on the Board's report in October.

The General Assembly, in resolution 45/235, accepted the financial report and audited financial statements and the Board's audit opinion, and requested the Commissioner-General to re-

port to it in 1991 on the measures taken to rectify the shortcomings identified by the audit of the Area Staff Provident Fund.

Legal matters

UNRWA staff

The Commissioner-General reported that the total number of staff arrested or detained without charge or trial in the occupied territories between 1 July 1989 and 30 June 1990 continued to increase, while in Lebanon the number of staff kidnapped or detained decreased. The Agency remained unable to obtain adequate and timely information on the reasons for the arrest and detention of its staff members, and thus was not in a position to ascertain whether the staff members' official functions were involved.

The treatment of staff in detention continued to cause considerable concern. Staff members, both local and international, were subjected to beatings and various other forms of physical abuse. In the Gaza Strip alone, more than 170 instances of alleged mistreatment of UNRWA staff were recorded and four local staff members were killed as alleged collaborators.

The Agency experienced more difficulties than during the previous year in visiting detained staff members, but had access to 13 staff members from the West Bank, including 9 held in detention centres in Israel. UNRWA also had access to 47 staff members from the Gaza Strip who were held in the Kitziot detention camp in the Negev and for the first time to two staff members held in the Beach detention camp, Gaza Town. However, the Agency had no access to staff members from the Gaza Strip detained elsewhere or to one of the two staff members from Canada camp in the Sinai before their deportation from Egypt. The Agency also had no success in visiting staff in detention in Jordan, Lebanon and the Syrian Arab Republic.

There were difficulties in the travel of staff into and out of the West Bank and the Gaza Strip due to delays in the clearance of staff for travel, which was refused in some cases. The movement of staff within the West Bank and Gaza Strip was affected by frequent curfews and the designation of areas as closed military zones. In the Gaza Strip, local staff were allowed to move during curfews only if in possession of permits; the Israeli authorities, however, did not renew a substantial number of permits issued at the beginning of 1990, as a result of which UNRWA operations were impeded and even stopped in many areas during three periods of general curfew.

In resolution 45/73 I, the General Assembly demanded that Israel release all arbitrarily detained Palestine refugees, including UNRWA employees.

UNRWA services and premises

In addition to other activities, the Agency continued to support the upholding of the safety and security and the legal and human rights of the refugees. The major component of the programme of general assistance and protection was the assignment of 13 international staff members in the West Bank and 10 in the Gaza Strip as refugee affairs officers. By their presence, they helped lower tensions and prevent maltreatment of the refugees. In performing their functions, they sometimes succeeded in establishing a dialogue with Civil Administration officials and were able to assist on the spot in numerous matters affecting the welfare of the population.

As reported by the Commissioner-General, during the period from 1 July 1989 to 30 June 1990, there were 555 intrusions into UNRWA premises by Israeli security forces in the Gaza Strip and 191 such intrusions in the West Bank. In several cases, such intrusions resulted in injury to staff or damage to property. The Agency noted with concern an increasing number of intrusions into health centres in the Gaza Strip, where in June 1990 alone 22 such intrusions were registered.

There were also some incidents reported in which Israeli soldiers occupied Agency installations, using them as observation posts. In Jordan, despite the Agency's protest, authorities used some UNRWA installations, including the Wadi Seer Training Centre, as polling stations during the elections.

UNRWA also experienced difficulties in carrying out urgently needed construction in the occupied territory since Israel demanded that it first obtain permits. Thus, many projects were delayed or stopped.

The Commissioner-General reported that no progress had been made with regard to the Agency's various claims against Governments. Those included: claims against Israel for compensation for loss of and damage to UNRWA property during the 1967 hostilities and the invasion of Lebanon in 1982 and its military action before then; claims against Jordan arising from the 1967 hostilities and the disturbances in 1970 and 1971; and claims against the Syrian Arab Republic relating mainly on the levy of certain taxes from which UNRWA believed it was exempt.

In resolution 45/73 I, the General Assembly called again on Israel to compensate UNRWA for damages to its property and facilities resulting from

the 1982 invasion of Lebanon, as well as for other damages to the Agency resulting from Israeli policies and practices in the occupied territory.

Occupied territories

Territories occupied by Israel as a result of armed conflicts in the Middle East comprised the West Bank of the Jordan River, including East Jerusalem, the Gaza Strip and the Golan Heights in the Syrian Arab Republic. The United Nations continued in 1990 to monitor and take action with regard to the situation.

In December, after consideration of the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (Committee on Israeli Practices), the General Assembly adopted seven resolutions condemning different types of human rights violations in the occupied territories. In another December resolution on the uprising of the Palestinian people, the Assembly also condemned those Israeli policies and practices which violated the human rights of the Palestinian people in the occupied territory and demanded that Israel abide scrupulously by the fourth Geneva Convention.

The Security Council discussed the situation in the occupied Arab territories at meetings in March, May, October, November and December. By resolution 681(1990) of 20 December, the Council, expressing grave concern at the dangerous deterioration of the situation in all the Palestinian territories occupied by Israel since 1967, including Jerusalem, and at the violence and rising tension in Israel, called on the High Contracting Parties to the fourth Geneva Convention to ensure respect by Israel for its obligations under the Convention.

The Committee on the Exercise of the Inalienable Rights of the Palestinian People (Committee on Palestinian Rights) continued to monitor the developments in the occupied Palestinian territory on an ongoing basis through different sources, drawing the attention of the Secretary-General and the President of the Security Council to the Israeli policies and practices there. In its annual report [A/45/35 & Corr.1], the Committee urgently appealed to the Security Council and to all concerned to take all necessary measures to ensure the safety and international protection of the Palestinians in the occupied territory pending the withdrawal of Israeli forces and the achievement of a just settlement.

The Committee on Israeli Practices also continued to collect from various sources, including oral testimony and written communications, information on the situation in the occupied territories and to assess the human rights situation there. On that basis, the Committee, in its twenty-second annual report [A/45/576], noted an alarming trend towards a hardening of Israeli repression and deterioration of the already precarious human rights conditions of the Palestinian and other Arab civilian population in the occupied territories.

The Commission on Human Rights adopted four resolutions related to the territories. In the first, affirming that the settlement of Israeli civilians there was illegal and contravened the relevant provisions of the fourth Geneva Convention, it called on Israel to refrain from settling immigrants in the territories. In two resolutions, the Commission condemned Israeli policies and practices violating human rights in the occupied territories. By the fourth resolution, it declared once more that the continued Israeli occupation of the Syrian Arab Golan and Israel's 1981 decision to impose its laws, jurisdiction and administration there were null and void and had no international legal effect.

Report of Palestinian Rights Committee. In its annual report [A/45/35&-Corr.1], the Committee on Palestinian Rights expressed deep concern that in its efforts to suppress the Palestinian uprising, Israel had continued to resort to the use of often excessive and indiscriminate force, including the shooting of demonstrators, intensive use of tear-gas and severe beating of detainees. As at 31 August 1990, according to the Data Base Project on Palestinian Human Rights, 856 Palestinians had been killed since the beginning of the uprising. Out of that number of identified cases, 704 had died from gunfire, 63 from beatings and other actions, and 89 in tear-gas-related incidents.

The Committee noted an alarming and rapid deterioration of the situation of children under 16, the casualty toll among whom was extremely high, reaching 25 per cent of the total number of victims. The Committee reported that Israeli occupation authorities continued to resort to a variety of harsh measures and collective punishment, including deportations, large-scale arrests, detention, raids on homes and villages, prolonged curfews, confiscation of property and destruction of trees and crops.

While noting as a positive gesture the formal steps taken by the Israeli authorities for gradual reopening of primary and secondary schools, the Committee deplored that they persisted in seriously disrupting the normal functioning of the

schools as a form of collective punishment. The Committee also expressed concern that all Palestinian universities and institutions of higher education had been closed since the beginning of the uprising; however, some community colleges were allowed to reopen in the spring and Bethlehem University in the autumn of 1990.

The Committee voiced concern over the health situation in the occupied territory, particularly in Gaza. The availability of medical care, water, sewage disposal and other needed services was subject to restrictive controls by the occupation authorities, and the situation had been further aggravated by the repeated and extensive imposition of curfews. The Committee deplored that Israel had again refused to co-operate with the Special Committee of Experts set up by the World Health Assembly to study the health conditions of the inhabitants of the occupied territories; but it noted with appreciation that a number of international organizations, NGOs and private institutions had provided humanitarian assistance and had implemented projects dealing with sanitation, training of medical manpower, establishment of rehabilitation and primary health-care centres, medical laboratories and others.

The Committee, taking into account the continuing intolerable situation in the occupied Palestinian territory, drew once again the most urgent attention of the General Assembly and the Security Council to Israel's policies and practices, which, it said, were in violation of the Fourth Geneva Convention, and appealed for all necessary measures to ensure the safety and international protection of the Palestinians pending the withdrawal of Israeli forces and the achievement of a just settlement.

Report of Israeli Practices Committee. In September 1990, the Committee on Israeli Practices, established by the General Assembly in 1968, presented to the Secretary-General its twenty-second report covering the period from 25 August 1989 to 31 August 1990 and containing information on the Committee's activities and its conclusions. The report was transmitted to the Assembly in October by the Secretary-General [A/45/576]. Earlier, in January and June, the Committee submitted two periodic reports [A/45/84 & A/45/306] containing factual information about developments that affected the human rights of the civilian population in the occupied territories.

The Committee held a series of meetings in Geneva (8-10 January, 21-22 May, 10-13 September), Damascus, Syria (24-26 May), Amman, Jordan (27-31 May) and Cairo, Egypt (2-4 June) to examine information on developments in the ter-

ritories, as well as to consider information addressed to it by Governments, organizations and individuals in connection with its mandate. During its meetings from 21 May to 4 June, the Committee heard the testimony of 54 persons having first-hand knowledge of the human rights situation in the territories. The Committee worked in close co-operation with Egypt, Jordan and Syria, while Israel continued to withhold its co-operation.

On the basis of the information and evidence before it, the Committee drew an overall picture, which indicated an alarming trend towards the hardening of repression and a worsening of the already precarious human rights conditions of the Palestinian and other Arab civilian population in the occupied territories.

In the Committee's opinion, the Israeli authorities had persisted and become even more determined in their will to quell the Palestinian uprising. In addition to physical hardship caused by the indiscriminate resort to violence resulting in numerous losses of life, severe beatings, the use of tear-gas, the denial of adequate medical care to the injured and other forms of harassment, very serious psychological damage affected the population, which was daily confronted with fear and humiliation.

The Committee illustrated its reports with particular cases of various measures against the civilian population, including harassment, prolonged curfews and economic sanctions. It reported a new punitive measure approved by the Israeli Defence authorities against persons alleged to be leading activists of the uprising, under which such persons would be banished from their region of residence to another region in the occupied territories for a fixed period, without their families. The Committee considered that, if implemented, that measure would constitute a serious human rights violation, as reprehensible as the arbitrary expulsion of Palestinians from the occupied territories, which had been brought by Israeli authorities to a temporary halt.

The Committee's annual and periodic reports contained information on measures affecting the enjoyment by Palestinians of various other fundamental freedoms, including the freedom of movement, education, religion and expression. Continuing acts of violence and large-scale aggression by Israeli settlers against the civilian population were also reported.

The Committee concluded that the period under review had been marked by a further escalation of the tension in the territories, which had reached a very dangerous level and could result in a major explosion in the area if urgent measures were not taken to remedy the grave human

rights violations and ensure an effective protection of basic rights and freedoms. In view of the extreme gravity of the situation and the dangerous threat it represented to international peace and security, the Committee again stressed the need to arrive through negotiations at a comprehensive, just and lasting settlement of the Arab-Israeli conflict that would take into account the rights of all peoples in the area, including the national rights of the Palestinian people. In the mean time, the Committee recommended once again the implementation of a number of urgent measures which, in its opinion, would safeguard the basic human rights of the Palestinians and other Arabs in the territories.

Such measures could include: full application by Israel of the relevant provisions of the fourth Geneva Convention; full compliance with all UN resolutions pertinent to the Palestine question; convening of an international conference under UN auspices, with the participation of all parties; full co-operation by Israel with the International Committee of the Red Cross (ICRC) to protect detained persons; full support by Member States of ICRC activities and positive response to appeals for additional assistance; full support of UNRWA activities; and total Israeli co-operation with UNRWA.

In accordance with General Assembly resolution 44/48 A [YUN 1989, p. 212], the Secretary-General requested in March that Israel inform him of any steps taken or envisaged to implement the relevant provisions of that resolution, by which the Assembly had demanded that Israel desist from a number of policies and practices in the territories. In October, the Secretary-General reported [A/45/608] that Israel had not replied at the time of the preparation of the report. The Assembly resolution also had called on all States not to recognize any changes carried out by Israel in the occupied territories and to avoid actions that might be used by Israel in its pursuit of the policies of annexation and colonization or any part of the other policies and practices referred to in the resolution. Also in March, the Secretary-General had requested all States to inform him of any measures they had taken or envisaged taking in implementation of the resolution. Replies were received from Chad, Cuba, Czechoslovakia, the Holy See, New Zealand, Poland and the Ukrainian SSR. In pursuance of the same resolution, the Secretary-General also reported on the activities of DPI in response to the Assembly's request to ensure widest circulation of the reports of the Special Committee and of information on its activities and findings (see above, under "Public information activities").

GENERAL ASSEMBLY ACTION

On 11 December, the General Assembly adopted resolution 45/74A.

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,

Aware of the uprising (intifadah) of the Palestinian people since 9 December 1987 against Israeli occupation, which has received significant attention and sympathy from world public opinion,

Deeply concerned at the alarming situation in the Palestinian territory occupied since 1967, including Jerusalem, as well as in the other occupied Arab territories, as a result of the continued occupation by Israel, the occupying Power, and of its persistent policies against the Palestinian people,

Bearing in mind the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, as well as of other relevant conventions and regulations,

Taking into account the need to consider measures for the impartial protection of the Palestinian people under Israeli occupation,

Recalling the relevant resolutions of the Security Council, in particular resolutions 605(1987) of 22 December 1987, 607(1988) of 5 January 1988, 608(1988) of 14 January 1988, 636(1989) of 6 July 1989, 641(1989) of 30 August 1989, 672(1990) of 12 October 1990 and 673(1990) of 24 October 1990,

Recalling also 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, ES-9/1 of 5 February 1982, 37/88 C of 10 December 1982, 38/79 D of 15 December 1983, 39/95 D of 14 December 1984, 40/161 D of 16 December 1985, 41/63 D of 3 December 1986, 42/160 D of 8 December 1987, 43/21 of 3 November 1988, 43/58 A of 6 December 1988, 44/2 of 6 October 1989 and 44/48 A of 8 December 1989,

Recalling further the relevant resolutions adopted by the Commission on Human Rights, in particular its resolutions 1983/1 of 15 February 1983, 1984/1 of 20 February 1984, 1985/1 A and B and 1985/2 of 19 February 1985, 1986/1 A and B and 1986/2 of 20 February 1986, 1987/1, 1987/2 A and B and 1987/4 of 19 February 1987, 1988/1 A and B and 1988/2 of 15 February 1988 and 1988/3 of 22 February 1988, 1989/1 and 1989/2 of 17 February 1989 and 1989/19 of 6 March 1989, 1990/1, 1990/2 and 1990/3 of 16 February 1990 and 1990/6 of 19 February 1990,

Having Considered the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, which contain, inter alia, self-incriminating public statements made by officials of Israel, the occupying Power,

Having also considered the reports of the Secretary-General of 21 January 1988, 15 October 1990 and 31 October 1990,

1. Commends the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Ter-

ritories for its efforts in performing the tasks assigned to it by the General Assembly and for its impartiality;

2. Deplores the continued refusal by Israel to allow the Special Committee access to the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

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 Palestinian people in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

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 territory, including Jerusalem, and other Arab territories is of a temporary nature, thus giving no 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 Palestinian territory, including Jerusalem;

(b) Imposition of Israeli laws, jurisdiction and administration on the Syrian Arab Golan, which has resulted in the effective annexation of that territory;

(c) Illegal imposition and levy of taxes and dues;

(d) Establishment of new Israeli settlements and expansion of the existing ones on private and public Palestinian and other Arab lands, and transfer of an alien population thereto;

(e) Eviction, deportation, expulsion, displacement and transfer of Palestinians and other Arabs from the occupied territories and denial of their right to return;

(f) Confiscation and expropriation of private and public Palestinian and other Arab property in the occupied territories and all other transactions for the acquisition of land by Israeli authorities, institutions or nationals;

(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 Palestinian and other Arab houses;

(j) Collective punishment, mass arrests, administrative detention and ill-treatment of Palestinians and other Arabs;

(K) Torture of Palestinians and other Arabs;

(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 development and health of the Palestinians and other Arabs in the occupied territories;

(n) Interference with the freedom of movement of individuals within the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

(o) Illegal exploitation of the natural wealth, resources and labour of the occupied territories;

9. Also strongly condemns, in particular, the following Israeli policies and practices:

(a) Implementation of an "iron-fist" policy against the Palestinian people in the occupied Palestinian territory;

(b) Escalation of Israeli brutality since the beginning of the uprising (intifadah) on 9 December 1987;

(c) Ill-treatment and torture of children and minors under detention and/or imprisonment;

(d) Closure of headquarters and offices of trade unions and social organizations and harassment of their leaders, including through expulsion, as well as attacks on hospitals and their personnel;

(e) Interference with the freedom of the press, including censorship, detention or expulsion of journalists, closure and suspension of newspapers and magazines, as well as denial of access to international media;

(f) Killing and wounding of defenceless demonstrators;

(g) Breaking of bones and limbs of thousands of civilians;

(h) House and/or town arrests;

(i) Use of toxic gas, which has resulted, inter alia, in the killing of many Palestinians;

10. Condemns Israeli repression against and closing of the educational institutions in the occupied Syrian Arab Golan, particularly prohibiting Syrian textbooks and the Syrian educational system, preventing Syrian students from pursuing their higher education in Syrian universities: denying the right of return to Syrian students receiving their higher education in the Syrian Arab Republic, forcing Hebrew on Syrian students, imposing courses that promote hatred, prejudice and religious intolerance, and dismissing teachers, all in clear violation of the Geneva convention;

11. Strongly condemns arming of Israeli settlers in the occupied territories to perpetrate and commit acts of violence against Palestinians and other Arabs, causing deaths and injuries;

12. 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 occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, and to initiate measures to halt Israeli policies and practices in those territories;

13. Urges the Security Council to consider the current situation in the Palestinian territory occupied by Israel since 1967, taking into account the recommendations contained in the reports of the Secretary-General, and with a view to securing international protection for the defenceless Palestinian people until the withdrawal of Israel, the occupying Power, from the occupied Palestinian territory;

14. 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 those occupied territories constitutes a flagrant violation of the Geneva Convention and of the relevant resolutions of the United Nations;

15. Demands that Israel desist forthwith from the policies and practices referred to in paragraphs 8, 9, 10 and 11 above;

16. 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 Palestinians in the city;

17. Also 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;

18. Urges international organizations, including the specialized agencies, in particular the International Labour Organisation, the United Nations Educational, Scientific and Cultural Organization and the World Health Organization, to continue to examine the educational and health conditions in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

19. Reiterates its call upon all States, in particular those States parties to the Geneva Convention, in accordance with article 1 of that Convention, and upon international organizations, including the specialized agencies, not to recognize any changes carried out by Israel, the occupying Power, in the occupied territories and to avoid actions, including those in the field of aid, that 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;

20. Requests the Special Committee, pending early termination of the Israeli occupation, to continue to investigate Israeli policies and practices in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, to consult, as appropriate, with the International Committee of the Red Cross in order to ensure that the welfare and human rights of the peoples of the occupied territories are safeguarded and to report to the Secretary-General as soon as possible and whenever the need arises thereafter;

21. Also requests the Special Committee to submit regularly to the Secretary-General periodic reports on the present situation in the occupied Palestinian territory;

22. Further requests the Special Committee to continue to investigate the treatment of prisoners in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

23. Condemns Israel's refusal to permit persons from the occupied Palestinian territory to appear as witnesses before the Special Committee and to participate in conferences and meetings held outside the occupied Palestinian territory;

24. Requests the Secretary-General:

(a) To provide all necessary facilities to the Special Committee, including those required for its visits to the occupied territories, so that it may investigate the Israeli policies and practices referred to in the present resolution;

(b) To continue to make available such additional staff as may be necessary to assist the Special Committee in the performance of its tasks;

(c) To circulate regularly and periodically the reports mentioned in paragraph 21 above to the States Members of the United Nations;

(d) To ensure the widest circulation of the reports of the Special Committee and of information regarding its activities and findings, by all means available, through the Department of Public Information of the Secretariat and, where necessary, to reprint those reports of the Special Committee which are no longer available;

(e) To report to the General Assembly at its forty-sixth session on the tasks entrusted to him in the present resolution;

25. Decides to include in the provisional agenda of its forty-sixth session the item entitled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories".

General Assembly resolution 45/74 A

11 December 1990 Meeting 65 101-2-43 (recorded vote)

Approved by Special Political Committee (A/45/823) by recorded vote (80-2-36). 28 November (meeting 27); 12-nation draft (A/SPC/45/L.27); agenda item 75.

Meeting numbers. GA 45th session: SPC 18, 20, 22, 24, 26, 27; plenary 65.

Recorded vote in Assembly as follows:

In Favour: Afghanistan, Albania, Algeria, Angola, Argentina, Bahrain, Bangladesh, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Byelorussian SSR, Cape Verde, Chad, Chile, China, Colombia, Comoros, Congo, Cuba, Cyprus, Djibouti, Ecuador, Egypt, Ethiopia, Gabon, Gambia, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, India, Indonesia, Iran, Iraq, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Lucia, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Israel, United States.

Abstaining: Antigua and Barbuda, Australia, Austria, Bahamas, Barbados, Belgium, Bulgaria, Cameroon, Canada, Central African Republic, Costa Rica, Côte d'Ivoire, Czechoslovakia, Denmark, El Salvador, Finland, France, Germany, Greece, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Liechtenstein, Luxembourg, Malawi, Malta, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Saint Vincent and the Grenadines, Samoa, Spain, Sweden, Togo, United Kingdom, Uruguay.

Both the Assembly and the Special Political Committee adopted paragraph 6 separately, by recorded votes of 75 to 24, with 37 abstentions, and of 63 to 20, with 32 abstentions, respectively.

Before the vote in the Committee, the United States said it objected strongly to the text which, in its view, contained sweeping condemnations of a long list of unsubstantiated Israeli practices. Also, it could not support language urging the Security Council to consider measures to secure "international protection" for the Palestinians, which was impractical and did not address the underlying problems. It further wished to record again its objection to the expense the Committee on Israeli Practices posed on the UN budget, particularly at a time of scarce financial resources.

Incidents

The Security Council convened on several occasions throughout 1990 to consider the situation in the occupied Arab territories. In March, it met to look at the question of Israeli settlements (see below). The series of Council meetings in May was convened at the request of Bahrain [S/21300], on behalf of the Arab Group, to consider what was termed "the crime of collective murder committed by Israel against the Palestinian people". The Chairman of the Committee on Palestinian Rights, in a letter to the Secretary-General [A/44/947-A/21303], referred to media reports that on 20 May a former Israeli soldier, in army trousers and armed with an assault rifle, shot to death seven Palestinians and wounded 11 others in the Tel Aviv suburb of Rishon Le-Zion. Defying a curfew imposed by the Israeli army, Palestinians had taken to the streets in great numbers throughout the occupied territory to protest the massacre. In ensuing confrontations, Israeli troops shot and killed seven more Palestinians and wounded at least 650 more.

On 22 May, the Security Council President was asked [S/21306] by the Permanent Observer of Palestine to the United Nations to invite PLO Chairman Yasser Arafat to participate in the Council debate. Simultaneously, PLO requested an entry visa to the United States for Mr. Arafat. However, before the United States took any decision on that request, the Council, after day-long consultations on 22 May, decided to hold its first meeting on the matter in Geneva on 25 May [S/21309]. For the first time in Council history, the locale of its meeting was shifted to Geneva.

The Palestinian Observer's request that Mr. Arafat be invited to participate in the debate under rule 37 of the Council's provisional rules of procedure (which would confer on PLO the same rights of participation as those granted a Member State) was approved by 11 votes to 1 (United States), with 3 abstentions (Canada, France, United Kingdom). The United States, which had requested the vote, took the position that the Council did not have before it a valid request to speak and that PLO should be given permission to speak only if the request complied with Council rule 39 (concerning Secretariat members or other persons whom the Council may invite to supply it with information or give other assistance).

Leading off the Council debate, PLO Chairman Arafat said the request for a meeting stemmed from the realization that the situation had reached an "extremely dangerous and explosive point" and required urgent international action. The Palestinian people expected the Security Council to shoulder its responsibility to protect their lives and end occupation. He pro-

posed the designation by the Secretary-General of a permanent envoy to work full-time on the peace process and engage in the contracts necessary to secure a peaceful, just and lasting solution to the Arab-Israeli conflict, as well as the adoption of a Council resolution providing international protection to the Palestinian people under the UN flag and by means of international force. He also proposed adoption of another resolution to stop settler immigration to the occupied territories in order to prevent completely the construction and expansion of Israeli settlements there.

Israel stated that the Council had been convened not to advance peace and security, but to retard it. After two recent bus attacks in which over 16 people died and 42 were wounded, PLO had hailed the killers as heroes and promised more "such heroic actions". In Israel's view, having incited, promoted, fanned and spread the violence in the territories, PLO now had the Council convened to condemn Israel for putting down that violence. The Council's convening was bound to foment more violence, as there could be only one message to the perpetrators from such a meeting.

Israel was committed to peace which relied on two foundations: non-belligerency pacts between Israel and the Arab States, and the path Israel had offered towards a political solution for the territories, which included free elections, the rehabilitation of refugee camps and a period of autonomy followed by negotiations over the territories' final status.

After Council consultations, it was decided to continue consideration of the item on the agenda at United Nations Headquarters in New York.

SECURITY COUNCIL ACTION

On 31 May, the Council voted on a draft resolution [S/21326] sponsored by Colombia, Côte d'Ivoire, Cuba, Ethiopia, Malaysia, Yemen and Zaire, by which the Council would have established and dispatched immediately a commission of three Council members to the occupied territories in order to examine the situation relating to Israel's policies and practices there. It would have requested the commission to submit to the Council by 20 June its recommendations on ways and means for ensuring the safety and protection of the Palestinian civilians under Israeli occupation.

The vote was 14 to 1, as follows:

In favour: Canada, China, Colombia, Côte d'Ivoire, Cuba, Ethiopia, Finland, France, Malaysia, Romania, USSR, United Kingdom, Yemen, Zaire.

Against: United States.

The draft was not adopted owing to the negative vote of a permanent Council member.

Speaking after the vote, the United States said that the draft resolution did not focus on the real needs of moving the peace process forward and might be misused to generate more needless controversy and dispute. The United States remained committed to working with the parties for a just, lasting and comprehensive peace in the Middle East. It would support practical steps that responded to the spiral of troubling events, but those steps must not hinder the peace process.

Meeting numbers. SC 2923, 2926.

After an incident at an UNRWA clinic on 12 June, the Council President on 19 June, following consultations, issued a statement on behalf of the Council members [S/21363]:

The members of the Council strongly deplore the incident which occurred on 12 June 1990 in a clinic belonging to the United Nations Relief and Works Agency for Palestine Refugees in the Near East, located near Shati' camp in Gaza, in which several innocent Palestinian women and children were wounded by a tear-gas grenade thrown by an Israeli officer.

They are dismayed to find that the penalty imposed on that officer has been commuted.

They reaffirm 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, and request the High Contracting Parties to ensure respect for the Convention.

The members of the Council call upon Israel to abide by its obligations under that Convention.

Refugee camp incident

By a letter of 21 September [A/45/532-S/21809], the Permanent Observer of Palestine called the Secretary-General's attention to the situation in Gaza where, he said, during the past two days alone, 180 Palestinians had been injured, 200 in the age group of 12 to 45 had been detained, 50 homes had been demolished and more than half of the Palestinian inhabitants of a refugee camp had been evicted. The camp was still under siege by the Israeli occupying army and a curfew had been imposed in the area. Further, Israel had prevented ICRC, UNRWA and the media from entering the area. Such a situation should no longer be tolerated, the Observer stated, and Palestine called on the world community to take immediate action; it particularly called on the Security Council to invoke the powers vested in it by the Charter and to demand that Israel respect and carry out the Council's decisions.

Starting on 5 October, at the request of Yemen [S/21830], the Council held further meetings on the situation in the occupied territories.

Approval of the request by the Palestine Observer [S/21844] to participate was by the same vote as in May, after the United States had restated its negative position on such participation.

Speaking before the Council, Israel stated that convening the Council as a primer for the General Assembly November debates on the Middle East was an inveterate PLO ritual, as every October and early November without fail PLO and its supporters unearthed one flimsy excuse or another. According to Israel, there had been no massacre at the refugee camp, just as there was no worsening of the situation in the territories to speak of and therefore no justifiable reason to convene the Council. As told by Israel, an Israeli civilian called up for his annual reserve duty had been burned alive on 20 September by a lynch mob, after he had taken a wrong turn into the camp. Following his murder, the Israel Defence Forces decided to expedite plans to broaden the road on which the incident had occurred in order to ensure that such lynchings were not repeated. The camp had long been a hotbed of agitation, Israel added, while the portion of the road at the camp entrance had been the scene of numerous attacks in the past. Israel stressed that it continued to pursue a policy of utmost restraint, even in the wake of the incident.

Haram al-Sharif (Al-Aqsa) Mosque and Western Wall incidents

Following a violent incident on 8 October at the Haram al-Sharif (Al-Aqsa) Mosque in Jerusalem, during which Palestinians were killed and wounded, the Council reconvened on 9 October. It did not act on a draft resolution tabled that same day by Colombia, Côte d'Ivoire, Cuba, Ethiopia, Malaysia, Yemen and Zaire [S/21851]. By that text, the Council would have decided to establish and immediately dispatch a commission of three of its members in order to examine the current situation in Jerusalem; requested the commission to present a report by 20 October, containing recommendations on ways to ensure the safety and protection of Palestinian civilians; and decided to meet again in the light of the commission's findings.

SECURITY COUNCIL ACTION

The Security Council, on 12 October, adopted resolution 672(1990).

The Security Council,
Recalling its resolutions 476(1980) of 30 June 1980 and 478(1980) of 20 August 1980,

Reaffirming that a just and lasting solution to the Arab-Israeli conflict must be based on its resolutions 242(1967) of 22 November 1967 and 338(1973) of 22 October 1973, through an active negotiating process which takes into account the right to security for all States in the region, including Israel, as well as the legitimate political rights of the Palestinian people,

Taking into consideration the statement of the Secretary-General relative to the purpose of the mission he is sending to the region and conveyed to the Council by the President on 12 October 1990,

1. Expresses alarm at the violence which took place on 8 October at the Haram al-Sharif and other Holy Places of Jerusalem resulting in over twenty Palestinian deaths and the injury of more than one hundred and fifty people, including Palestinian civilians and innocent worshippers;

2. Condemns especially the acts of violence committed by the Israeli security forces resulting in injuries and loss of human life;

3. Calls upon Israel, the occupying Power, to abide scrupulously by its legal obligations and responsibilities under the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, which is applicable to all the territories occupied by Israel since 1967;

4. Requests, in connection with the decision of the Secretary-General to send a mission to the region, which the Council welcomes, that he submit a report to the Security Council before the end of October 1990, containing his findings and conclusions and that he use as appropriate all of the resources of the United Nations in the region in carrying out the mission.

Security Council resolution 672(1990)

12 October 1990 Meeting 2948 Adopted unanimously

4-nation draft (S/21859).

Sponsors: Canada, Côte d'Ivoire, Finland, France, USSR, United Kingdom, Zaire.

Meeting numbers. SC 2945-2948.

Before the voting, the President of the Council made the following statement in connection with the draft resolution:

In the informal consultations of members of the Council which led up to the consideration of this draft resolution, the Secretary-General explained that the purpose of the mission which he would be sending to the region would be to look into the circumstances surrounding the recent tragic events in Jerusalem and other similar developments in the occupied territories, and to submit by 24 October 1990 a report containing findings and recommendations to the Council on ways and means for ensuring the safety and protection of the Palestinian civilians under Israeli occupation. He recalled, however, that under the fourth Geneva Convention the principal responsibility for ensuring the protection of the Palestinians rested with the occupying Power, namely Israel.

Following the adoption of the resolution, Israel expressed regret, saying the text failed to condemn the cause of the tragic events in Jerusalem—an unprovoked Arab attack on Jewish wor-

shippers at the holiest site of the Jewish people: the Western Wall. In its opinion, the resolution could not contribute to the efforts to restore tranquillity, normalcy and peace. It was also regrettable that the Council fell into the trap laid by Saddam Hussein and his PLO supporters, who inspired the riots in order to divert attention from Iraq's aggression.

SECURITY COUNCIL ACTION

On 24 October, the Council resumed its consideration of the item.

Following debate, the Council adopted resolution 673(1990).

The Security Council,

Reaffirming the obligations of Member States under the Charter of the United Nations,

Reaffirming also its resolution 672(1990) of 12 October 1990,

Having been briefed by the Secretary-General on 19 October 1990,

Expressing alarm at the rejection of resolution 672(1990) by the Israeli Government, and its refusal to accept the mission of the Secretary-General,

Taking into consideration the statement of the Secretary-General relative to the purpose of the mission he is sending to the region and conveyed to the Council by the President on 12 October 1990,

Gravely concerned at the continued deterioration of the situation in the occupied territories,

1. Deplores the refusal of the Israeli Government to receive the mission of the Secretary-General to the region;

2. Urges the Israeli Government to reconsider its decision and insists that it comply fully with resolution 672(1990) and permit the mission to proceed in keeping with its purpose;

3. Requests the Secretary-General to submit to the Security Council the report requested in resolution 672(1990);

4. Affirms its determination to give full and expeditious consideration to the report.

Security Council resolution 673(1990)

24 October 1990 Meeting 2949 Adopted unanimously

4-nation draft (S/21893).

Sponsors: Colombia, Cuba, Malaysia, Yemen.

Preceding adoption of the resolution, Israel informed the Council that it had appointed an independent commission of inquiry consisting of three prominent public figures, which was investigating the incident of 8 October—hearing both Arab and Jewish witnesses and would shortly present its findings and conclusions on the chain of events, their causes and the actions of Israel's security forces. Israel had expressed its readiness to assist the Secretary-General in the preparation of his report, requested by the Council on 12 October; yet, like any sovereign State, Israel was the exclusive authority in the territory under its con-

trol, even under the terms of reference of resolution 672(1990).

Report of Secretary-General (31 October). In accordance with Security Council resolution 672(1990), the Secretary-General, on 31 October, presented the report requested [S/21919 & CORR.1 & ADD.1-3]. He informed the Council that, following the adoption of that resolution, he had met several times with the Acting Permanent Representative of Israel who conveyed to him a copy of the statement adopted by the Israeli Cabinet on 14 October. In that statement, Israel declared that both resolution 672(1990) and the statement of the President of the Security Council before its adoption were totally unacceptable to it. In Israel's view, the Council had completely disregarded the attack against Jewish worshippers on the holiday of Succot at the Western Wall and did not condemn those who had attacked them. Israel expressed regret over the loss of life that occurred as a result of events on the Temple Mount and informed that it had appointed an independent commission of inquiry. Israel further emphasized that Jerusalem was not, in any part, "occupied territory" but the sovereign capital of the State of Israel; therefore, there was no room for any involvement on the part of the United Nations in any matter related to Jerusalem. Given the above, Israel stated that it would not receive the delegation of the Secretary-General. On 31 October, Israel reiterated its position.

Thus, the Secretary-General said, he had been unable to secure independent information, on the spot, about the circumstances surrounding the events in Jerusalem and similar developments in the West Bank and Gaza Strip.

In his observations, the Secretary-General recalled his principal recommendation of January 1988 [YUN 1988, p. 235] that, with respect to ensuring the safety and protection of the Palestinian population, the international community should make a concerted effort to persuade Israel to accept the applicability of the fourth Geneva Convention to the occupied territories and to correct its practices in order to comply fully with that Convention. In addition, the number of international staff serving with UNRWA in the territories had been increased from 15 to 51, as had the international delegation of ICRC increased from 15 to 45. Those additional staff members had helped defuse tense situations, avert maltreatment of vulnerable groups, reduce interference with the movement of ambulances, and facilitate the provision of food and medical aid during curfews. However, Palestinians considered that far more was required on the part of the international community to ensure the safety and protection of the civilian population in the occupied territo-

ries. Palestinians had expressed a profound feeling of vulnerability at all times, whether in the workplace, at school, in places of worship or simply walking down the street. They felt unsafe even inside their homes, which were frequently subjected to midnight searches, during which arrests were common, and a wide range of collective punishments became routine, such as curfews, the demolition of homes and administrative detention. According to the Secretary-General, Palestinians had inquired whether UNTSO military observers stationed in Jerusalem could be assigned to monitor the situation in the occupied territories.

Over the past three years, the Secretary-General reported, he had frequently voiced his concern about the situation to senior Israeli officials. They maintained that measures such as administrative detention, curfews and the closure of schools and universities had been carried out in order to restore calm and put an end to the unrest. They pointed out that Israel retained exclusive control over the territories it administered and, even under the fourth Geneva Convention, it would be up to Israel to maintain law and order there. The officials also noted that the security forces were adhering to strict regulations determined by the Minister for Defence, violations of which were punishable. With regard to the need for the safety and protection of the Palestinians, the Israeli authorities pointed out that the many Palestinians who had been killed by other Palestinians should be a matter of equal concern to the international community.

Towards the end of June, reported the Secretary-General, he had sent a Personal Representative to the area to look into the question of protection in the occupied territories and to report back to him personally. On 13 July, in a statement to the Council in informal consultations, the Secretary-General had said that he intended to pursue his initiative with the Israeli authorities in an effort to persuade them to comply fully with their obligations under the fourth Geneva Convention. At the same time, he had stressed that if the High Contracting Parties felt that further measures-such as the designation of a Protecting Power-were required, then it was up to them to take such a decision under procedures carefully spelt out in the Convention.

Had it been possible for him to send a mission to the area at the current time, said the Secretary-General, it would have followed up on the discussions begun earlier with the Israeli authorities and the Palestinian leadership, when the former had indicated that they would be implementing new measures in the territories. The Secretary-General noted that, in the subsequent

months, there had been a decreased military presence in the territories and a decline in casualties resulting from actions involving the Israeli security forces, and certain academic institutions had been reopened. Nevertheless, he felt that the essential facts of the occupation had not changed and the potential for friction and confrontation between Israelis and Palestinians had remained very high, as evidenced by the tragic events of 8 October. The spate of violent attacks since then, bringing with it more bloodshed on both sides, had generated further mistrust and bitterness.

For any measure of protection of Palestinians in the occupied territories to be ensured, the co-operation of the Israeli authorities was absolutely essential, the Secretary-General stated. With regard to the Palestinians' appeals for an impartial presence, properly mandated by the United Nations, he said that was a matter for the Security Council to decide; the mandate for the UN personnel in the area, whether civilian or military, derived from the competent UN bodies and he did not have the competence to act on his own.

Concluding, the Secretary-General underlined that it was a political conflict that was at the heart of the tragic events that had led to the adoption of resolutions 672(1990) and 673(1990). The determination of the Palestinians to persevere with the intifadah was evidence of their rejection of the occupation and their commitment to exercise their legitimate political rights, including self-determination. Under the circumstances, he considered it essential that progress be made soon to ensure an effective negotiating process, acceptable to all, that could secure the interests of both Israelis and Palestinians and enable them to live in peace with each other. For his part, he declared, he would do whatever he could to be of help.

Further developments

On 7 November, the Security Council resumed its consideration of the situation in the occupied territories. Lebanon, at its request, was invited to participate in the discussion without the right to vote.

On 15 November, Colombia, Cuba, Malaysia and Yemen submitted a draft resolution, subsequently revised by the sponsors [S/21933/Rev.3], by which the Council would have deplored Israel's refusal to comply with resolutions 672(1990) and 673(1990), as well as its decision to resume deportations of Palestinian civilians in the territories, and would have welcomed the idea of convening a meeting of the High Contracting Parties to the fourth Geneva Convention. The Council took no action in the text. On 16 November, at the request of Egypt, as Chairman of the Islamic Group at

the United Nations, an invitation to participate in the debate was extended to the Organization of the Islamic Conference.

SECURITY COUNCIL ACTION

The Council held several meetings in December, which were adjourned four times in response to motions by the USSR and the United Kingdom before adopting, on 20 December, resolution 681(1990).

The Security Council,

Reaffirming the obligations of Member States under the Charter of the United Nations,

Reaffirming also the principle of the inadmissibility of the acquisition of territory by war, set forth in resolution 242(1967) of 22 November 1967,

Having received the report of the Secretary-General submitted in accordance with resolution 672(1990) of 12 October 1990 on ways and means of ensuring the safety and protection of the Palestinian civilians under Israeli occupation, and taking note in particular of paragraphs 20 to 26 thereof,

Taking note of the interest of the Secretary-General to visit and to send his envoy to pursue his initiative with the Israeli authorities, as indicated in paragraph 22 of his report, and of their recent invitation extended to him,

Gravely concerned at the dangerous deterioration of the situation in all the Palestinian territories occupied by Israel since 1967, including Jerusalem, and at the violence and rising tension in Israel,

Taking into consideration the statement made by the President of the Security Council on 20 December 1990 concerning the method and approach for a comprehensive, just and lasting peace in the Arab-Israeli conflict,

Recalling its resolutions 607(1988) of 5 January 1988, 608(1988) of 14 January 1988, 636(1989) of 6 July 1989 and 641(1989) of 30 August 1989, and alarmed by the decision of the Government of Israel to deport/four Palestinians from the occupied territories in contravention of its obligations under the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,

1. Expresses its appreciation to the Secretary-General for his report;

2. Expresses its grave concern over the rejection by Israel of its resolutions 672(1990) of 12 October 1990 and 673(1990) of 24 October 1990;

3. Deplores the decision by the Government of Israel, the occupying Power, to resume the deportation of Palestinian civilians in the occupied territories;

4. Urges the Government of Israel to accept the *de jure* applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to all the territories occupied by Israel since 1967 and to abide scrupulously by the provisions of the Convention;

5. Calls upon the High Contracting Parties to the said Convention to ensure respect by Israel, the occupying Power, for its obligations under the Convention in accordance with article 1 thereof;

6. Requests the Secretary-General, in co-operation with the International Committee of the Red Cross, to

develop further the idea, expressed in his report, of convening a meeting of the High Contracting Parties to the said Convention to discuss possible measures that might be taken by them under the Convention and, for this purpose, to invite the Parties to submit their views on how the idea could contribute to the goals of the Convention, as well as on other relevant matters, and to report thereon to the Council;

7. Also requests the Secretary-General to monitor and observe the situation regarding Palestinian civilians under Israeli occupation, making new efforts in this regard on an urgent basis, and to utilize and designate or draw upon the United Nations and other personnel and resources present there, in the area and elsewhere, needed to accomplish this task, and to keep the Security Council regularly informed;

8. Further requests the Secretary-General to submit a first progress report to the Security Council by the first week of March 1991 and every four months thereafter, and decides to remain seized of the matter as necessary.

Security Council resolution 681(1990)

20 December 1990 Meeting 2970 Adopted unanimously

Draft prepared in consultations among Council members (S/22022).

Meeting numbers. SC 2953, 2957, 2966-2968, 2970.

Before adoption of the resolution, the Council President made a statement on behalf of the Council members [S/22027], by which they reaffirmed their determination to support an active negotiating process, with the participation of all relevant parties and leading to a comprehensive, just and lasting peace to the Arab-Israeli conflict, which should be based on Council resolutions 242(1967) [YUN 1967, p. 257] and 338(1973) [YUN 1973, p. 213] and take into account the right to security of all States in the region and the legitimate rights of the Palestinians. In that context, the Council members agreed that an international conference should facilitate efforts to achieve a negotiated settlement, but expressed the view that there was no unanimity as to the appropriate time for such a conference. In their view, the question of the Arab-Israeli conflict was important and unique and had to be addressed independently, on its own merits. (For full text, see above, under "Proposed peace conference".)

Speaking after the vote, the United States said that its positive vote in no way indicated a change in its policy on any issue related to the Arab-Israeli conflict. The process of negotiations between the parties was the only way to advance the cause of peace in that conflict. Urging Israel to ensure respect for the fourth Geneva Convention and immediately and permanently cease deportations, the United States condemned the increasing attacks on Israelis and the deaths which had resulted, just as it condemned attacks on Palestinians.

In Israel's view, the Council's request to the Secretary-General to make renewed efforts to monitor and observe the situation regarding Pal-

estinian civilians was another instance of singling out Israel. The idea of convening a meeting of the parties to the fourth Geneva Convention to discuss possible measures against Israel was unprecedented. No time was appropriate for the convening of a so-called international peace conference, referred to in the Council President's statement preceding adoption of the resolution, but any time was appropriate for bilateral and direct negotiations between Israel and its neighbours. With regard to its decision to issue expulsion orders against four leaders of the Hamas organization, Israel said it had the right in the appropriate circumstances to expel terrorists.

In the opinion of PLO, the Council had made substantial progress towards protecting the Palestinians under Israeli occupation, towards a solution of the Arab-Israeli conflict, including the Palestine question, and towards the achievement of a just and comprehensive peace in the region. However, the resolution did not reflect the position the Council should have adopted in view of the current situation in the territories, including Jerusalem, and in view of the volatile situation in the Middle East in general. The Palestinians, he said, differed with certain parts of the resolution and in particular with portions of the preceding presidential statement. Nevertheless, they hoped that the resolution would be a step followed by other steps.

The Palestinian uprising (intifadah)

In its annual report [A/45/35 & CORR.1], the Committee on Palestinian Rights stated that the intifadah, which was about to enter its fourth year, had affirmed clearly the determination of the Palestinians to bring the occupation of their land to an end and achieve the exercise of their inalienable rights, and had also affirmed that PLO was the sole legitimate representative of the Palestinian people. According to the Committee, there was an international consensus that the participation of PLO on an equal footing with the other parties to the Arab-Israeli conflict was indispensable in any efforts and deliberations aimed at achieving lasting peace in the Middle East. The Committee noted with satisfaction that the intifadah had helped the progressive forces in Israel to intensify their efforts for a just peace; however, the Government of Israel remained adamant. In the Committee's opinion, the continuing denial of the Palestinian people's right to self-determination and independence was entirely unacceptable and a major danger to peace. The Committee noted with deep concern that, in its efforts to suppress the intifadah, Israel had continued to resort to often excessive and indiscrimi-

nate force; it called on Israel to recognize and respect the national aspirations and rights of the Palestinian people.

The Committee on Israeli Practices also reported [A/45/576] that the Israeli authorities had persisted and become even more determined in their will to quell the Palestinian uprising by hardening their policy and resorting to increasingly harsh measures. One of the consequences of such means of repression was the heavy toll of casualties among civilians. The indiscriminate use of violence to counter the uprising had caused the death of hundreds of civilians of all ages and injuries to several thousand Palestinians. Particularly preoccupying were the increasing casualties among children and stricter procedures against minors involved in activities such as stone-throwing or putting up road-blocks.

GENERAL ASSEMBLY ACTION

On 6 December, the General Assembly adopted resolution 45/69.

The uprising (intifadah) of the Palestinian people

The General Assembly,

Aware of the uprising (intifadah) of the Palestinian people since 9 December 1987 against Israeli occupation, which has received significant attention and sympathy from world public opinion,

Deeply concerned at the alarming situation in the Palestinian territory occupied since 1967, as a result of the continued occupation by Israel, the occupying Power, and of its persistent policies and practices against the Palestinian people,

Reaffirming that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to the Palestinian territory occupied by Israel since 1967, including Jerusalem, and to the other occupied Arab territories,

Expressing its profound shock at the continued measures by Israel, the occupying Power, including the killing and wounding of Palestinian civilians, and at the recent acts of violence committed by the Israeli security forces, which took place on 8 October 1990 at the Haram al-Sharif in Jerusalem, resulting in injuries and loss of human lives,

Stressing the need to promote international protection to the Palestinian civilians in the occupied Palestinian territory,

Recognizing the need for increased support to, aid for and solidarity with the Palestinian people under Israeli occupation,

Having considered the recommendations contained in the reports of the Secretary-General of 21 January 1988 and 31 October 1990,

Recalling its relevant resolutions as well as the relevant Security Council resolutions,

1. Condemns those policies and practices of Israel, the occupying Power, which violate the human rights of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and, in particular, such acts as the opening of fire by the Israeli army and set-

ters that result in the killing and wounding of defenceless Palestinian civilians, the beating and breaking of bones, the deportation of Palestinian civilians, the imposition of restrictive economic measures, the demolition of houses, the ransacking of real or personal property belonging individually or collectively to private persons, collective punishment and detentions, and so forth;

2. Demands that Israel, the occupying Power, abide scrupulously by the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and desist immediately from those policies and practices which are in violation of the provisions of the Convention;

3. Calls upon all the High Contracting Parties to the Convention to ensure respect by Israel, the occupying Power, for the Convention in all circumstances, in conformity with their obligation under article 1 thereof;

4. Strongly deplores the continuing disregard by Israel, the occupying Power, of the relevant decisions of the Security Council;

5. Reaffirms that the occupation by Israel of the Palestinian territory since 1967, including Jerusalem, and of the other Arab territories in no way changes the legal status of those territories;

6. Requests the Security Council to examine with urgency the situation in the occupied Palestinian territory with a view to considering measures needed to provide international protection to the Palestinian civilians in the Palestinian territory occupied by Israel since 1967, including Jerusalem;

7. Invites Member States, the organizations of the United Nations system, governmental, intergovernmental and non-governmental organizations, and the mass communications media to continue and enhance their support for the Palestinian people;

8. Requests the Secretary-General to examine the present situation in the Palestinian territory occupied since 1967, including Jerusalem, by all means available to him and to submit periodic reports thereon, the first such report as soon as possible.

General Assembly resolution 45/69

6 December 1990 Meeting 59 141-2-3 (recorded vote)

16-nation draft (A/45/L.28 & Add.I); agenda item 23.

Meeting numbers. GA 45th session: plenary 49-53, 59.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against Israel, United States.

Abstaining: Costa Rica, Dominica, Honduras.

Following the vote, Australia said it voted in favour of the text because it was consistent with its own concern over the continued violence in the territories and the human rights violations resulting from Israeli measures against the intifadub. Nevertheless, there were less balanced aspects of the resolution and, in that regard, Australia considered that a comprehensive settlement to the Arab-Israeli dispute was best served by balanced and non-provocative resolutions which reflected and constructively promoted that objective. Austria said it voted in favour based on its concern for the conditions in the territories.

In the opinion of the Observer of Palestine, in the resolution the Assembly took a clear stand *uis-à-vis* the intifadah.

Canada placed on record that it understood the terms "the Palestinian territory" and "the occupied Palestinian territory" used in the resolution to refer to the West Bank, Gaza and East Jerusalem, under Israeli occupation since 1967; its vote in favour of the resolution did not signify a change in its view on the status of those territories.

Iran expressed strong reservations about any paragraph that, explicitly or implicitly, rendered recognition to the Zionist régime.

Fourth Geneva Convention

In 1990, the General Assembly and the Commission on Human Rights (see PART THREE, Chapter X) again reaffirmed that the (fourth) Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, applied to the Palestinian and other Arab territories occupied by Israel. The Convention's applicability to the territories was also reaffirmed by the Security Council in resolutions 672(1990) and 673(1990). Continuing disregard by Israel of that main international instrument in humanitarian law was reported throughout the year, by the Committee on Israeli Practices, among others.

Israel, itself a High Contracting Party to the Convention, had consistently taken the position that it did not accept formally the *de jure* applicability of the Convention, but that it had since 1967 decided to act in *de facto* accordance with the Convention's "humanitarian provisions". The Israeli position was not accepted by ICRC, which was the guardian of the 1949 Geneva Conventions, nor was it endorsed by the other High Contracting Parties.

In an October report [S/2t919], the Secretary-General stated that the numerous appeals to Israel to abide by its obligations under the Convention had been ineffective, yet for any measure of

protection of the Palestinians under Israeli occupation to be ensured, Israel's co-operation was absolutely essential. Nevertheless, given the special responsibility of the High Contracting Parties for ensuring respect for the Convention, the Security Council might wish to call for a meeting of them to discuss possible measures that might be taken by them under the Convention.

In resolution 681(1990) of 20 December, the Security Council urged Israel to accept the *de jure* applicability of the Convention to all the territories occupied by it and to abide scrupulously by the Convention provisions. The Council requested the Secretary-General, in co-operation with ICRC, to develop further the idea of convening a meeting of the High Contracting Parties and to invite the Parties to submit their views on how the idea could contribute to the goals of the Convention.

Also in October, the Secretary-General reported [A/45/609] that, in pursuance of Assembly resolution 44/48 B [YUN 1989, p. 218], he had requested in March 1990 the Minister for Foreign Affairs of Israel to inform him of any steps his Government had taken or envisaged taking in implementation of the relevant provisions of that resolution relating to the applicability of the fourth Geneva Convention to the occupied territories, including Jerusalem. No reply had been received at the time of the preparation of the report.

GENERAL ASSEMBLY ACTION

On 11 December 1990, the General Assembly adopted resolution 45/74 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, is applicable to the Arab territories occupied by Israel since 1967, including Jerusalem,

Recalling also Security Council resolutions 672(1990) of 12 October 1990 and 673(1990) of 24 October 1990,

Recalling further 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, 39/95 B of 14 December 1984, 40/161 B of 16 December 1985, 41/63 B of 3 December 1986, 42/160 B of 8 December 1987, 43/58 B of 6 December 1988 and 44/48 B of 8 December 1989.

Taking note of the reports of the Secretary-General of 21 January 1988, 15 October 1990 and 31 October 1990,

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 concerned 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 occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

2. Condemns once again the failure of Israel, the occupying Power, to acknowledge the applicability of the Convention to the territories it has occupied since 1967, including Jerusalem;

3. Strongly demands that Israel accept the *de jure* applicability of the Convention and comply with its provisions in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

4. Urgently calls upon all States parties to the Convention to exert all efforts in order to ensure respect for and compliance with its provisions in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

5. Requests the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

General Assembly resolution 45/74 B

11 December 1990 Meeting 65 145-1-1 (recorded vote)

Approved by Special Political Committee (A/45/823) by recorded vote (118-1-1). 28 November (meeting 27); 12-nation draft (A/SPC/45/L.28); agenda item 75.

Meeting numbers. GA 45th session: SPC 18,20,22,24,26,27; plenary 65.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Israel.

Abstaining: United States.

Paragraph 1 was adopted separately by both the Assembly and the Special Political Committee, by recorded votes of 146 to 1 and 119 to 1, respectively.

Speaking before the vote, the United States said it was firmly on record as supporting the applicability of the Convention to the Israeli-occupied territories; therefore, it had requested a separate vote on paragraph 1 which it supported, but would abstain on the text as a whole because its strident rhetoric did nothing to resolve the problems it sought to address.

Deportation of Palestinians

According to the annual report of the Committee on Israeli Practices [A/45/576], the wave of protests and the pressure of international public opinion had succeeded in bringing the expulsion of Palestinians for alleged security reasons to a temporary halt in recent months. However, the Committee noted new measures implemented by the Israeli occupation authorities and affecting women without valid residence permits and their children. In most cases, women born in the occupied territories, who had been abroad for a certain period of time, but had later married Palestinians in the territories, lived there for several years and given birth to children, had been denied the right to reside and were deported without prior warning.

At the same time, the Committee reported that, on 5 June, a new Israeli policy was announced under which women and children who were not residents of the West Bank, but related to such residents, would be permitted to live in the region without the previous requirement to leave for Jordan every three months and stay there for several months before being allowed to return for another visit. Non-resident women and children would receive all government services provided for residents, including education and health care. On 20 June, the first group of women that had been expelled were allowed to return with their children.

GENERAL ASSEMBLY ACTION

On 11 December, the General Assembly adopted resolution 45/74 E.

The General Assembly,

Recalling Security Council resolutions 605(1987) of 22 December 1987, 607(1988) of 5 January 1988, 608(1988) of 14 January 1988, 636(1989) of 6 July 1989, 641(1989) of 30 August 1989, 672(1990) of 12 October 1990 and 673(1990) of 24 October 1990,

Taking note of the reports of the Secretary-General of 21 January 1988, 15 October 1990 and 31 October 1990,

Alarmed by the continuing deportation of Palestinians from the occupied Palestinian territory by the Israeli authorities,

Recalling the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12

August 1949, 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 occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967,

1. Strongly deplores the continuing disregard by Israel, the occupying Power, of the relevant resolutions and decisions of the Security Council and resolutions of the General Assembly;

2. Demands that the Government of Israel, the occupying Power, rescind the illegal measures taken by its authorities in deporting Palestinians and that it facilitate their immediate return;

3. Calls upon Israel, the occupying Power, to cease forthwith the deportation 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;

4. Requests the Secretary-General to report to the General Assembly as soon as possible but not later than the beginning of its forty-sixth session on the implementation of the present resolution.

General Assembly resolution 45/74 E

11 December 1990 Meeting 65 145-1-1 (recorded vote)

Approved by Special Political Committee (45/823 & Corr.1) by recorded vote (120-1-1), 28 November (meeting 27); 12-nation draft (A/SPC/45/L.31); agenda item 75.

Meeting numbers. GA 45th session: SPC 18,20,22,24,26,27; plenary 65.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Israel.

Abstaining: United States.

Speaking before the vote, the United States said it considered Israel's deportation of Palestinian residents to be inconsistent with the fourth Geneva Convention's provisions; it was nevertheless

obligated to abstain because the resolution's harsh polemical tone offered no realistic solution.

SECURITY COUNCIL ACTION

Following new violence in the wake of the events in Jerusalem on 8 October (see above), Israel decided to deport four of the territories' inhabitants who, according to Israel's statement before the Security Council on 20 December [S/PV.2970 (Part II)], were leaders of Hamas, which Israel said was an extremist organization responsible for the recent murders of many Israelis, three of them during the past week.

The Security Council, in resolution 681(1990) of 20 December, deplored Israel's decision to resume the deportation of Palestinians.

Palestinian detainees

In its annual report [A/45/576], the Committee on Israeli Practices noted serious shortcomings in the administration of justice, such as flagrant violations of the fundamental right of all persons to equality before the courts and tribunals, arrest without charges for preventive or administrative detention, the extraction of confessions under duress, the denial of the right of lawyers to represent detainees, the denial of access of the accused or his lawyers to “secret” charges brought against him, and the arbitrary detention of family members of detained persons as a means of exerting psychological pressure. There were cases of dual punishment imposed on some Palestinians who, in addition to harsh sentences, had had their houses demolished.

According to the Committee, the large number of Palestinians detained as a result of the intifadah had further aggravated the situation in the territories and adversely affected the treatment of prisoners. According to the head of the military court of appeals in the territories, and as reported in the Israeli press on 18 June, there were at that time 10,416 Palestinian prisoners in 23 army detention facilities, of whom 1,031 were administrative detainees. Palestinian detainees continued to be held in prisons and detention camps inside Israel itself, in violation of the relevant provisions of the fourth Geneva Convention.

Report of Secretary-General. In October 1990, the Secretary-General informed [A/45/611] the General Assembly that Israel had not replied to his March request for information on steps taken or envisaged in implementation of Assembly resolution 44/48 D [YUN 1989, p. 221] calling on Israel to release all Palestinians and other Arabs arbitrarily detained or imprisoned.

GENERAL ASSEMBLY ACTION

On 11 December, the General Assembly adopted resolution 45/74 D.

The General Assembly,

Recalling Security Council resolution 605(1987) of 22 December 1987,

Recalling also its resolutions 38/79 A of 15 December 1983, 39/95 A of 14 December 1984, 40/161 A of 16 December 1985, 41/63 A of 3 December 1986, 42/160 A of 8 December 1987, 43/21 of 3 November 1988, 43/58 D of 6 December 1988, 44/2 of 6 October 1989 and 44/48 D of 8 December 1989,

Taking note of the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories,

Taking note also of the reports of the Secretary-General of 21 January 1988, 15 October 1990 and 31 October 1990,

1. Deplores the arbitrary detention or imprisonment by Israel of thousands of Palestinians as a result of their resistance against occupation in order to attain self-determination;

2. Culls upon Israel, the occupying Power, to release all Palestinians and other Arabs arbitrarily detained or imprisoned;

3. Requests the Secretary-General to report to the General Assembly as soon as possible but not later than the beginning of its forty-sixth session on the implementation of the present resolution.

General Assembly resolution 45/74 D

11 December 1990 Meeting 65 144-2 (recorded vote)

Approved by Social Political committee (A/45/823 & Corr.1) by recorded vote (119-2), 28 November (meeting 271; 12-nation draft (A/SPC/45/L.30): agenda item 75.

Meeting numbers. GA 45th session: SPC 18,20,22,24,26,27; plenary 65.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Israel, United States.

Although it had consistently opposed the practice of administrative detention, the United States, before the vote in the Committee, said it would vote against the resolution as it did not address the legitimate security problems as they existed in the territories.

Israeli settlements

The Committee on Israeli Practices, in its annual report [A/45/576], charged that Israel continued to annex Palestinian territory and establish settlements, in violation of the fourth Geneva Convention. Its policy had led to measures such as expropriation of property, transfer of Israelis to the territories and inducing Palestinians to leave. As a new trend, new immigrants to Israel were settled in the territories. The Committee also reported an increase in the population of already existing settlements.

According to Israeli press reports, the Knesset Finance Committee on 21 May had allocated \$21 million for roads and settlements in the territories, \$2.5 million for increasing existing settlements and \$3 million for developing settlements in the Jordan Valley and the Golan.

The Committee on Palestinian Rights, in its annual report [A/45/35 & Corr.1], expressed deep concern over the Israeli colonization of the Palestinian territory, as manifested in the continued establishment of settlements, usurpation of land and water resources, and settler vigilantism. The Committee considered that the growing influx of new immigrants exacerbated the situation. The Committee called on the Security Council to consider the matter again urgently and undertake appropriate measures to deal with the situation.

In a February resolution [E/1990/22 (res. 1990/1)], the Commission on Human Rights affirmed that the settling of Israeli civilians in the occupied territories was illegal and contravened the relevant provisions of the fourth Geneva Convention. The Commission called on Israel to refrain from settling immigrants in the territories.

SECURITY COUNCIL CONSIDERATION (March)

On 12 February, the USSR requested [S/21139] that the Security Council convene to consider what it termed unlawful Israeli moves to settle the occupied territories, which it said ran counter to the fourth Geneva Convention which precluded any changes in the demographic structure of the territories. In March and May, the Council held six meetings to consider the situation in the territories, focusing on the issue of Israeli settlements there. The request by the Palestinian Observer to participate was approved by a vote of 11 to 1, with 3 abstentions, held at the request of the United States, which restated its negative position on such participation.

Starting off the debate, the USSR said that the evolution of the situation in the Middle East had recently been viewed with some hope, but, unfortunately, the settlement of immigrants in the occupied territories was a new and serious obstacle-deliberately created by certain circles-to

peace in the region. The Council's attention was drawn to a statement of the Israeli Minister of Housing on 8 March to the effect that his Ministry was working on plans for building 4,000 houses and apartments on the West Bank for immigrants. Such actions affected not only the vital national interests of the Arab people of Palestine, but also questions of security in the Middle East as a whole. As for appeals sometimes made to the USSR to prevent Soviet Jews from emigrating to Israel, the point was not that it should impose prohibitions, but that Israel should prohibit its citizens and others from settling in the occupied territories.

Israel charged that a campaign was being waged by Arab States to halt the immigration of Jews to Israel altogether. The accusations that Israel intended to displace Palestinians by the massive settlement of Jewish immigrants in their place were preposterous and were the latest manifestation of the long-standing campaign against the Jewish State. There were no grounds for allegations that Israel, as a matter of policy, was directing Jewish immigrants to the territories; more than 99 per cent of the immigrants had settled in Israel's main urban centres. There were many areas in Israel that were underpopulated and awaited reclamation and development; immigration coupled with peaceful coexistence would spur on that process. Far from displacing Palestinians, Israel had been the only party actively engaged in rehabilitating them. Since 1967, it had enabled tens of thousands of Palestinians to return to Judea, Samaria and Gaza, and since 1971 it had rehabilitated over 150,000 Palestinian refugees in Gaza in the face of strong opposition by the Arab States.

In the words of the representative of Palestine, the settlement of Soviet Jews in the occupied territories was an act of aggression against national Palestinian rights and a usurpation of Palestinian land in preparation for expelling the Palestinian people. Settlement and land expropriation remained Israel's dominant policy, thus perpetuating a crime that consisted first in terrorizing and evicting Palestinians and then in settling Jews to take their place in the Palestinians' own homeland. Since June 1967, more than 200 settlements had been built on the West Bank and in Gaza. The massive organized Jewish emigration from the USSR to Palestine was a continuation of the invasion of the Palestinian and Arab lands, and Palestinians would continue to oppose it. The members of the Council, all of which were also High Contracting Parties to the fourth Geneva Convention, were legally obligated to ensure respect for the Convention provisions, said the representative, and the Palestinian people demanded that the Council move in that direction.

The Council took no action during the meetings devoted to Israel's settlements policy.

Meeting numbers. SC 2910-2912, 2914, 2915, 2320.

Report of Secretary-General. In October [A/45/610], the Secretary-General informed the General Assembly that no reply had been received from Israel to his March request for information on steps it had taken or envisaged to implement the 1989 Assembly demand in resolution 44/48 c [YUN 1989, p. 222] that it desist from taking any action that would result in changing the legal status, geographic nature or demographic composition of the Palestinian and other Arab occupied territories.

GENERAL ASSEMBLY ACTION

On 11 December, the General Assembly adopted resolution 45/74 C.

The General Assembly,

Recalling Security Council resolutions 465(1980) of 1 March 1980, 605(1987) of 22 December 1987, 672(1990) of 12 October 1990 and 673(1990) of 24 October 1990,

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, 39/95 C of 14 December 1984, 40/161 C of 16 December 1985, 41/63 C of 3 December 1986, 42/160 C of 8 December 1987, 43/58 C of 6 December 1988 and 44/48 C of 8 December 1989,

Expressing grave anxiety and concern at the serious situation prevailing in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, 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,

Taking note of the reports of the Secretary-General of 21 January 1988, 15 October 1990 and 31 October 1990,

Confirming that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to all occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967,

1. Determines that all such measures and actions taken by Israel in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967 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, 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 occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

3. Demand 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 that would result in changing the legal status, geographical nature or demographic composition of the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

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 occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

6. Requests the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

General Assembly resolution 45/74 C

11 December 1990 Meeting 65 144-1-1 (recorded vote)

Approved by Special Political Committee (A/45/823 & Corr.1) by recorded vote (120-1-1), 28 November (meeting 27); 12-nation draft (A/SPC/45/L.29); agenda item 75.

Meeting numbers. GA 45th session: SPC 18,20,22,24,26,27; plenary 65.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka & Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Israel.

Abstaining: United States.

Speaking before the vote, the United States reiterated its opposition to further Israeli settlement activity in the territories which, in its view, constituted an obstacle to peace. Israel's security did not require the establishment of new settlements, which could only diminish the confidence of the Arabs that a final outcome could be freely and fairly negotiated. However, the United States said, it would abstain in the vote on the text since it believed that unproductive debate over the legalities of the issue only diverted attention from the real task of promoting peace through direct negotiation.

Golan Heights

The three 1990 reports of the Committee on Israeli Practices [A/45/84, A/45/306, A/45/576] also

contained information on the situation in the occupied Golan Heights where, as noted by the Committee, serious incidents continued to occur, such as the use of tear-gas to disperse demonstrators, beatings and breaking into houses. The Committee's annual report [A/45/576] also contained a statement by a representative of the Ministry of Foreign Affairs of the Syrian Arab Republic on Israeli practices in the Golan. The full statement was submitted separately to the General Assembly on 28 June [A/45/333 & Corr.1].

The Commission on Human Rights, in a 16 February resolution [E/1990/22 (res. 1990/3)1], condemned Israel's persistence in changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Arab Golan and determined that all Israeli measures purported to alter the character and legal status of the Golan were null and void. It strongly condemned Israel for its attempt to force Israeli citizenship and Israeli identity cards on the Syrian citizens in the Golan and to impose a boycott on their agricultural products, and called on it to desist from its repressive measures against the population of the Golan. The Commission called on Member States not to recognize any of those measures and actions by Israel.

Report of Secretary-General. In October 1990, the Secretary-General informed [A/45/613] the General Assembly that no reply had been received from Israel to his March request for information on steps it had taken or envisaged to implement Assembly resolution 44/48 F [YUN 1989, p. 224] which called on Israel to desist from its repressive measures against the Golan population.

GENERAL ASSEMBLY ACTION

On 11 December, the General Assembly adopted resolution 45/74 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, 39/95 F of 14 December 1984, 40/161 F of 16 December 1985, 41/63 F of 3 December 1986, 42/160 F of 8 December 1987, 43/21 of 3 November 1988, 43/58 F of 6 December 1988, 44/2 of 6 October 1989 and 44/48 F of 8 December 1989,

Having considered the report of the Secretary-General of 15 October 1990,

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 of 11 December 1980, in which, *inter alia*, it 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 Arab Golan, 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,

Reaffirming the applicability of that Convention to the occupied Syrian Arab Golan,

Bearing in mind Security Council resolution 237(1967) of 14 June 1967,

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 Arab Golan 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;

3. Determines that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, that purport to alter the character and legal status of the Syrian Arab Golan are null and void, 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 forcibly to impose Israeli citizenship and Israeli identity cards on the Syrian citizens in the occupied Syrian Arab Golan, and calls upon it to desist from its repressive measures against the population of the Syrian Arab Golan;

5. Deplores the violations by Israel of the Geneva Convention;

6. Calls once again upon Member States not to recognize any of the legislative or administrative measures and actions referred to above;

7. Requests the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

General Assembly resolution 45/74 f

11 December 1990 Meeting 65 144-1-2 (recorded vote)

Approved by Special Political Committee (A/45/823) by recorded vote (119-1-1). 28 November (meeting 27); 12-nation draft (A/SPC/45/L.32), orally revised; agenda item 75.

Meeting numbers. GA 45th session: SPC 18,20,22,24,26,27; plenary 65.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Co-

lombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Israel.

Abstaining: Malawi, United States.

Before the vote in the Committee, the United States confirmed its position that the Golan was occupied Syrian territory and, therefore, the fourth Geneva Convention applied to it. It further opposed any unilateral action to alter the status of the Israeli-occupied territories because that was an issue to be resolved through negotiations in accordance with Security Council resolutions 242(1967) [YUN 1967, p. 257] and 338(1973) [YUN 1973, p. 213]. However, the Assembly resolution's harsh and unbalanced rhetoric mandated its abstention.

On 13 December, the General Assembly, under the agenda item on the Middle East situation, adopted resolution 45/83 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 15 October 1990,

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 December 1982, 38/180 A of 19 December 1983, 39/146 B of 14 December 1984, 40/168 B of 16 December 1985, 41/162 B of 4 December 1986, 42/209 C of 11 December 1987, 43/54 B of 6 December 1988 and 44/40 B of 4 December 1989,

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, to the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories,

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 also 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, 39/146 B, 40/168 B, 41/162 B, 42/209 C, 43/54 B and 44/40 B;

2. Declares once more that Israel's continued occupation of the Syrian Arab Golan and its decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Arab Golan 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 Arab Golan 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 Palestinian territory occupied since 1967, including Jerusalem, and of the other occupied Arab territories 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 Arab Golan 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, and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, continue to a ply 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 Arab Golan since 1967 and its annexation by Israel on 14 December 1981, following Israel's decision to impose its laws, jurisdiction and administration on that territory, constitute a continuing threat to international peace and security;

8. Strongly deplores 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 deplores any political, economic, financial, military and technological support to Israel that encourages it to commit acts of aggression and to consolidate and perpetuate its occupation and annexation of the Palestinian territory occupied since 1967, including Jerusalem, and the other 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 Arab Golan,

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 the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories, 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 upon all Member States to put an end to the flow to Israel of any military, economic, financial and technological aid, as well as human resources, aimed at prolonging Israeli occupation of the Arab territories or encouraging Israel to pursue its aggressive policy against the Arab countries and the Palestinian people;

14. Urges non-member States to act in accordance with the provisions of the present resolution;

15. Calls upon the specialized agencies and other international organizations to conform their relations with Israel to the terms of the present resolution;

16. Requests the Secretary-General to report to the General Assembly at its 'forty-sixth session on the implementation of the present resolution.

General Assembly resolution 45/83 B

13 December 1990 Meeting 67 84-23-41 (recorded vote)

14-nation draft (A/45/L.36); agenda item 35.

Meeting numbers. GA 45th session: plenary 60-63, 67.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Bahrain, Bangladesh, Belize, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Chad, China, Comoros, Congo, Cuba, Cyprus, Djibouti, Gabon, Gambia, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, India, Indonesia, Iran, Iraq, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Namibia, Niger, Nigeria, Oman, Pakistan, Philippines, Qatar, Rwanda, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Somalia, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Vanuatu, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Australia, Belgium, Canada, Czechoslovakia, Denmark, Finland, France, Germany, Hungary, Iceland, Ireland, Israel, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Poland, Portugal, Sweden, United Kingdom, United States.

Abstaining: Antigua and Barbuda, Argentina, Austria, Bahamas, Barbados, Brazil, Bulgaria, Central African Republic, Chile, Colombia, Costa Rica, Côte d'Ivoire, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Haiti, Jamaica, Liechtenstein, Malawi, Malta, Myanmar, Nepal, Papua New Guinea,* * Paraguay, Peru, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Singapore, Solomon Islands, Spain, Suriname, Thailand, Togo, Uruguay, Venezuela.

*Later advised the Secretariat it had intended to abstain.

**Later advised the Secretariat it had intended to vote in favour.

Speaking before the vote, the United States said the text remained highly objectionable in tone, contained unbalanced and harsh condemnations of Israel, and its extreme language was harmful, in contrast to the balanced and helpful Security Council resolution 497(1981) [YUN 1981, p. 312], which the United States had supported.

On behalf of the EC members, Italy voiced serious reservations about the resolution, its lack of balance and the fact that it did not reflect basic principles which the EC considered essential for a solution to the Arab-Israeli conflict. Furthermore, the EC members could not accept language criticizing a permanent Security Council member for having exercised its right in accordance with the Charter.

Both Iran and the Libyan Arab Jamahiriya stated strong reservations to any paragraph that directly or indirectly implied recognition of the Zionist entity.

Peace-keeping operations

Lebanon

In 1990, the situation in Lebanon continued to be of great concern to the international community and the United Nations. In July, the members of the Security Council reaffirmed their commitment to the full sovereignty, independence, territorial integrity and national unity of Lebanon within its internationally recognized boundaries, and reiterated their full support for the Taif Agreement and for the efforts of the Lebanese Government to extend its authority over all Lebanese territory.

In the search for a peaceful settlement and with the intention of ending the bloodshed, putting an end to the violence and facilitating the peace process, the Lebanese Government adopted in July a programme for the implementation of the Charter of National Reconciliation [A/45/349-S/21397]. The programme contained the prerequisites to be taken as a basis by all Lebanese parties in order to join in the process of reconciliation, security and peace and to participate in the current Government. According to the programme, the Lebanese Forces should withdraw from Beirut, hand over control of the army barracks located at Beirut, Kesrouane and Jbail and return weapons, ammunition and equipment to the legitimate army led by Emile Lahoud. The Lebanese Government reaffirmed that it would continue to fulfil its responsibilities towards the south, in particular by liberating the occupied part of the country and implementing Security Council resolution 425(1978) [YUN 1978, p. 312], and called on the international community to support it in such efforts.

The situation in southern Lebanon remained tense and was marked by continued hostilities and violence throughout 1990. Israel continued to control an area manned by the Israel Defence

Forces (IDF) and the de facto forces (DFF) (the so-called South Lebanon Army), boundaries of which had not been clearly defined but were determined by the forward positions of IDF and DFF. The Israeli-controlled area (ICA) included territory adjacent to the armistice demarcation line, parts of the Fijian, Nepalese, Irish and Finnish battalion sectors and the entire Norwegian battalion sector, as well as sizeable areas to the north of the area of operation of the United Nations Interim Force in Lebanon (UNIFIL). Within the UNIFIL area of operation, IDF and DFF occupied 70 military positions in January and 66 in July 1990. Resistance groups frequently attacked those positions with small arms, rocket-propelled grenades, rockets and mortars and used mines and roadside bombs against IDF/DFF vehicles and foot patrols. UNIFIL continued, to the best of its ability and in accordance with its mandate, to prevent its area from being used for hostile activities of any kind. In retaliation, IDF and DFF used heavy artillery, tanks and Israeli helicopter gunships. Such military confrontation had dire consequences for the civilian population, which was reflected in communications from Lebanon addressed to the Secretary-General during the year.

Israel continued its efforts to establish and strengthen civil administrations in different locations in the territory it controlled. However, in some towns, such as Chebaa, Kafr Hammam and Kafr Chouba, residents resisted attempts by IDF and DFF to establish civil administration offices, despite harassment and overt pressure on the local leaders. During the year, Israel also maintained an extensive programme of road construction in ICA, thus enhancing IDF's ability to deploy rapidly into Lebanese territory. During the earlier part of the year, there were renewed accusations that Israel was diverting water from Lebanese rivers, especially the Litani, into Israel. By a letter of 6 April [A/45/206-S/21237], Lebanon drew the Secretary-General's attention to the subject. However, the UNIFIL Force Commander, after carrying out a survey, reported that UNIFIL had not detected any evidence that water was being pumped or transported from Lebanon into Israel. Israel categorically denied that it was taking, or intended to take, water from Lebanon to Israel.

Israel maintained that its presence in Lebanon was a temporary arrangement, necessary for ensuring the security of northern Israel as long as the Lebanese Government was not able to exercise effective authority and prevent its territory from being used to launch attacks against Israel. Israel did not consider that UNIFIL, as a peace-keeping force, could assume that responsibility. Therefore, it continued to build up DFF and im-

prove their ability to reinforce quickly IDF's strength inside Lebanon. As a consequence, ICA was becoming increasingly separated from the rest of Lebanon.

UNIFIL

During 1990, at the request of Lebanon and on the recommendation of the Secretary-General, the Security Council twice extended the mandate of UNIFIL, in January and July, each time for a six-month period.

Established under Security Council resolution 425(1978) [YUN 1978, p. 312], following Israel's invasion of Lebanon in March of that year, UNIFIL originally was entrusted with confirming the withdrawal of Israeli forces from Lebanese territory, restoring international peace and security, and re-establishing the Lebanese Government's effective authority in the area. A second Israeli invasion in June 1982 [YUN 1982, p. 428] radically altered the situation in which UNIFIL had to function. Shortly thereafter, the Council, by resolution 511(1982) [YUN 1982, p. 450], authorized the Force to carry out, in addition to its mandate, the interim tasks of providing protection and humanitarian assistance to the local population.

Composition and deployment

As of July 1990 [S/21406 & Corr.1 & Add.1], UNIFIL had a strength of 5,842 military personnel provided by nine countries: Fiji, Finland, France, Ghana, Ireland, Italy, Nepal, Norway and Sweden. The command of UNIFIL continued to be exercised by Lieutenant-General Lars-Eric Wahlgren of Sweden. During 1990, 65 unarmed military observers from the United Nations Truce Supervision Organization (UNTSO), organized as Observer Group Lebanon (OGL), assisted UNIFIL under the operational control of the Force Commander. OGL maintained five observation posts along the Lebanese side of the Israel-Lebanon armistice demarcation line and operated four mobile teams in that part of the UNIFIL area controlled by Israel. Two military observers were assigned to UNIFIL headquarters. The strength of the Lebanese army unit assigned to the UNIFIL area of operation remained during the year at 128, all ranks.

UNIFIL continued to experience difficulties in obtaining and using the land and buildings it required for its operations, except those lands made available by villages that had asked for UNIFIL protection. Those difficulties emanated from the increased demand for land and dwellings resulting from the influx of population into the area, for arrears in the payment of rent by the Lebanese Government to the landlords con-

cerned and from the sharp depreciation of the real value of such rent payments as were made. The problem was raised with the Lebanese authorities on numerous occasions.

Report of Secretary-General (January). In a January 1990 report [S/21102], the Secretary-General provided the Security Council with an account of developments in the UNIFIL area of operation between 22 July 1989 and 25 January 1990. He also informed the Council on organizational and financial aspects of the Force and presented his observations.

The Secretary-General reported with regret that, during the period under review, seven members of the Force lost their lives from firing, accidents and natural causes, while eight others suffered injuries as a result of accidents. To improve the security of its personnel and positions, UNIFIL took certain measures, such as the relocation of the Norwegian battalion headquarters to a defensible compound, which was in progress during the period. The security and defence of the Naqoura camp and the Irish battalion headquarters also had been improved and more positions throughout the UNIFIL area of deployment had been reinforced with protective measures. Ten modern armoured personnel carriers financed by Japan were made available by Finland.

Following the announcement on 31 July 1989 by a group in Lebanon that it had killed Lieutenant-Colonel William Richard Higgins, a United States national who had been serving as an UNTSO observer with UNIFIL when kidnapped near Tyre in February 1988 [YUN 1988, p. 225], the Secretary-General said he had made every effort to ascertain the facts concerning his fate and to recover his body; however, there was not yet any conclusive evidence as to his fate despite extensive conversations with various parties.

The situation in the UNIFIL area of operation remained essentially unchanged, the Secretary-General said. The Force still was not able to extend its area of operation up to the Israel-Lebanon armistice demarcation line, as envisaged in Council resolution 425(1978), while IDF and DFF continued to control in southern Lebanon its so-called security zone, maintaining 70 positions within the UNIFIL area of operation.

During the period under review, UNIFIL recorded a total of 47 operations by resistance groups against IDF and DFF, 6 alone in January, and 151 unprovoked firings from IDF and DFF positions or patrols close to UNIFIL positions. Indiscriminate fire from DFF positions on several occasions resulted in fatal injuries to civilians in the UNIFIL area.

UNIFIL continued to provide humanitarian assistance to the local population, mainly in the

medical and hygiene areas and in support of welfare institutions, out of funds provided by the troop-contributing Governments. In addition, UNIFIL medical centres provided care to an average of 3,700 civilian patients per month. The Force's assistance during that period was of great importance due to the sudden influx of people fleeing the hostilities in Beirut.

In his observations, the Secretary-General noted with regret that UNIFIL remained unable to implement the mandate given to it by Council resolution 425(1978). Meanwhile, Israel had further strengthened its position in the area controlled by its forces, and had introduced there some elements of a civilian administration in which a leading role was given to DFF, which became a matter of growing concern in Lebanon. At the same time, attempts by armed elements to infiltrate Israel and air and ground attacks by the Israeli forces on targets in Lebanon to the north of the UNIFIL area of control continued.

The safety of UNIFIL personnel was a matter of continuing concern to the Secretary-General, who appealed once more to all parties to co-operate with UNIFIL with a view to ensuring the security of its members and helping them carry out the tasks entrusted to them by the Security Council.

Among the positive developments during the reporting period, the Secretary-General noted the election of Elias Hrawi as President of Lebanon in December 1989, following the assassination of his predecessor, René Moawad [YUN 1989, p. 203], and the appointment of the Lebanese Government led by Prime Minister Salim al Hoss. He also mentioned the Lebanese President's efforts to deploy government forces to restore central government authority over all Lebanese territory.

The Secretary-General also drew the Security Council's attention to UNIFIL's grave financial situation due to increased unpaid assessments, which amounted to some \$318 million owed to the Member States that had voluntarily contributed troops. He expressed hope that the Governments concerned would re-examine their positions, both with regard to paying their assessed contributions and regarding effective support at the political level for his efforts to secure implementation of resolution 425(1978).

Taking into consideration the conviction of the Lebanese authorities that the restoration of constitutional authority in the country created new possibilities for making progress towards implementation of that resolution and their determination to take early steps to re-establish the central Government's authority in southern Lebanon, including the deployment there of units of the

Lebanese army, the Secretary-General recommended extending the mandate of UNIFIL for a further six months, until 31 July 1990.

SECURITY COUNCIL ACTION (January)

The Security Council met on 31 January to consider the Secretary-General's report and, without debate, adopted resolution 648(1990).

The Security Council,

Recalling its resolutions 425(1978) and 426(1978) of 19 March 1978, 501(1982) of 25 February 1982, 508(1982) of 5 June 1982, 509(1982) of 6 June 1982 and 520(1982) of 17 September 1982, as well as all its resolutions on the situation in Lebanon,

Having studied the report of the Secretary-General on the United Nations Interim Force in Lebanon of 25 January 1990, and taking note of the observations expressed therein,

Taking note of the letter dated 11 January 1990 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General,

Responding to the request of the Government of Lebanon,

1. Decides to extend the present mandate of the United Nations Interim Force in Lebanon for a further interim period of six months, that is, until 31 July 1990;

2. Reiterates its strong support for the territorial integrity, sovereignty and independence of Lebanon within its internationally recognized boundaries;

3. Re-emphasizes the terms of reference and general guidelines of the Force as stated in the report of the Secretary-General of 19 March 1978, approved by resolution 426(1978), and calls upon all parties concerned to co-operate fully with the Force for the full implementation of its mandate;

4. Reiterates that the Force should fully implement its mandate as defined in resolutions 425(1978), 426(1978) and all other relevant resolutions;

5. Requests the Secretary-General to continue consultations with the Government of Lebanon and other parties directly concerned with the implementation of the present resolution and to report to the Security Council thereon.

Security Council resolution 648(1990)

31 January 1990 Meeting 2906 Adopted unanimously

Draft prepared in consultations among Council members (S/21117).

Report of Secretary-General (July). In a July report [S/21406 & Corr.1 & Add.1] on UNIFIL activities and developments in the area of its operation, covering the period from 26 January to 24 July 1990, the Secretary-General informed the Security Council that the situation in the UNIFIL area remained essentially unchanged, with IDF and DFF continuing to control the so-called security zone in southern Lebanon. However, there had been a slight decrease in the number of their positions, from 70 to 66.

The Secretary-General reported with regret that during the period under review two Nepalese members of UNIFIL lost their lives as a result

of mortar fire, and 10 others suffered injuries as a result of hostile fire and accidents. Since UNIFIL's establishment in 1978, 173 military and civilian members of the Force had died, 67 as a result of firing or mine or bomb explosions, 75 in accidents and 31 from other causes. The number of those wounded by firing or mine or bomb explosions stood at 243.

UNIFIL recorded 42 operations by resistance groups against IDF and DFF, with a notable decrease during the last three months. IDF and DFF, either unprovoked or in retaliation for attacks by armed elements, opened fire daily using sometimes heavy artillery, tanks and helicopters. UNIFIL recorded 109 unprovoked firings close to its positions. A particularly serious incident occurred on 19 February, when a UNIFIL position came under heavy mortar fire from a DFF position to the south, as a result of which two Nepalese soldiers were killed and six wounded. The Secretary-General also reported that there had been a growing tendency during the last two years for IDF/DFF to undertake military operations in the Norwegian battalion sector, which lay wholly within ICA. Those incidents were protested to the Israeli authorities and a number of confrontations had occurred when UNIFIL used vehicles and other obstacles to try to block IDF/DFF activities in that sector. In an addendum to his report, the Secretary-General described the latest serious confrontation which took place on 25 July.

During the reporting period, Israel carried out an extensive programme of road construction in ICA. A number of paved roads, with tank tracks alongside, were built from gates in the fence along the armistice demarcation line to Israeli military positions, enhancing IDF's ability to deploy rapidly into Lebanese territory. Measures to establish some aspects of Israeli civilian administration in ICA continued, with a gendarmerie under DFF control being re-established in some major towns.

In accordance with its extended mandate, the Force continued to provide protection, security and assistance to the civilian population. UNIFIL troops detonated mines, roadside bombs and unexploded remnants of war and dismantled rockets in the area of deployment. A total of 37 controlled explosions were carried out during the period under review, compared to 10 during the previous period. The Force also extended humanitarian assistance to the civilian population in its area, providing water, food, fuel, electricity and escort for farmers. Medicines and equipment or services to schools were provided from resources made available by the troop-contributing Governments. UNIFIL medical centres took care of an average of 4,000 civilian patients per month.

The Secretary-General said that Israel continued to take the position that its presence in Lebanon was a temporary arrangement, necessary for ensuring the security of northern Israel so long as the Lebanese Government was not able to exercise effective authority and prevent its territory from being used to launch attacks against Israel. Israel continued to build up DFF and improve their ability to reinforce quickly IDF inside Lebanon. A consequence of that policy was that ICA was becoming increasingly separated from the rest of Lebanon. While hostile incidents in the UNIFIL area were fewer during the current mandate period, IDF and DFF carried out many air and artillery attacks on targets to the north of the UNIFIL area.

For its part, UNIFIL continued, to the best of its ability, to prevent its area from being used for hostile activities of any kind. Its efforts in that regard received the co-operation of the Amal movement, the Secretary-General said, and a high degree of calm and tranquillity had been achieved in those parts of its area that lay outside ICA. Recent months saw a noteworthy increase in economic activity in those parts, and, in order to foster the confidence necessary for such investment, UNIFIL established some new positions close to the edge of ICA. The Force also continued to press Israel to end the shelling of civilian targets by DFF and to withdraw DFF from certain positions that were most frequently responsible for such firing and attracted attacks by armed elements.

In carrying out their duties, UNIFIL personnel were exposed to many dangers, the Secretary-General underlined. The Force again suffered fatalities and it still proved impossible to establish with certainty the fate of Colonel Higgins. The Secretary-General, therefore, appealed to all the parties to co-operate with the Force, respect its international and neutral status and avoid exposing its members to danger.

The Secretary-General concluded that, although it had not been possible for UNIFIL to carry out its full mandate, it continued to make an important contribution to the maintenance of international peace and security in a volatile area. He accordingly recommended that the Council accept Lebanon's request and extend the Force's mandate for a further six months, until 31 January 1991.

In making his recommendation, the Secretary-General once again drew the Council's attention to the continuing gravity of the Force's financial situation. Although there had been a slight reduction in total unpaid assessments, he said, they were still at the high level of \$307 million. His concern was heightened by the fact that,

after 12 years in the field, UNIFIL was facing a growing need to replace equipment that had become obsolete or unserviceable. He considered it, therefore, all the more important that all arrears be cleared and that Member States pay their assessments promptly and in full.

SECURITY COUNCIL ACTION (July)

On 31 July 1990, the Security Council, having considered the Secretary-General's report, adopted resolution 659(1990).

The Security Council, Recalling its resolutions 425(1978) and 426(1978) of 19 March 1978, 501(1982) of 25 February 1982, 508(1982) of 5 June 1982, 509(1982) of 6 June 1982 and 520(1982) of 17 September 1982, as well as all its resolutions on the situation in Lebanon,

Having studied the report of the Secretary-General on the United Nations Interim Force in Lebanon of 24 and 26 July 1990 and taking note of the observations expressed therein,

Taking note of the letter dated 16 July 1990 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General,

Responding to the request of the Government of Lebanon,

1. Decides to extend the present mandate of the United Nations Interim Force in Lebanon for a further interim period of six months, that is, until 31 January 1991;

2. Reiterates its strong support for the territorial integrity, sovereignty and independence of Lebanon within its internationally recognized boundaries;

3. Re-emphasizes the terms of reference and general guidelines of the Force as stated in the report of the Secretary-General of 19 March 1978, approved by resolution 426(1978), and calls upon all parties concerned to co-operate fully with the Force for the full implementation of its mandate;

4. Reiterates that the Force should fully implement its mandate as defined in resolutions 425(1978), 426(1978) and all other relevant resolutions;

5. Requests the Secretary-General to continue consultations with the Government of Lebanon and other parties directly concerned with the implementation of the present resolution and to report to the Security Council thereon.

Security Council resolution 659(1990)

31 July 1990 Meeting 2931 Adopted unanimously
Draft prepared in consultations among Council members (S/21411)

After the vote, following consultations among members of the Council, the President made a statement on behalf of the Council [S/21418]:

The members of the Security Council have noted with appreciation the report of the Secretary-General on the United Nations Interim Force in Lebanon, submitted in conformity with resolution 648(1990) of 31 January 1990.

They reaffirm their commitment to the full sovereignty, independence, territorial integrity and national unity of Lebanon within its internationally

recognized boundaries. In this context, they assert that any State shall refrain from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations.

As the Security Council extends the mandate of the United Nations Interim Force in Lebanon for a further interim period on the basis of resolution 425(1978) of 19 March 1978, the members of the Council again stress the need for the implementation of that resolution in all its aspects. They express their appreciation for the continuing efforts of the Secretary-General and his staff in this regard. They reiterate their full support for the Taif Agreement and for the efforts of the Lebanese Government to extend its authority over all Lebanese territory.

The members of the Security Council take this opportunity to commend the troops of the United Nations Interim Force in Lebanon and the troop-contributing countries for their sacrifices and commitment to the cause of international peace and security under difficult circumstances.

In informal consultations held on the same day, the Council members agreed to request the Secretary-General to review, during the current mandate period, the scale and deployment of UNIFIL in the light of the performance by the Force of its functions since its establishment in 1978 and with a view to implementing resolution 425(1978). That request was confirmed in a 24 September letter [S/21833] by the Council President to the Secretary-General. In his November report on the situation in the Middle East [A/45/726-S/21947], the Secretary-General informed that the review was under way and he intended to report on its results in January 1991 in his next report to the Council on the operation of UNIFIL.

Financing

The Secretary-General reported [A/45/802] to the General Assembly in November 1990 that, as at 31 October, contributions totalling \$1,476.4 million had been received for the operation of UNIFIL, out of \$1,834.1 million apportioned among Member States for the period from the inception of the Force on 19 March 1978 to 31 January 1991. Of the balance of \$357.7 million due, only \$151.2 million might be considered collectible at that time, which left a shortfall of \$206.5 million, including \$19.6 million transferred to a special account in accordance with General Assembly resolution 36/116 A [YUN 1981, p. 1299]. As a consequence, UNIFIL had been unable to meet its obligations on a current basis, particularly those due to the troop-contributing countries, payments to which had never been made on a current and full basis in accordance with the rates established by the Assembly. The UNIFIL Suspende

Account, established under Assembly resolution 34/9 D [YUN 1979, p. 352] to facilitate reimbursement for equipment and supplies, had not achieved its purpose of alleviating the financial burden on troop contributors. As at 31 October 1990, voluntary contributions to the Suspense Account totalling \$4.6 million had been received from Governments, of which \$1.7 million, received during the financial period from 1 February 1990 to 31 January 1991, was contributed by Switzerland.

The actions required from the Assembly in connection with UNIFIL financing were: for the period from 1 February 1990 to 31 January 1991, appropriation of \$144,672,000 gross (\$141,672,000 net) as authorized under Assembly resolution 44/188 [YUN 1989, p. 207]. For the twelve-month period beginning on 1 February 1991, should the Security Council decide to continue the operation of UNIFIL, the Secretary-General estimated monthly costs of \$12,789,000 gross (\$12,557,000 net) based on an average troop strength of 5,850.

Although ACABQ approved such a commitment, it expressed in a December report [A/45/832] concern about the substantial and continued increase in costs for civilian staff, as well as for premises and accommodation for UNIFIL. It recommended that the Secretary-General pursue his negotiations with the host country to obtain more preferential conditions for the construction and rental of premises and accommodation, as well as a more favourable exchange rate in respect of all UNIFIL requirements.

GENERAL ASSEMBLY ACTION

On 21 December 1990, the General Assembly adopted resolution 45/244.

Financing of the United Nations Interim Force in Lebanon

The General Assembly,

Having considered the report of the Secretary-General on the financing of the United Nations Interim Force in Lebanon and the related report of the Advisory Committee on Administrative and Budgetary Questions,

Bearing in mind Security Council resolution 425(1978) of 19 March 1978, by which the Council established the United Nations Interim Force in Lebanon, and the subsequent resolutions by which the Council extended the mandate of the Force, the latest of which was resolution 659(1990) of 31 July 1990,

Recalling its resolution S-8/2 of 21 April 1978 on the financing of the Force and its subsequent resolutions thereon, the latest of which was resolution 44/188 of 21 December 1989,

Reaffirming its previous decisions regarding the fact that, in order to meet the expenditures caused by the Force, a different procedure is required from the one

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 such operations involving heavy expenditures,

Bearing in mind the special responsibilities of the States permanent members of the Security Council, as indicated in General Assembly resolution 1874(S-IV) of 27 June 1963, in the financing of such operations,

Having regard to the financial position of the Special Account for the Force, as set forth in the report of the Secretary-General, and referring to paragraph 13 of the report of the Advisory Committee,

Recalling its resolution 34/9 E of 17 December 1979 and the subsequent resolutions in which it decided that the provisions of regulations 5.2 (b), 5.2 (d), 4.3 and 4.4 of the Financial Regulations of the United Nations should be suspended, the latest of which was resolution 44/188,

Mindful of the fact that it is essential to provide the Force with the necessary financial resources to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

Noting with appreciation that voluntary contributions have been made to the Force by certain Governments,

Concerned that the Secretary-General continues to face difficulties in meeting the obligations of the Force on a current basis, including reimbursement to current and former troop-contributing States, resulting from the withholding of contributions by certain Member States,

Concerned also that the surplus balances in the Special Account for the Force have, in effect, been drawn upon to the full extent to supplement the income received from contributions for meeting expenses of the Force,

Concerned further 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 Force,

1. Decides to appropriate to the Special Account referred to in section I-paragraph 1, of General Assembly resolution S-8/2 the amount of 144,012,000 United States dollars gross (141,672,000 dollars'net) authorized and apportioned by the Assembly in paragraphs 2 and 3 of its resolution 44/188 for the operation of the United Nations Interim Force in Lebanon from 1 February 1990 to 31 January 1991, inclusive;

2. Authorizes the Secretary-General to enter into commitments for the operation of the Force at a rate not to exceed 12,789,000 dollars gross (12,557,000 dollars net) per month for the twelve-month period beginning 1 February 1991, should the Security Council decide to continue the Force beyond the period of six months authorized under its resolution 659(1990);

3. Decides, as an ad hoc arrangement, to apportion the amounts referred to in paragraph 2 above among Member States, in accordance with the composition of groups set out in paragraphs 3 and 4 of General Assembly resolution 43/232 of 1 March 1989, as adjusted by the Assembly in its resolution 44/192 B of 21 December 1989, and taking into account the scale of assessments for the years 1989, 1990 and 1991;

4. Decides also that Liechtenstein shall be included in the group of Member States set out in paragraph 3 (b) of General Assembly resolution 43/232 and that its contribution to the Force shall be calculated in accordance with the provisions of the resolution to be adopted by the Assembly at its forty-fifth session regarding the scale of assessments;

5. Decides further that Namibia shall be included in the group of Member States set out in paragraph 3 (d) of General Assembly resolution 43/232 and that its contribution to the Force shall be calculated in accordance with the provisions of the resolution to be adopted by the Assembly at its forty-fifth session regarding the scale of assessments;

6. Decides that, in accordance with regulation 5.2 (c) of the Financial Regulations of the United Nations, the contributions to the Force until 31 January 1991 of the Member States referred to in paragraphs 4 and 5 of the present resolution shall be treated as miscellaneous income to be set off against the apportionments authorized in paragraph 3 of the present resolution;

7. Decides also 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 21,897,147 dollars, 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;

8. Requests the Secretary-General to take all necessary measures to ensure that the Force shall be administered with a maximum of efficiency and economy;

9. Renews its invitation to Member States and other interested parties to make voluntary contributions to the Force both in cash and in the form of services and supplies acceptable to the Secretary-General and also to make voluntary contributions in cash to the Suspense Account established in accordance with General Assembly resolution 34/9 D of 17 December 1979.

General Assembly resolution 45/244

21 December 1990 Meeting 72 Adopted without vote
Approved by Fifth Committee (A/45/896) without vote, 19 December (meeting 50); draft by Chairman (A/C.5/45/L.10), orally amended by Ireland; agenda item 129 (b).

Meeting numbers. GA 45th session: 5th Committee 44, 50; plenary 72.

Syrian Arab Republic

UNDOF

The United Nations Disengagement Observer Force (UNDOF), established under Security Council resolution 350(1974) [YUN 1974, p. 205] and headquartered in Damascus, continued to supervise the observance of the cease-fire in the Golan Heights, as called for by the Agreement on Disengagement of Forces between Israel and the Syrian Arab Republic [YUN 1974, p. 198], and ensure that there were no military forces in the area of separation. Its mandate was renewed twice in 1990, in May and November, each time for a six-month period.

The issue of the human rights of the population in the occupied Syrian Arab territory was continuously monitored by the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories and the Commission on Human Rights (see above and PART THREE, Chapter X).

Composition

As of November 1990, UNDOF had a strength of 1,324 military troops from four countries—Austria, 531; Canada, 227; Finland, 410; Poland, 156—and seven UNTSO military observers. In addition, UNTSO observers assigned to the Israel-Syria Mixed Armistice Commission assisted UNDOF as needed. Command of the Force continued to be exercised by Major-General Adolf Radauer of Austria.

Activities

Reports of Secretary-General. Before the expiration the mandate of UNDOF on 31 May and 30 November 1990, the Secretary-General reported to the Security Council on UNDOF activities during two six-month periods, from 22 November 1989 to 21 May 1990 [S/21305] and from 22 May to 23 November 1990 [S/21950 & Corr.1].

UNDOF continued to perform its functions effectively, with the co-operation of the parties. In accordance with its mandate, it continued to supervise the area of separation to ensure that there were no military forces within it; that was carried out by means of static positions and observations posts, which were manned 24 hours a day, and by foot and mobile patrols operating at irregular intervals on predetermined routes by day and night. In addition, temporary outposts were established and patrols conducted from time to time to perform specific tasks. Located within and close to the area of separation, UNDOF maintained 35 positions and 13 outposts and conducted daily 54 patrols.

Under a programme undertaken by the Syrian authorities, civilians continued to return to the area of separation, the population of which had doubled since the start of the mandate. The Syrian Arab Republic had stationed police in the area in exercise of its administrative responsibility. UNDOF adjusted its operations accordingly to take account of those developments and to continue to carry out effectively its supervisory tasks under the Agreement on Disengagement.

In accordance with the terms of the Agreement, the Force, accompanied by liaison officers from the parties, conducted fortnightly inspections of armament and force levels in the area of

limitation. Although both parties co-operated with UNDOF in carrying out its tasks, especially in observance of limitations of armaments and forces, both sides placed restrictions on movement and inspection in certain areas; the Force continued to seek the lifting of those restrictions so as to guarantee its freedom of access to all locations on both sides. UNDOF also lent its assistance and good offices on request from the parties.

The safety of Syrian shepherds who grazed their flocks close to and west of the A-line continued to be of concern. The intensified patrolling of new mine-cleared paths and, from time to time, the establishment of standing patrols in those areas helped prevent incidents. The grazing security fence in the southern part of the area of separation continued to be effective in reducing the number of incidents. New patrol paths along the A-line and B-line were under construction in the area of separation.

UNDOF was continuing its efforts to make its patrol tracks inside that area safe from mines. During the two reporting periods, three Polish mine-clearing teams cleared a total area of 92,715 square metres. Since May, the Syrian authorities-under the constant observation of UNDOF escort patrols-undertook an intensive mine-clearing operation in the sector of the Austrian battalion in order to convert all suitable agricultural areas into new productive fields.

The Force also assisted the International Committee of the Red Cross with facilities for handing over parcels and mail and for the passage of persons and personal effects across the area of separation.

In his observations concluding both reports, the Secretary-General noted that the situation in the Israel-Syria sector had remained quiet and there had been no serious incidents during the reporting periods. Despite the quiet, he said, the situation in the Middle East as a whole continued to be potentially dangerous and was likely to remain so, unless and until a comprehensive settlement covering all aspects of the Middle East problem could be reached. He hoped that determined efforts would be made by all concerned to tackle the problem in all its aspects, with a view to arriving at a just and durable peace settlement, as called for by the Security Council in resolution 338(1973) [YUN 1973, p. 213].

In the prevailing circumstances, the Secretary-General considered the continued presence of UNDOF in the area to be essential and, therefore, recommended each time that the Council extend the Force's mandate for a further six months, until 30 November 1990 and 31 May 1991, respectively, Syria having given its assent

and Israel having expressed agreement to the extensions.

SECURITY COUNCIL ACTION

On 31 May, without debate, the Security Council adopted resolution 655(1990).

The Security Council,

Having considered the report of the Secretary-General on the United Nations Disengagement Observer Force,

Decides:

(a) To call upon the parties concerned to implement immediately its resolution 338(1973) of 22 October 1973;

(b) To renew the mandate of the United Nations Disengagement Observer Force for another period of six months, that is, until 30 November 1990;

(c) To request the Secretary-General to submit, at the end of this period, a report on the developments in the situation and the measures taken to implement Security Council resolution 338(1973).

Security Council resolution 655(1990)

31 May 1990 Meeting 2925 Adopted unanimously

Draft prepared in consultations among Council members (S/21325).

On 30 November, again without debate, the Council adopted resolution 679(1990).

The Security Council,

Having considered the report of the Secretary-General on the United Nations Disengagement Observer Force.

Decides:

(a) To call upon the parties concerned to implement immediately its resolution 338(1973) of 22 October 1973;

(b) To renew the mandate of the United Nations Disengagement Observer Force for another period of six months, that is, until 31 May 1991;

(c) To request the Secretary-General to submit, at the end of this period, a report on the developments in the situation and the measures taken to implement resolution 338(1973).

Security Council resolution 679(1990)

30 November 1990 Meeting 2964 Adopted unanimously

Draft prepared in consultations among Council members (S/21972).

After the adoption of each resolution, the President of the Council made the following statement [S/21338, S/21974]:

In connection with the resolution just adopted on the renewal of the mandate of the United Nations Disengagement Observer Force, I have been authorized to make the following complementary statement on behalf of the Security Council:

As is known, the report of the Secretary-General on the United Nations Disengagement Observer Force states, in Paragraph 24 [23 in the November report]: "Despite the Present, Quiet in the Israel-Syria sector, the situation in the Middle East as a whole continues to be potentially dangerous and is likely to remain so, unless and until a comprehensive settlement covering all aspects of the Middle East problem

can be reached." The statement of the Secretary-General reflects the view of the Security Council.

Financing

In November 1990, the Secretary-General reported [A/45/716] that, as at 31 October, assessments totalling \$918.9 million had been apportioned among Member States in respect of UNDOF since its inception on 31 May 1974 [SC res. 350(1974)] to 30 November 1990, and of the United Nations Emergency Force, established in 1973 [SC res. 340(1973)] and liquidated in 1980 [YUN 1980, p. 361]. Contributions received for the same period amounted to \$866.5 million. The unpaid assessed balance totalled \$52.4 million, only \$8.9 million of which could be considered collectible, leaving a shortfall of \$43.5 million, including \$36 million transferred to a special account in accordance with General Assembly resolution 36/116 A [YUN 1981, p. 1299].

By resolution 44/187 [YUN 1989, p. 209], the Assembly had appropriated \$20,208,000 for UNDOF for the period from 1 December 1989 to May 1990, and authorized the Secretary-General to enter into commitments for UNDOF at a rate not to exceed \$3,368,000 gross (\$3,283,000 net) per month for the period from 1 June to 30 November 1990. In his performance report for the period from 1 December 1989 to 30 November 1990, the Secretary-General noted that an unencumbered balance of \$887,000 gross (\$765,000 net) existed in respect of that period, as at 31 October 1990. He proposed that Member States be credited with that amount against their assessed contributions for mandate periods subsequent to 30 November 1990, should the Security Council decide to continue UNDOF.

The Secretary-General estimated the costs of UNDOF to be \$3,446,500 gross (\$3,366,500 net) per month from 1 December 1990 onwards. In December, ACABQ recommended [A/45/832] that the Assembly approve proposed commitment authority up to that level. ACABQ also recommended, as proposed by the Secretary-General, that Member States be credited with the unencumbered balance of \$887,000 gross (\$765,000 net), and that a further \$2,017,408, representing the surplus balance in the UNDOF account as at 31 December 1989, be similarly credited to Member States.

ACABQ, as in the case of UNIFIL, expressed concern over the substantial and continued increase in costs for premises and accommodation and civilian staff costs. It recommended that the Secretary-General pursue his negotiations with the host country in order to obtain more preferential conditions for the construction and rental of premises and accommodation, as well as a

more favourable exchange rate in respect of all UNDOF requirements.

GENERAL ASSEMBLY ACTION

On 21 December 1990, the General Assembly adopted **resolution 45/243**.

Financing of the United Nations Disengagement Observer Force

The General Assembly,

Having considered the report of the Secretary-General on the financing of the United Nations Disengagement Observer Force, and the related report of the Advisory Committee on Administrative and Budgetary Questions,

Bearing in mind Security Council resolution 350(1974) of 31 May 1974, by which the Council established the United Nations Disengagement Observer Force, and the subsequent resolutions by which the Council extended the mandate of the Force, the latest of which was resolution 679(1990) of 30 November 1990,

Recalling its resolution 3211 B (XXIX) of 29 November 1974 on the financing of the United Nations Emergency Force and the United Nations Disengagement Observer Force and its subsequent resolutions thereon, the latest of which was resolution 44/187 of 21 December 1989,

Reaffirming its previous decisions regarding the fact that, in order to meet the expenditures caused by the United Nations Disengagement Observer Force, a different procedure is required from the one 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 such operations involving heavy expenditures,

Bearing in mind the special responsibilities of the States permanent members of the Security Council, as indicated in General Assembly resolution 1874(S-IV) of 27 June 1963, in the financing of such operations,

Noting with appreciation that voluntary contributions have been made to the United Nations Disengagement Observer Force by one Government,

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, and referring to paragraphs 16 to 18 and 27 of the report of the Advisory Committee,

Recognizing that, as a 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 supplement the income received from contributions for meeting expenses of the Forces,

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,

1. Decides to appropriate to the Special Account referred to in section II, paragraph 1, of General Assembly resolution 3211 B (XXIX) the amount of 20,208,000 United States dollars gross (19,698,000 dollars net) authorized and apportioned by the Assembly in paragraph 6 of its resolution 44/187 for the operation of the United Nations Disengagement Observer Force for the period from 1 June to 30 November 1990, inclusive;

2. Decides also to appropriate to the Special Account an amount of 20,679,000 dollars for the operation of the United Nations Disengagement Observer Force for the period from 1 December 1990 to 31 May 1991, inclusive;

3. Decides further; as an ad hoc arrangement, to apportion the amount of 20,679,000 dollars for the above-mentioned period among Member States, in accordance with the composition of groups set out in paragraphs 3 and 4 of General Assembly resolution 43/232 of 1 March 1989, as adjusted by the Assembly in its resolution 44/192 B of 21 December 1989, and taking into account the scale of assessments for the years 1989, 1990 and 1991;

4. Decides that there shall be set off against the apportionment among Member States, as provided for in paragraph 3 of the present resolution, their respective share in the unencumbered balance of 887,000 dollars gross (765,000 dollars net) for the period from 1 December 1989 to 30 November 1990, inclusive;

5. Decides also that there shall be set off against the apportionment among Member States, as provided for in paragraph 3 of the present resolution, their respective share in the estimated income of 7,000 dollars other than staff assessment income approved for the period from 1 December 1990 to 31 May 1991, inclusive;

6. Decides further 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 3 of the present resolution, their respective share in the Tax Equalization Fund of the estimated staff assessment income of 473,000 dollars approved for the period from 1 December 1990 to 31 May 1991, inclusive;

7. Decides that the surplus balance as at 31 December 1989 in the amount of 2,017,408 dollars shall be credited to Member States against their assessments in respect of such mandate periods as may be approved by the Security Council subsequent to 31 May 1991;

8. Authorizes the Secretary-General to enter into commitments for the United Nations Disengagement

Observer Force at a rate not to exceed 3,446,500 dollars gross (3,366,500 dollars net) per month for the period from 1 June to 30 November 1991, inclusive, should the Security Council decide to continue the Force beyond the period of six months authorized under its resolution 679(1990), the said amount to be appropriated among Member States in accordance with the scheme set out in the present resolution;

9. Decides that Liechtenstein shall be included in the group of Member States set out in paragraph 3 (b) of General Assembly resolution 43/232 and that its contribution to the United Nations Disengagement Observer Force shall be calculated in accordance with the provisions of the resolution to be adopted by the Assembly at its forty-fifth session regarding the scale of assessments;

10. Decides also that Namibia shall be included in the group of Member States set out in paragraph 3 (d) of General Assembly resolution 43/232 and that its contribution to the United Nations Disengagement Observer Force shall be calculated in accordance with the provisions of the resolution to be adopted by the Assembly at its forty-fifth session regarding the scale of assessments;

11. Decides further that, in accordance with regulation 5.2 (c) of the Financial Regulations of the United Nations, the contributions to the United Nations Disengagement Observer Force until 30 November 1990 of the Member States referred to in paragraphs 9 and 10 of the present resolution shall be treated as miscellaneous income to be set off against the apportionments authorized in paragraph 3 of the present resolution;

12. Invites voluntary contributions to the United Nations Disengagement Observer Force in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure established by the General Assembly in its resolution 44/192 A of 21 December 1989;

13. Requests the Secretary-General to take all necessary action to ensure that the United Nations Disengagement Observer Force is administered with a maximum of efficiency and economy.

General Assembly resolution 45/243

21 December 1990 Meeting 72 Adopted without vote
Approved by Fifth Committee (N/45/895) without vote, 19 December (meeting 50); draft by Chairman (A/C.5/45/L.9), orally revised; agenda item 129 (a).

Meeting numbers. GA 45th session: 5th Committee 44. 50; plenary 72.

Chapter V

Regional economic and social activities

During 1990, the five United Nations regional commissions continued efforts to promote economic and social development in their respective regions, though the work of the commission concerned with Western Asia was severely disrupted by the repatriation of staff from their Baghdad headquarters in August when Iraq invaded Kuwait.

During the first half of the year, four of the commissions held their regular sessions. The Economic Commission for Europe (ECE) decided to make far-reaching changes in both its work programme priorities and its organizational structure, based on consideration of proposals made by a Special Working Group. The Group based its recommendations on the new situation in Europe brought about by changes in Eastern Europe and the Soviet Union. The Economic Commission for Latin America and the Caribbean (ECLAC), the Economic Commission for Africa (ECA) and the Economic and Social Commission for Asia and the Pacific (ESCAP) held their sessions in May and June. The Economic Commission for Western Asia (ESCWA) did not meet in 1990.

Among resolutions adopted by the Economic and Social Council concerning issues of interest to the regional commissions were those related to admission of Italy as a member of ECLAC; a special plan of economic co-operation for Central America (see PART THREE, Chapter III); and transforming and strengthening ECA's Multinational Programming and Operational Centres. The General Assembly adopted a resolution on co-operation between the United Nations and the Latin American Economic System.

Africa

The Economic Commission for Africa (ECA) held its twenty-fifth session (sixteenth meeting of the Conference of Ministers) at Tripoli, Libyan Arab Jamahiriya, from 15 to 19 May [E/1990/42].

The Conference considered progress in implementing the UN Programme of Action for African Economic Recovery and Development 1986-1990 (UNPAAERD) [GA res. S-13/2]; Africa's

Priority Programme for Economic Recovery, 1986-1990 (APPER); and the African Alternative Framework to Structural Adjustment Programmes for Socio-Economic Recovery and Transformation (AAF-SAP). The Conference also considered the report and recommendations of the eleventh meeting of the Technical Preparatory Committee of the Whole (Tripoli, 15-19 May) [E/ECA/CM.16/40], which dealt with a range of specific issues including food and agriculture, industrial development, natural resources and environment, international trade and development finance, transport and communications, and population.

The Conference of Ministers adopted resolutions related to such matters as: the future of African demographic training institutes; the Plan of Action for Statistical Development; women and apartheid; women in development; establishment of the Technical Advisory Committee regarding development of nuclear science and technology in Africa; strengthening African development of science and technology; making the African Centre of Meteorological Applications for Development (ACMAD) operational; the African Charter for Popular Participation in Development and Transformation; hydrographic surveying and nautical charting; co-operation in fisheries; strengthening the African Institute for Higher Technical Training and Research; the United Nations Educational, Scientific and Cultural Organization (UNESCO) "Priority Africa" programme; proposed establishment of the African Economic Community; menace of the world screwworm fly; and emergency assistance to Namibia.

Eight resolutions were proposed for adoption by the Economic and Social Council relating to: improving information flows in the African region; the future of the African Institute for Economic Development and Planning (IDEP); improving ECA's technical facilities; the Abuja Declaration on Participatory Development: the Role of Women in Africa in the 1990s [YUN 1989, p. 2541; trade facilitation and EDIFACT; planning, programming, monitoring and evaluation; final review of UNPAAERD; and transforming and strengthening Multinational Programming and Operational Centres (MULPOCS).

In a message to the Conference, the Secretary-General said that, despite encouraging developments, it was clear that peace and stability in Africa depended on the resolution of its economic and social problems. He stated that the General Assembly would review the achievements of UN-PAAERD) in 1991, but it was already more than evident that some of the important initiatives that it had given rise to could be used as the basis for achieving the long-term objective of Africa's development.

The Executive Secretary of ECA, in his statement, said Africa's development partners should avoid the unforgivable mistake of continuing to try to fit development into the adjustment process; structural adjustment should be fitted within the framework of development and transformation, not the other way around.

A number of ECA subsidiary bodies met during the year in Addis Ababa or Tripoli, including: the Conference of African Ministers of Transport, Communications and Planning, the Africa Regional Co-ordinating Committee for the Integration of Women in Development, the Conference of Ministers of African Least Developed Countries, the Enlarged Ministerial Committee on the Establishment of an African Monetary Fund, and the special session of the Conference of African Ministers of Trade, which adopted the Strategies for Revitalization, Recovery and Growth of Africa's Trade in the 1990s. A summary [E/ECA/CM.16/25] of recommendations and resolutions of subsidiary and sectoral organs that met prior to the Commission's twenty-fifth session was prepared.

Economic and social trends

A summary of economic and social conditions in Africa 1989-1990 prepared for the Economic and Social Council [E/1991/70] reported a marked slow-down of economic activity in developing Africa. Output grew by only 2.6 per cent in 1990, nearly 1 per cent less than in 1989, when the growth rate reached 3.3 per cent. Main causes were a rather poor agricultural season, with drought in some areas of the Sahel, the Horn of Africa and southern Africa, and the rise of oil prices after the Iraqi invasion of Kuwait. The population exposed to famine in developing Africa rose to 27 million. Output growth in oil-importing countries fell to 1.4 per cent, compared to 2.3 per cent in 1989. While oil prices rose, commodities prices fell by an average of 7.9 per cent, and tropical beverages prices were lower in 1990 by an average of 11.4 per cent, continuing the slide begun in 1986. Copper prices averaged 6.9 per cent lower than in 1989. The number of

countries with a fall in output rose from 8 in 1989 to 15 in 1990.

There were wide variations in performance among the subregions and countries of the continent. North Africa, with three major oil producers, did well, with output growing 3.2 per cent. Sub-Saharan Africa suffered a near recession, with a growth rate of only 2 per cent. The most affected subregion was East Africa, where output growth was only 0.9 per cent, compared to 3.7 per cent in 1989. Though African exports had risen to their highest level since 1981, the current account deficit had increased to some \$11 billion, or 3.3 per cent of gross domestic product (GDP), from \$8.9 billion in 1989 (3 per cent of GDP), pointing to a probable worsening of the debt crisis. Total African debt had increased to \$271.9 billion from \$265.4 billion in 1989.

Agricultural production rose 1.5 per cent, compared to 0.5 per cent in 1989, but was only half the rate of population growth. Apart from the drought-stricken areas, the food situation was normal, but prompt action by Governments, international organizations and other donors would be essential to avert tragedy in the Sudan and northern Ethiopia.

Non-Fuel minerals production stagnated in 1990 due to lack of investment, deposit depletion, aging equipment and inadequate management. At the same time, mineral and ore prices fell by over 9 per cent. The African manufacturing industry remained in a depressed state. With few exceptions, all those countries that made important investments in industry had had disappointing results, and to survive their industrial sectors were in need of basic restructuring. The output of the manufacturing sector in 1990 was below the average for 1980-1989, value-added growing by a mere 1.6 per cent. In order to achieve the objectives of the Second Industrial Decade for Africa, proclaimed by the United Nations in 1989 [GA res. 44/237], substantial investment would be required to rehabilitate existing plants and to create new ones. Given the demand for capital world wide, prospects did not seem favourable, at least in the short term. The performance of agriculture, the report stated, would be crucial. It was also noted that African countries continued to undertake reform and adjustment programmes despite the social and political costs involved.

Activities in 1990

Development policy and regional economic co-operation

In a biennial report [E/ECA/CM.183], the Executive Secretary of ECA provided an overview of ac-

tivities, programmes and events within the context of ECA's mandate. Stating that the 1980s had been a "lost decade" for Africa, during which industrialization had mostly failed and actual deindustrialization had occurred in some countries, he noted that there were new threats to Africa's external trade potential. ECA programme performance had, however, improved, despite budgetary restrictions and mounting expectations from member States. The Commission had intensified its efforts in jointly undertaking activities with other organizations.

In 1990, the Executive Secretary said, the Gulf crisis (see PART TWO, Chapter III) had a major negative impact because most African countries were oil importers. Also, Africa was affected by recession in the industrialized countries, a large drop in tourism and a poor crop year. There was no significant progress on the debt issue; the donor nations failed to follow up initiatives to cancel the debts of the poorest countries, he reported.

The key development issue, the Executive Secretary said, was how to master and spread the technological knowledge necessary for putting to good use Africa's considerable resources. The opening up of African economies to each other and the creation of a vast African economic market was also a condition for development.

In a May resolution [E/1990/42 (res. 698(XXV))], the Conference requested the Executive Secretary to mount special multisectoral missions to all ECA member States to collect up-to-date data on the implementation of UNPAAERD, for the final review and appraisal of the programme.

ECA activities in 1990, including advisory services and technological assistance, covered food and agriculture, marine affairs, socio-economic research and planning, human resources, environment, human settlements, industrial development, international trade and other sectors. The Secretariat mounted field missions to 25 African countries between September and November to collect data on economic and social conditions. Two missions visited six countries to evaluate implementation of UNPAAERD. ECA activities to combat drought and desertification included a mission to Lesotho in October, and participation in the seventeenth meeting of the Inter-Agency Working Group on Desertification, convened in Rome in September. Other advisory services included: formulation of regional research programmes to solve common agricultural problems; establishment of a data base for the marine sector; and organization of an intergovernmental regional workshop on evaluation of rural development experiences (Addis Ababa, 19-24 November). A subregional workshop on the promotion of domestic trade (17-19 September) and a meet-

ing of the intergovernmental group of experts on prospects for South-South trade promotion in processed and semi-processed products (2-5 October) were held in Addis Ababa. Educational activities included collaboration in organizing a regional conference on non-formal education and literacy programmes and adult education in Africa (Mauritius, 5-10 November) which was attended by 200 participants.

MULPOCs

In November, the Secretary-General reported [A/C.5/45/57] on the findings of a Secretariat review team which, in accordance with General Assembly resolution 43/216 [YUN 1988, p. 867], had examined the structure, mandate and operations of the Multinational Programming and Operational Centres of ECA. He recalled that MULPOCs had been mandated in 1977 [YUN 1977, p. 597] to identify and provide assistance for activities and projects of a multinational and multisectoral character and national activities of a multinational character aimed at core development issues. The need for substantial and adequate financial and human resources to sustain MULPOC activities had been noted by the General Assembly in 1981 [GA res. 36/1781]. The five MULPOCs served from 3 to 19 countries, and were part of the ECA secretariat. They were based in Niamey, Niger; Tangier, Morocco; Gisenyi, Rwanda; Yaoundé, Cameroon; and Lusaka, Zambia.

The Secretary-General stated that there was general consensus among African States that MULPOCs had been successful in supporting institution-building efforts and in strengthening their operational framework, especially during the period when they had access to adequate United Nations Development Programme (UNDP) funding. They had assisted in the establishment of numerous intergovernmental organizations such as the Preferential Trade Area for Eastern and Southern Africa (PTA), the Intergovernmental Authority for Drought and Development (IGADD), the Economic Community of Central African States (ECCAS) and the Eastern and Southern African Management Institute (ESAMI), as well as in the establishment of subsidiary organs of those intergovernmental organizations, such as the PTA Trade and Development Bank, the PTA Clearing Arrangement, the Eastern and Southern African Trade Promotion and Training Centre and the Central African Clearing House. The overall assessment led to the conclusion that the objectives and purpose for which MULPOCs were established 13 years earlier remained valid, and it was therefore intended to maintain them in their present structure, the Secretary-General said. However, the initial ob-

jectives had not been adequately met and programme delivery had been negatively affected by inadequate and unstable financing from extra-budgetary sources.

The review team's report [E/ECA/CM.16/13] was submitted to the ECA Conference of Ministers, which adopted a resolution [E/1990/42 (res. 702(XXV))] changing the terms of reference of MULPOCs, defining their role more clearly and providing a comprehensive policy and operational framework to enable them to act as catalysts for subregional economic co-operation and integration. The Secretary-General concurred with the new terms of reference.

To meet their new responsibilities adequately, the Secretary-General said MULPOCs needed to be strengthened both under the regular budget and from extrabudgetary resources. He intended to propose regular budget financing in the context of the 1992-1993 programme budget for eight additional Professional posts and 10 General Service posts at a cost of \$902,300. Each MULPOC would have two new General Service posts. The proposed Professional posts were two P-5 posts, for an agronomist (Niamey) and a transport economist (Yaoundé); two P-4 posts, for a mining engineer (Lusaka) and an agronomist (Tangier); and two P-2 posts, for an expert on women in development (Gisenyi) and an agronomist (Yaoundé).

On 21 December, by resolution 45/248 A, section XI, the General Assembly took note of the Secretary-General's report.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 27 July, the Economic and Social Council adopted resolution 1990/76.

Transforming and strengthening the Multinational Programming and Operational Centres of the Economic Commission for Africa

The Economic and Social Council,

Recalling resolution 311(XIII) adopted on 1 March 1977 by the Conference of Ministers of the Economic Commission for Africa establishing the Multinational Programming and Operational Centres,

Recognizing that, over the years, the Centres have played a vital role in fostering subregional economic co-operation and integration and that the objectives for which they were established are more valid today than they were thirteen years ago,

Considering the imperative need for women to participate positively and effectively in the implementation of programmes aimed at their integration in the process of development in each subregion,

Concerned about the poor performance and achievements of the Centres during the past few years, mostly as a result of insufficient financial and human resources and their inadequacy to meet the new tasks that they are to perform towards economic recovery and transformation,

Welcoming General Assembly resolution 43/216 of 21 December 1988, in which the Assembly, having considered the financial report and audited financial statements for the biennium ended 31 December 1987 and the report of the Board of Auditors, endorsed the recommendation of the Board and the concurring observation of the Advisory Committee on Administrative and Budgetary Questions that the achievements of the Multinational Programming and Operational Centres be thoroughly evaluated with a view to deciding whether that experiment should be continued or whether the mandate, number and structure of the Centres should be completely reorganized,

Noting with satisfaction the decision of the Secretary-General to appoint a review team whose mandate would be, *inter alia*, to examine the structure and organization of the Centres with a view to determining their suitability for the execution of their tasks, taking into account General Assembly resolution 43/216.

Noting that the current distribution and location of the Centres are in keeping with the spirit of the Final Act of Lagos in terms of the need to promote co-operation and integration within the framework of the subregional economic groupings,

1. Takes note of the report of the Review Team on the Structure, Organization and Operations of the Multinational Programming and Operational Centres, in which it is concluded that the structure, Organization and operations of the Multinational Programming and Operational Centres of the Economic Commission for Africa should be maintained, transformed and strengthened;

2. Warmly congratulates the Review Team on the thorough and objective manner in which it carried out its work and for its findings and recommendations;

3. Strongly supports the conclusions of the Review Team that the Centres' institutions should be transformed and strengthened to provide member States with the required technical assistance and advisory services for the execution of their joint projects within the framework of the intergovernmental organizations;

4. Adopts the new mandate of the Centres as proposed by the Review Team;

5. Strongly urges the General Assembly to provide the Centres with additional human and financial resources to enable them to respond more effectively to multinational and multisectoral programming requirements based on priorities identified by member states, and to provide immediately a minimum core of such resources;

6. Decides that, given the financial constraints and the need for better co-ordination between the Centres and intergovernmental organizations, the Centres should report directly to the Conference of Ministers of the Economic Commission for Africa through the committees of intergovernmental experts that will be responsible for supervising the activities of the Centres at the subregional level;

7. Urges the General Assembly and donor and technical assistance organizations to provide the Centres with sufficient resources for the formulation and implementation of programmes for the effective participation of women in the development process of their respective subregions;

8. Recommends that the current number and composition of the Centres should be maintained since they fit in with the structure of existing subregional economic groups; their distribution could, however, be reviewed in future to make for the rational use of available resources and to reflect developments in the subregional economic groupings;

9. Takes into consideration the memorandum on the strengthening and transformation of the Centres, submitted by the Conference of Ministers of the Economic Commission for Africa and annexed to the present resolution;

10. Appeals to member States to continue their support and assistance to the Centres through the United Nations Trust Fund for African Development and by any other appropriate means;

11. Urges technical assistance and funding agencies to assist in the implementation of the recommendations of the Review Team regarding the need to provide the Centres with sufficient financial and human resources for the effective execution of their mandate.

ANNEX

Memorandum of the Conference of Ministers of the United Nations Economic Commission for Africa on the Report of the Review Team on the Structures, Organization and Operations of the Multinational Programming and Operational Centres

1. This memorandum is submitted in response to General Assembly resolution 43/216 of 21 December 1988 on financial reports and audited financial statements, and reports of the Board of Auditors in which the Assembly endorsed the concurring recommendation and observation of the Board of Auditors and the Advisory Committee on Administrative and Budgetary Questions with regard to the Multinational Programming and Operational Centres. The Assembly called for a thorough evaluation of the achievements of the Centres with a view to deciding whether the experiment should be continued or whether the mandate, number and structures of the Centres should be completely reorganized.

2. Pursuant to the above-mentioned resolution, an independent review team was commissioned by the Executive Secretary of the Economic Commission for Africa, in collaboration with the Under-Secretary-General for Administration and Management, with the following terms of reference:

(a) To examine the original mandate of the Centres, with a view to ascertain&g its continued relevance;

(b) To examine the structure and organization of the Centres, with a view to determining their suitability for the execution of their tasks, taking into account the recommendation made in paragraph 91 of the report of the United Nations Board of Auditors;

(c) To review and report on all aspects of management of the Centres;

(d) To examine the adequacy of resources available and make recommendations aimed at strengthening the Centres for a more efficient execution of their mandate;

(e) To investigate the effectiveness of the linkages with the substantive and service organizational units of the Economic Commission for Africa;

(f) To examine any other relevant matters pertaining to the efficient and effective operations of the Centres;

(g) To report not later than 10 March 1989, or as soon as possible thereafter, to the Executive Secretary of the Economic Commission for Africa and the Under-Secretary-General for Administration and Management.

3. The Conference of Ministers expresses its appreciation to the Secretary-General who, in accordance with the request contained in its resolution 659(XXIV) of 7 April 1989 on the review of the achievements of the Multinational Programming and Operational Centres of the Commission, has enabled the Conference of Ministers to comment on the report of the Review Team. The Conference of Ministers wishes to reiterate that it welcomes the decision of the General Assembly on the review and evaluation of the Centres, as it believes that such a review is opportune. Finally the Conference of Ministers expresses its sincere appreciation to the Review Team for the quality of its work and for the recommendations which it has put forward.

4. The Conference of Ministers wishes in this memorandum to comment on these proposals and recommendations of the Review Team so that the General Assembly will have the benefit of its opinion. The views of the Conference of Ministers are a result of the extensive discussion that took place on the report of the twenty-fifth session of the Commission and sixteenth meeting of the Conference of Ministers, held at Tripoli from 5 to 19 May 1990, which was preceded by an equally extensive discussion at the level of the Technical Preparatory Committee of the Whole.

5. In the light of its critical assessment of the proposals of the Review Team, the Conference of Ministers fully concurs with the findings of the Review Team that the objectives and purposes for which the Centres were established are more valid today than they were thirteen years ago, considering the socio-economic challenges that will confront the African countries in the 1990s. Member States argue strongly in favour of the maintenance, transformation and strengthening of an institution such as the Centres provided, with the additional human, technical and financial resources required for the execution of their joint projects within the framework of the intergovernmental organizations they have established.

6. The Conference of Ministers recommends that the number and membership of the Centres should be retained, since they correspond to the existing subregional economic groupings. It will continue to pay the necessary attention to the issue of the subregional distribution of the Centres with a view to ensuring the efficient utilization of available resources and in keeping with the evolution of subregional groupings.

7. The Conference of Ministers expresses its appreciation to the Centres for the services they have rendered and the role which they have played in supporting member countries' endeavours to promote subregional and regional economic co-operation and integration in providing technical assistance to intergovernmental organizations in the various subregions. In particular the Conference stresses the role of the Centres in the establishment of the Preferential Trade Area for Eastern and Southern Africa and the Economic Community of Central African States, and the co-ordinating role of the Centre among the more than forty intergovernmental organizations in West Africa.

8. The Conference of Ministers endorses the findings of the Review Team with regard to the relevance of the Centres as an institution to provide technical assistance in its efforts towards subregional groupings and the need to redefine the terms of reference of the Centres in the light of past experiences and the challenges that are ahead. Accordingly it supports the following terms of reference proposed by the Review Team:

(a) To provide member States and intergovernmental organizations with technical assistance (advisory services) in project identification, planning and the formulation of multisectoral programmes and projects for execution by the Multinational Programming and Operational Centres in association with intergovernmental organization secretariats and the specialized agencies of the United Nations system;

(b) To provide member States and intergovernmental organizations with short-term advisory services in development planning and to assist in the translation of those plans into multinational and multisectoral programmes and projects, including the identification and formulation of programmes and projects for execution by them or at their request by the Economic Commission for Africa-Subregional Technical Assistance Programmes (Multinational Programming and Operational Centres) themselves, in association with the specialized agencies of the United Nations system, as required;

(c) To undertake pre-feasibility and feasibility studies, research on and analyses of priority areas identified by member States and intergovernmental organizations in order to enhance subregional co-operation and integration;

(d) To provide assistance and support in the development of human resources and in organizing training courses, seminars, lectures, workshops and round-tables, and to execute multinational development programmes and projects for socio-economic advancement with a view to strengthening the institutional and organizational capacity of member States;

(e) To develop, in the light of the above, effective working relationships with Governments, intergovernmental organizations, United Nations Development Programme offices and other international organizations, with a view to harmonizing the designing, programming and implementation of technical assistance programmes at the subregional level;

(f) To develop and execute programmes for the more effective participation of women in all aspects of development efforts at the subregional level;

(g) To collect and disseminate, at the subregional level, information and statistical data on macro-economic indicators in member States and to assist them in establishing compatible systems for exchanging information among themselves and with their development partners.

9. The Centres should continue to play the important role of co-ordination among intergovernmental organizations and should contribute to the establishment of the African economic community by undertaking studies for the harmonization and progressive linking of the various subregional economic groupings. They should also contribute to the implementation at the subregional level of strategies contained in global prospective studies carried out by the secretariat of the Economic Commission for Africa.

10. The Conference of Ministers realizes that the inadequacy of resources has been the major constraint in the ability of the Centres to fulfil their mandate. The build-up of their staff was severely affected by the financial crisis that the United Nations faced during most of the 1980s. Similarly, their operational activities were severely constrained by their lack of resources—financial and human. The Conference of Ministers is concerned about the resulting negative impact on the delivery of the Centres during the past few years. The capacity of the Economic Commission for Africa to decentralize staff and resources to the Centres was stretched to the limit in spite of its own severe resource constraints. It is not surprising that under such circumstances the impact of the Centres began to dwindle.

11. The Conference of Ministers fully endorses the proposal of the Review Team contained in chapter VI of its report that the financial and human resources of the Centres be significantly increased. It proposes that the Centres be provided with a cost-effective minimal core staff that will enable them to have an immediate impact on their respective subregions.

12. The Conference of Ministers does not preclude the possibility of changing the name “Multinational Programming and Operational Centres”, in the light of the evolution of their mandate and activities.

13. Finally, the Conference of Ministers reiterates its firm commitment to the Centres. As in the past, it will continue to make every possible effort to create the environment necessary to enhance their effectiveness.

Economic and Social Council resolution 1990/76

27 July 1990 Meeting 37 Adopted without vote

Approved by First Committee (E/1990/114) without vote, 23 July (meeting 101; draft by ECA (E/1990/84); agenda item 6.

African Institute for Economic Development and Planning

In May, ECA adopted a resolution [E/1990/42 (res. 680(XXV))] for action by the Economic and Social Council concerning the future of the African Institute for Economic Development and Planning (IDEP). The Conference of Ministers considered IDEP the only regional institute able to provide training and research services to all member States of the Commission in the area of economic development and planning, and was distressed that the shortfall in member contributions to IDEP would force its closure in 1990. It called upon member States to pay their contributions in a timely manner and for UNDP to continue its support of IDEP.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 27 July, the Economic and Social Council adopted resolution 1990/72.

Future of the African Institute for Economic Development and Planning

The Economic and Social Council,

Recalling resolution 669(XXIV) adopted on 7 April 1989 by the Conference of Ministers of the Economic Commission for Africa concerning the future funding

of the activities of the African Institute for Economic Development and Planning.

Recalling the Special Memorandum of the Governing Council of the African Institute for Economic Development and Planning,

Considering the outstanding record of the Institute in the training of African planners and development specialists,

Considering also the continuing and growing need of African Governments for the services of the Institute in the fields of training, research and advisory services,

Considering further the possibility that the United Nations Development Programme may withdraw its financing of the Institute at the end of 1990 and that the Institute is the only regional institute able to provide training and research services to all States members of the Commission in the area of economic development and planning,

Noting with great distress that the persistent and substantial shortfall in the contributions of member States to the Institute will inevitably force its closure in 1990 if no remedial action is taken,

1. Urgent/y appeals to States members of the African Institute for Economic Development and Planning:

(a) To pay immediately to the Institute their contributions for 1990 and their arrears for 1989;

(b) To pay back to the Institute all their remaining arrears according to a schedule to be arranged with the management of the Institute;

(c) To pay their regular annual contribution to the Institute in a timely manner under arrangements to be determined with the management of the Institute;

2. Calls upon the General Assembly, as a matter of urgency, to approve the inclusion of four key posts for the Institute in the United Nations regular budget, namely, the Director, the Chief of Administration and Finance and two senior lecturers, in line with the recommendation contained in Economic and Social Council resolution 1985/62 of 26 July 1985, to enable the Institute to carry out its approved work programme and functions on a continued and sustained basis as stipulated in its Statute;

3. Appeals to the United Nations Development Programme to help the Institute to survive its present financial crisis and, in particular:

(a) To set up quickly the evaluation mission announced in October 1989;

(b) To give its full backing to the short-term training programme and the research and advisory activities of the Institute;

(c) To continue its support for the activities of the Institute in 1990 and beyond;

4. Commend the Governing Council of the Institute on the decisions taken to rationalize the use of resources and urges the management of the Institute to persevere in that endeavour.

Economic and Social Council resolution 1990/72

27 July 1990 Meeting 37 Adopted without vote

Approved by First Committee (E/1990/114) without vote, 23 July (meeting 10); draft by ECA (E/1990/84); agenda item 6.

In November, the Joint Inspection Unit (JIU) submitted a report on IDEP [E/1991/8]. JIU stated that since the Institute's establishment by ECA in

1962 [YUN 1962, p. 286], it had made its mark in Africa: more than a thousand men and women, having obtained their qualifications at the Institute, were working in the economic and planning areas of the public sector in various African countries. However, while enrolments had increased, financial resources had declined. UNDP's decision [YUN 1989, p. 247] to curtail its support, together with ever-increasing arrears of contributions by a large majority of African member States, had added to the Institute's ills. The JIU Inspector recommended appointment of a core staff from the UN regular budget; active collection of arrears; reassessment of the scale of contributions; rationalization of the duties of support staff; and a broadening of advisory services, catering mainly to the needs of African Governments.

In December [A/45/7/Add.8], the Advisory Committee on Administrative and Budgetary Questions (ACABQ) noted that the 1990 budget of IDEP was \$1,564,300, which should have been financed by a UNDP contribution of \$735,300, \$587,000 in assessed contributions of African countries and \$242,000 from ECA trust funds and miscellaneous incomes. ACABQ stated that only UNDP had fully paid its contribution. Income from member States totalled \$356,680, but arrears of contributions (1976-1989) were \$9,853,841. ACABQ believed there was an urgent need to secure the Institute's continued operation, and recommended that the General Assembly request UNDP's Governing Council to urge the Administrator to fully implement Economic and Social Council resolution 1990/72 (see above). It recommended as an interim measure a subvention to the 1990-1991 budget in the amount of \$392,200 to finance the four Institute posts called for in the Council's resolution.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/248 A, section V.

African Institute for Economic Development and Planning

[The General Assembly. . .]

Concurring with the recommendations of the Advisory Committee on Administrative and Budgetary Questions in paragraph 14 of its report,

1. Requests the Governing Council of the United Nations Development Programme to urge the Administrator of the Programme to implement fully Economic and Social Council resolution 1990/72 of 27 July 1990, as follows:

(a) To give its full backing to the short-term training programme and the research and advisory activities of the African Institute for Economic Development and Planning;

(b) To continue its support for the activities of the Institute;

2. Requests the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of its request to the Governing Council;

General Assembly resolution 45/248 A, section V
21 December 1990 Meeting 72 Adopted without vote
Approved by Fifth Committee (A/45/900) without vote, 7 December
(meeting 41); oral proposal: agenda item 118.

Least developed countries

The Conference of Ministers of African Least Developed Countries held its tenth meeting in Tripoli from 14 to 15 May [E/ECA/CM.16/35], its final session before the Second United Nations Conference on the Least Developed Countries (LDCs) held in September 1990 (see PART THREE, Chapter I).

The meeting reviewed the plight of African LDCs and noted that the Substantial New Programme of Action (SNPA), adopted by the first Conference in 1981 [YUN 1981, p. 406], had not been a success. The meeting also dealt with matters related to commodity prices and debt alleviation, which had not been resolved by the ninth meeting of the Intergovernmental Committee of Experts of African Least Developed Countries (Tripoli, 3-5 May).

The Conference of Ministers of African LDCs adopted a statement on the draft Programme of Action for LDCs in the 1990s, which had been prepared for the Second UN Conference on LDCs.

Food and agriculture

Fisheries

Conscious of the immense contribution that fish resources could make to the region's food self-sufficiency, the ECA secretariat prepared a report for the 1990 Conference of Ministers on multinational co-operation in coastal, marine and inland fisheries. It also completed a technical publication on co-operation in development of coastal and marine fish resources for insular member States and conducted a seminar on living resources of the sea for the countries of the Yaoundé MULPOC. Problems addressed in the documents included marketing, evaluation and development of inland fisheries, improvement of port facilities and provision of equipment to small-scale producers. Also addressed were the selection and multiplication of fish species, improvement of extension services, identification of areas for multinational co-operation, analysis and co-ordination of activities performed by concerned intergovernmental organizations, mobilization of investment funds for expanded fish production, joint ventures in fish exploitation, acquisition of modern vessels for deep-sea fish-

ing, development of aquaculture and improvement of related skills and institutions. ECA reported that it expected the publications to have substantial impact on the region's food and agricultural development strategies, and planned to produce a technical publication on measures to strengthen inter-State co-operation for optimizing marine fish resource exploitation and management in the region.

The Conference of Ministers in May adopted a resolution [E/1990/42 (res. 694(XXV))] urging African States to establish an intra-African information network on fishing vessels operating illegally and to propose measures to be instituted within the context of a regional legal framework to ban such vessels.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 27 July, the Economic and Social Council adopted resolution 1990/77.

Co-operation in fisheries in Africa

The Economic and Social Council,

Aware of the abundant fishery and aquacultural resources of the African continent, particularly with the extension of national jurisdictions in the exclusive economic zones,

Considering the need for African countries to develop inter-State co-operation in order to promote the development of the fishery sector,

Convinced of the determination of African countries to overcome the difficulties they encounter in the development and acquisition of new technologies for the exploitation of fishery resources,

Recognizing the significant contribution that fishing can make to food self-sufficiency, the improvement of nutrition and the diversification of exports,

Considering the dynamism of the Indian Ocean Commission and the shared concerns of the Food and Agriculture Organization of the United Nations, the Economic Commission for Africa and States members of the Indian Ocean Commission regarding multinational co-operation for the development of fishery resources,

Considering that the process set in motion by the Ministerial Conference on Co-operation in Fisheries Among the African States Bordering the Atlantic Ocean, held at Rabat from 30 March to 1 April 1989, encourages the countries of the South to join together in order to promote the fishery sector,

1. Calls upon African States to develop joint research programmes, in particular for the evaluation and monitoring of shared stocks;

2. Also calls upon African States to promote better integration of the fishery and aquaculture sector in their national economies in order to increase its contribution to development;

3. Urges African States to establish an intra-African information network on fishing vessels operating illegally and taking due account of existing international law, to propose measures to be instituted within the context of a regional legal framework to exclude such vessels;

4. Requests the Food and Agriculture Organization of the United Nations and the United Nations Development Programme, in association with the Economic Commission for Africa, to assist African countries to establish such a network;

5. Requests the specialized agencies and other organizations of the United Nations system, particularly the United Nations Development Programme, the Food and Agriculture Organization of the United Nations, the International Maritime Organization and the Economic Commission for Africa, to take fully into account the recommendations of the ministerial conference on co-operation in fisheries among the African States bordering the Atlantic Ocean, held at Rabat in 1989;

6. Calls upon African States to strengthen their co-operation in the implementation of projects for the management, exploitation and marketing of fishery and aquacultural products at the national, subregional and regional levels;

7. Requests the Economic Commission for Africa, in the interest of greater coherence and efficiency, to do its utmost to ensure the unification of policies in activities concerning inland and ocean fishery resources and the non-living resources of the sea and legal questions relating thereto;

8. Requests Member States:

(a) To make full use of advanced marine training centres in Africa and to strengthen their role;

(b) To promote the exchange of information, to make use of those centres with a view to the development and utilization of a standardized statistical system covering all aspects of fisheries at the subregional level;

(c) To promote the joint negotiation of fishery agreements concerning the high-sea fleets of non-African countries;

(d) To accord greater importance to the development of small-scale fishing whenever possible, because it can be better integrated into the African economy and has a greater capacity for adaptation to the socio-economic requirements of Africa;

(e) To improve the living conditions of African fishermen, particularly in the areas of education and health, which at present hinder development;

(f) To give priority to multinational co-operation in fish marketing and preservation, in order:

(i) To facilitate the access of African products to markets of the North, inter alia, through product promotion and the provision of market information and through export infrastructure;

(ii) To attain self-sufficiency in certain fishery resources through the development of intra-African trade, particularly the harmonization of taxation on fishery products;

9. Further requests Member States to promote the development of aquaculture in Africa and, to the extent feasible, pool their national human and financial resources within subregional bodies for applied research;

10. Exhorts Member States to explore the possibility of bringing national entrepreneurs and foreign enterprises together for the establishment of joint ventures on the basis of mutual advantageous co-operation.

Economic and Social Council resolution 1990/77

27 July 1990 Meeting 37 Adopted without vote

Approved by First Committee (E/1990/114) without vote, 23 July (meeting 101: 7-nation draft (E/1990/C.1/L.1), orally revised; agenda item 6. Sponsors: Cameroon, Côte d'Ivoire, Egypt, Ghana, Libyan Arab Jamahiriya, Morocco, Senegal.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/184.

Co-operation in fisheries in Africa

The General Assembly,

Recalling its resolution 39/225 of 18 December 1984, by which it endorsed the Strategy for Fisheries Management and Development and the associated programmes of action adopted by the World Conference on Fisheries Management and Development,

Recalling also its resolution 44/225 of 22 December 1989, entitled "Large-scale pelagic driftnet fishing and its impact on the living marine resources of the world's oceans and seas",

Recognizing the significant contribution that fisheries can make to economic growth and development of the developing countries through food self-sufficiency, the improvement of nutrition and the diversification of exports,

Bearing in mind the significant capabilities that exist in developing countries in the field of fisheries, which provide opportunities for co-operation among those countries, and the importance of fostering the development of those capabilities to help developing countries realize their full potential in this regard,

Considering the need for African countries to develop inter-State co-operation in order to promote the development of the fishery sector,

1. Endorses Economic and Social Council resolution 1990/77 of 27 July 1990, entitled "Co-operation in fisheries in Africa", as adopted;

2. Takes note of the Ministerial Conference on Co-operation in Fisheries Among the African States Bordering the Atlantic Ocean, held at Rabat from 30 March to 1 April 1989, and of the meeting of the follow-up committee, held also at Rabat, from 29 to 31 May 1990;

3. Requests Member States to make full use of advanced marine training centres in Africa, to promote the exchange of information and the joint negotiation of fisheries agreements concerning the high-sea fleets of non-African countries, to accord greater importance to the development of small-scale fishing, to improve the living conditions of African fishermen, to acknowledge the role of women in fisheries, to strengthen fish marketing and preservation facilities and to facilitate the access of African fishery products to the markets of developed countries;

4. Requests the relevant international organizations to contribute actively to the promotion of co-operation in fisheries in Africa, including participation in the preparations and work for the forthcoming ministerial conference on co-operation in fisheries among the African States bordering the Atlantic Ocean, which is scheduled to take place in 1991;

5. Requests the Secretary-General to submit, in close consultation with the Food and Agriculture Organization of the United Nations, to the General Assembly at

its forty-seventh session, through the Economic and Social Council at its second regular session of 1992, a report on co-operation in fisheries in Africa, including recommendations for its enhancement;

6. Also requests the Secretary-General to include in his report ways and means to develop the potential capabilities of developing countries in fisheries, including economic and technical co-operation, particularly among developing countries;

7. Calls upon the international community, in particular the developed countries, to support the endeavours of developing countries to develop their fisheries infrastructures;

8. Decides to consider the issue of co-operation in fisheries in Africa at its forty-seventh session under the item entitled "Development and international economic co-operation".

General Assembly resolution 45/184

21 December 1990 Meeting 71 Adopted without vote

Approved by Second Committee (A/45/848) without vote, 20 November (meeting 46); draft by Vice-Chairman (A/C.2/45/L.46) based on informal consultations on draft by Bolivia for Group of 77 (A/C.2/45/L.13); agenda item 12.

Meeting numbers. GA 45th session: 2nd Committee 13-16, 22, 46; plenary 71.

Transport, communications and tourism

Transport and Communications Decade

A March progress report [E/ECA/CM.16/21] on the preparation of the programme for the Second United Nations Transport and Communications Decade in Africa (UNTACDA II), proclaimed by the General Assembly in 1988 [GA res. 43/179], summarized the finalized objectives, strategies and guidelines for the Decade. The goal of the Second Decade was to establish an efficient integrated transport and communications system as a basis for the physical integration of Africa and to facilitate national and international traffic so as to foster trade and self-sustained economic development.

Report of Secretary-General. In response to General Assembly resolution 43/179 [YUN 1988, p. 276], the Secretary-General submitted a final progress report [A/45/185] in April regarding the Second Decade, in which he summarized the 10 global objectives approved by the Conference of Ministers. They were: implementing a phased and balanced programme of development and management of transport and communications infrastructure, taking into account particularly the needs and requirements of island and landlocked countries; rehabilitation, upgrading and maintenance of the most critical elements of existing infrastructure and equipment; improvement of human resource planning, development and utilization; improvement of operational efficiency, service quality and availability by increasing competitiveness, productivity and profitabil-

ity; establishing information systems for analysis, better management and investment planning; developing manufacturing capabilities to cope with rapid technological and market changes, and reducing foreign exchange requirements; improvement of transport safety and security, including strengthening environmental protection measures; improvement of transport and communications in rural areas, where the majority of the population lived and the greatest percentage of economic production took place; improvement of urban transport; and establishment and strengthening of interregional liaisons. The report stated that the programme would be focused on key problem areas requiring regional and sub-regional co-operation for their solution. A general survey of African transport and communications would be conducted, with similar surveys at the mid-point and the end of the programme.

By decision 45/438 of 21 December, the General Assembly took note of the Secretary-General's final report.

UNDP consideration

A March report [DP/1990/32] to UNDP's Governing Council reviewed progress made in the commitment of \$5 million earmarked for the first Decade and provided an overview of UNDP's role in preparation for UNTACDA II, for which \$2 million was earmarked. In March, the Steering Committee, composed of UNDP, ECA, the Organization of African Unity (OAU) and the African Development Bank, held its first meeting to select project personnel and to draw up a programme of activities leading to preparation of a programme for the Second Decade, to be submitted through the Economic and Social Council to the General Assembly in 1991.

In June [E/1990/30 (dec. 90/30)], the Governing Council took note of the report, and of the steps taken by the UNDP Administrator to ensure the effective contribution of UNDP to preparations for UNTACDA II. The Council called upon the Administrator to continue consultations with relevant UN bodies and African organizations involved in the first Decade, and to report in 1991 on UNDP's role in mobilizing resources for, and implementation of, the Second Decade.

Industrial development

In March, the ninth joint progress report [E/ECA/CM.16/16] was submitted by the secretariats of OAU, ECA and the United Nations Industrial Development Organization (UNIDO) on implementation of the Industrial Development Decade for Africa, proclaimed by the General Assembly in 1980 [GA res. 35/66 B]. The report

stated that the first Decade's main objective was to promote self-reliant and self-sustained industrial development by creating a basis for bringing about structural transformation of industry, which involved a shift from external to internal engines of growth and the provision of a long-term perspective for sustained socio-economic development. A prerequisite was establishment of a minimum integrated structure of basic industries which would be mutually supportive and provide inputs to other industries and economic sectors.

According to the report, the mid-term evaluation had confirmed that almost no progress had been made in achieving the Decade's basic objectives. Major constraints included structural weaknesses; inadequate strategies and institutional infrastructure; lack of political commitment to market and resources pooling; shortage of skilled manpower and lack of entrepreneurship; limited financial resources, including foreign exchange, diminishing financial investment and technical assistance; collapsing export prices; and the strain created by the activities of transnational corporations (TNCs) and structural adjustment programmes. Proposals were advanced for the consideration of African Governments and organizations, including: according the highest priority to industry, especially those industries supporting food production and agricultural development; and shifting from the traditional project-by-project approach to an integrated programme approach involving linkages between the industrial and other sectors, especially agriculture, transport and communications, energy and environment, as well as support areas, particularly human resources development, technology, institutional framework and financing. The report also pointed to the need to prepare a core programme for the Second Decade (1991-2000) and to secure funding for it. Each Government would also need to undertake an agonizing and candid evaluation of the progress of industrialization in the country during the first Decade and compare the 1980 situation with that of 1990. Such a review should involve political leaders, administrators, enterprise managers, banks, the private sector, engineering and consulting firms, agents of distribution, and academics, and would be an essential starting point for the preparation of a national industrial plan for the Second Decade. A major effort was required to stimulate domestic private investment and to attract foreign capital. The recommendation of the first Decade that each country prepare a portfolio of industrial investment projects to develop the core sector and stimulate domestic factor outputs had yet to be translated into reality in most African coun-

tries. Regenerating existing industries would require identifying suitable enterprises for use of scarce financial resources, including foreign exchange, possibly leading to closure of some plants; combining plant rehabilitation with a restructuring programme entailing investment in new industrial capacities and infrastructure; and adjusting policy and administrative frameworks better to support the domestic and international efforts for industrial regeneration. Ministries of industry should be responsible for diagnostic studies and proposing remedial action, including privatization, as well as co-ordinating a repair and maintenance capabilities development programme, exploring possibilities of producing spare parts within the country.

The report also recommended development of a data and information base; regulation of foreign private enterprises and promotion of African multinational enterprises; determination of the role of and alternatives to TNCs; accelerating the production of indigenous inputs; development of local entrepreneurship to reduce the external overdependence of African countries on such manpower; taking African realities into full consideration in management training, rather than continuing to rely on foreign models; and intensification of intra-African industrial co-operation, especially in developing strategic core industries for a subregion or group of countries, and establishing African multinational enterprises. In that connection the African Industrial Development Fund should be strengthened, not only in financing pre-investment studies but in providing credits and guarantees, especially for multinational projects.

ECA, UNIDO and OAU consulted on preparation of the Second Decade and worked out a resource requirement of \$1,345,890, out of which the United Nations earmarked \$461,900, with the balance of \$883,900 constituting the UNIDO contribution from the \$8.6 million earmarked by UNIDO for the special programme for Africa for the biennium 1990-1991. The resources were to be used to assist African countries and sub-regional organizations in elaborating their national and subregional programmes.

Report of Secretary-General. In May the Secretary-General reported [A/45/257-E/1990/61] on preparations for the Second Decade, as requested by the General Assembly in 1989 [GA res. 44/237]. He summarized the joint OAU-ECA-UNIDO progress report (see above) and reported on subsequent developments. The Secretary-General said that in order to accelerate preparation of the Second Decade's programme, UNIDO, on behalf of the three secretariats, had informed all African countries of the availabi-

lity of UNIDO and ECA technical assistance for preparation of programmes; by 10 April, 40 countries had indicated to UNIDO their interests and needs. ECA had further requested each country to nominate a local expert to work with UNIDO-provided international experts to assist Governments in preparing national programmes.

By decision 45/438 of 21 December, the General Assembly took note of the Secretary-General's report.

Social development

Information

The ECA Conference of Ministers in May unanimously adopted a resolution on improving information flows in the African region [E/1990/42 (res. 679(XXV))]. After noting with concern the precarious situation of the bulk of Pan-African Documentation and Information System (PADIS) funding for technical assistance, which was scheduled to end on 31 December, the Ministers strongly urged UNDP to ensure continuation of PADIS technical assistance activities on behalf of member States; exhorted African member States to include PADIS in their pledges to the United Nations Trust Fund for African Development; appealed to bilateral and multilateral donors to continue and upgrade support for PADIS; and urged the Secretary-General to provide PADIS with the necessary computer equipment to ensure its effective functioning.

Administrative questions

CPC consideration

Responding to a request made in 1989 by the Committee for Programme and Co-ordination (CPC) for an in-depth evaluation of ECA's programme on development issues and policies, the Secretary-General submitted a June report [E/AC.51/1990/5] in which he pointed out that ECA intergovernmental bodies and General Assembly organs had recently conducted assessments of 80 per cent of regular budgetary expenditures and all of the extrabudgetary expenditures of the development programme. He recommended that further evaluation could best consist of an examination of the implementation of recent recommendations and intergovernmental decisions, and proposed that the examination be included in the triennial review of the development issues and policy programmes to be submitted to CPC in 1991.

Technical facilities of the Commission

On 27 July, the Economic and Social Council adopted resolution 1990/73.

Improving the technical facilities of the
Economic Commission for Africa

The Economic and Social Council,

Recognizing the need for providing adequate equipment and training in the region in current information technology,

Concerned about the paucity of up-to-date office automation and computing equipment at the secretariat of the Economic Commission for Africa.

Also concerned about the constraints that such a situation imposes on the Commission to properly assist African member States in enhancing their planning and monitoring capacities,

Urges the Secretary-General to provide the secretariat of the Economic Commission for Africa with the office automation and computing equipment necessary to enable it to function efficiently and to provide better service to member States.

Economic and Social Council resolution 1990/73

27 July 1990 Meeting 37 Adopted without vote

Approved by First Committee (E/1990/114) without vote. 23 July (meeting 10); draft by ECA (E/1990/84); agenda item 6.

In a December report [A/45/7/Add.8] to the General Assembly, ACABQ said it had no objection to the estimate of \$240,000 for making available to ECA financial resources required to collect up-to-date information on implementation of the United Nations Programme of Action for African Economic Recovery and Development (1986- 1990), as called for in Economic and Social Council resolution 1990/75.

Translation and interpretation services

In response to General Assembly resolution 44/201 B, section VIII [YUN 1989, p. 255], requesting a review of ECA translation and interpretation services, including the question of retention of trained personnel and the possibility of restoring the Training Centre, the Secretary-General submitted an October note [A/C.5/45/26] in which he said it would be premature to re-establish the translator training programme, discontinued in the biennium 1982-1983, before final results were known regarding competitive examinations for recruitment of candidates from ECA region countries. ECA did not have a permanent interpretation staff. He stated that it seemed uneconomical to establish a core interpretation unit owing to the pattern of distribution of meetings, and that ECA should continue to rely on freelance interpretation services.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/248 B, section II.

Review of translation and interpretation services
for all official languages in the Economic
Commission for Africa

[The General Assembly ...]

Having considered the note by the Secretary-General on the review of the translation and interpretation services for all official languages in the Economic Commission for Africa;

1. Expresses its concern over the difficulties experienced by the Economic Commission for Africa, particularly in the area of conference services;

2. Requests the Secretary-General to take action for the revival of a training programme for translators/précis-writers in all official languages of the Economic Commission for Africa and to report to the General Assembly at its forty-sixth session, through the Advisory Committee on Administrative and Budgetary Questions, on the measures taken;

3. Also requests the Secretary-General to ensure that this training programme is comparable in quality with other similar United Nations training programmes and to make every effort to utilize existing facilities and expertise within the region;

4. Invites the Secretary-General to take appropriate measures to ensure the immediate recruitment of those candidates who, after completing their training, have passed the competitive translators/précis-writers examination;

5. Further requests the Secretary-General to make proposals in the proposed programme budget for the biennium 1992-1993 on the improvement of conference services in the Economic Commission for Africa, including the provision of a permanent staff for interpretation;

6. Decides to consider again the question of conference services for the Economic Commission for Africa at its forty-sixth session, in the context of the proposed programme budget for the biennium 1992-1993;

General Assembly resolution 45/248 B, section II

21 December 1990 Meeting 72 Adopted without vote

Approved by Fifth Committee (A/45/900) without vote, 19 December (meeting 501; draft by Chairman (A/C.5/45/L.19), following informal consultations; agenda item 118.

Meeting numbers. GA 45th session: 5th Committee 29, 50; plenary 72.

Asia and the Pacific

The forty-sixth session [E/1990/40] of the Economic and Social Commission for Asia and the Pacific (ESCAP) met in Bangkok, Thailand, from 4 to 13 June. The session had originally been scheduled to take place in Kuala Lumpur. By a 1 February note [E/1990/L.12], the Secretary-General reported to the Economic and Social Council that Malaysia had informed ESCAP that it was not in a position to host the session. The Economic and Social Council, by decision 1990/203 of 9 February, decided to reschedule the session in Bangkok.

Eight resolutions were adopted by the Commission. Regarding strengthening ESCAP population activities in the 1990s [E/1990/40(res. 46/1)], the Commission requested the United Nations and other international donors to provide additional resources and greater assistance to that end and looked forward to the 1992 Fourth Asian and Pacific Population Conference. A resolution on urbanization strategies [res. 46/2] called for environmentally sound and sustainable development and management in urban areas, as well as a regional action plan to assist members, and the Commission decided to convene, subject to resource availability, a regional conference on the topic in 1992. ESCAP requested [res. 46/3] its Executive Secretary to continue to improve secretariat administrative and operational functioning, while noting with appreciation the Executive Secretary's efforts in that regard. Preparations for the 1990 Second United Nations Conference on the Least Developed Countries [res. 46/4](seePARTTHREE, Chapter I) were addressed and the support of member States, donors and financial institutions was called for. In regard to meeting basic learning needs [res. 46/5] and follow-up to the 1990 World Conference on Education for All, held in Jomtien, Thailand, in March, the Commission noted the General Assembly's proclamation of 1990 as International Literacy Year (see PART THREE, Chapter XII), and decided to convene later in the year a meeting of senior officials to formulate a regional programme on education for all. Recognizing the need for the integration of women in all aspects of development [res. 46/6], ESCAP decided to consider women in development as the theme of a Commission session in the near future and requested that a regional intergovernmental meeting on implementing the 1985 Nairobi Forward-looking Strategies for the Advancement of Women [YUN 1985, p. 937] be convened in 1993. Resolutions were also adopted on promotion of foreign investment in the region's least developed countries (LDCs) [res. 46/7], and on technical and economic co-operation among developing countries for least developed, land-locked and island developing countries [res. 46/8].

In a message to ESCAP, the Secretary-General said that although the region had led the world with relatively vigorous average economic growth rates throughout the 1980s, most of the region's least developed and Pacific island economies had achieved scant progress. The more disadvantaged countries continued to need special attention, including additional assistance from the international community. Despite substantial progress, poverty, hunger, disease and illiteracy remained the plight of hundreds of millions of Asians. Deficiencies in infrastructure and tech-

nology, aside from financial resources, also posed serious problems in many countries.

In a policy statement, the Executive Secretary of ESCAP observed that in the 1980s the region's developing countries had earned a world-wide reputation for dynamism and resilience, while elsewhere many developed and developing countries were experiencing a sharp economic decline. Average growth of the developing ESCAP region had accelerated from 5.3 per cent in the 1970s to almost 7 per cent in the 1980s, but growth had been sporadic and unevenly spread, and slowing growth in the late 1980s had raised some questions about the durability of the region's momentum. There were increasing signs that growth could slow further unless the region's developing economies underwent restructuring. Among the factors in faltering growth were mounting inflation, currency realignments, labour shortages and rising wages, diminished export competitiveness, social unrest, infrastructural constraints and environmental deterioration. Many developing countries of the region, in efforts to spur growth, had implemented adjustment measures with ill effects on the quality of life.

Regarding the regional co-operative framework, the Executive Secretary proposed formation of an ESCAP council for regional economic co-operation within the Commission's evolving organizational structure to perform deliberative and decision-making functions related to the promotion of economic co-operation and advantageous restructuring. Such a body could play a valuable catalytic role as the Governments' monitor of intraregional trade and investment. It would identify trends, opportunities and unnoticed complementarities, and establish task forces for implementing aspects of the work programme.

Economic and social trends

Notwithstanding the adverse developments in the world economic environment, the region's developing countries maintained their overall growth rate of 5.4 per cent in 1990, the same as in 1989, it was reported in the Economic and Social Survey of Asia and the Pacific 1990 [Sales No. E.91.II.F.10] and a later summary [E/1991/45]. Slow growth of exports, however, affected the balance of payments and economic growth capacity, particularly of those economies that were highly trade oriented. Oil price rises since the Persian Gulf crisis added to the emerging trend of declining economic growth rates and accelerating inflation. Despite these difficulties, a large number of countries maintained high growth

rates, if lower than in previous years, and quite a few improved their performance. Of the region's three developed countries, Japan remained strong with a gross national product (GNP) growth rate that was expected to exceed 5 per cent, compared with 1989's 4.9 per cent. Australia's economy was expected to grow at 3.3 per cent compared to 4.7 per cent the previous year, but New Zealand's economy continued to stagnate in 1990, after recovering somewhat in 1989 from a decline in 1988.

China and the Republic of Korea achieved higher growth rates, while Indonesia had an estimated 7 per cent growth rate (compared to 6.9 per cent in 1989), Malaysia 9.2 per cent (8.5 per cent in 1989), Singapore 8.3 per cent (9.2 per cent in 1989), and Thailand 9.5 per cent (12.2 per cent in 1989)—some of the highest rates in the region and the world. The Philippines' growth rate, however, deteriorated from 5.7 per cent in 1989 to 3.1 per cent. Growth prospects in 1990 remained weak in Viet Nam. India's growth remained the same at 4.5 per cent. Pakistan's was estimated to be higher at 5.2 per cent (4.8 per cent in 1989); Bangladesh and Sri Lanka improved markedly at 5.8 and 5.9 per cent, respectively, but Nepal, whose growth rate had fallen from 7.8 per cent in 1988 to 2.3 per cent in 1989, saw its growth fall to 2 per cent. Iran recovered from a decade of turmoil and war and low oil prices with estimated growth of 4 per cent in 1989 and over 7 per cent in 1990.

In sharp contrast to the generally high rates of growth in other developing countries, economic growth in the region's LDCs remained weak and unstable, lacking any definite trends. Bhutan's growth decelerated while Maldives sustained 12 per cent average growth in 1985-1989. Myanmar's GDP grew 7.5 per cent in 1989 after an 11.4 per cent decline in 1988; the Lao People's Democratic Republic growth had accelerated since 1989's 4 per cent rate; Afghanistan's growth prospects appeared to have improved following a 1.2 per cent annual decline in 1979-1986; and Samoa and Vanuatu had achieved moderate 1989 growth rates of 1.3 per cent and 2 per cent, respectively.

Like the LDCs, most Pacific island countries experienced unstable growth. Fiji vastly improved its performance, with a GDP growth rate of 12.1 per cent in 1989, compared to 0.2 per cent in 1988. Solomon Islands had a rate of 5.5 per cent in 1989 (5.3 per cent in 1988); Tonga 3.6 per cent (minus 2.1 per cent in 1988); and Papua New Guinea 1.4 per cent (3.1 per cent in 1988).

Agriculture remained the most important sector in most economies of the region. Among the major agricultural producers, Bangladesh, India, Indonesia, Malaysia, Pakistan and Viet Nam achieved reasonably high agricultural produc-

tion growth in 1989, and only in China, India and Thailand did production increase more slowly in 1989 than in 1988. Among the least developed and smaller economies, Fiji, the Lao People's Democratic Republic and Solomon Islands achieved production rates in 1989 that far exceeded the previous two years. Among major producers, Thailand experienced a decline because of a large drop in rice production. Production also declined in Mongolia, Nepal, Papua New Guinea, the Republic of Korea and Sri Lanka. In recent years, livestock and fishery products had recorded higher growth rates than the crops sector, providing supplementary income to farmers, greater income stability and increased protein in the people's diet.

Industrial growth in 1987-1988 had reached 15 to 20 per cent in a number of countries, but recent performance was uneven. East and South-East Asia generally achieved much faster growth, but most of the region's least developed and other small economies performed poorly. During 1989 and 1990, however, even the fast-growing economies experienced sharp deceleration due to labour shortages, wage and cost increases, and lower demand and protectionist threats from abroad.

Much of the ESCAP region's economic dynamism had been attributed to its trade dynamism—many countries had shown a trade turnover of 60 per cent or more of GDP. However, exports grew at a much slower pace in 1989-1990. For the developing economies, growth in current dollar value of exports decelerated from 22.8 per cent in 1988 to 12.7 per cent in 1989, while for imports the rate fell from 26.7 per cent to 14.6 per cent. Available 1990 data indicated a further slow-down. The region's three developed countries made only a 4.6 per cent gain in exports in 1989, compared to 16.7 per cent in 1988. Australia made the largest export gain at 11.7 per cent, compared with 3.9 per cent in Japan and 0.7 per cent in New Zealand. Among developing countries, China's export rate fell to 4.8 per cent in 1989, from 20.5 per cent in 1988. Hong Kong's 1989 export growth was about half the 30.3 per cent rate of 1988, and the Republic of Korea had one of the sharpest export growth drops—3 per cent in 1989, compared to 28.4 per cent in 1988. Deceleration in trade growth also occurred in South-East Asia, but in South Asia—India, Pakistan and Sri Lanka—export growth rates accelerated. Iran also experienced a sharp export increase of 35.6 per cent in 1989 after a 1988 decline of 21.9 per cent, largely as a result of increases in both oil production and prices. Current account balance of payments worsened in 1989 for many countries and with the exception of net oil ex-

porters (including China) were likely to be worse in 1990 as a result of slower export growth, higher import costs (particularly of oil) and the loss of remittances and tourist revenues.

Despite high economic growth, the region still continued to have deep-seated social problems, the most basic being poverty. The number of people below the poverty line, estimated at 800 million, equalled three quarters of the world's total poor in developing countries. Approximately a third of the adult population, or 640 million, were both poor and illiterate; hence eradication of illiteracy was of great significance in poverty alleviation. However, primary education might remain ineffective as enrolments were still far less than universal in many countries, drop-out rates remained high and the educational infrastructure was grossly inadequate to impart effective literacy and numeracy to the large and growing number of primary school-aged children, particularly in least developed and some other populous countries.

The development of social infrastructure—for education, health, urban housing and other facilities—had lagged considerably behind the physical and economic infrastructure. With few exceptions, the share of government spending on social infrastructure tended to rise slowly or remain constant in the developing ESCAP region during the last two decades. Allocations generally accounted for about one fifth of central government expenditure in the late 1980s, though in several countries, such as India and Pakistan, provincial and local government played a more important role than the central authorities. There were significant variations, with China and Iran being among the countries having the sharpest rise in social sector allocation. Several countries registered a marginal fall in social infrastructure funding. Malaysia and Thailand achieved high levels of coverage of social infrastructure by the late 1980s.

ESCAP activities in 1990

ESCAP continued its activities in 1990 in food and agriculture, environment, human settlements, industrial development, natural resources, population and other areas. During the year, the Committee on Population and Social Development held its second session (Bangkok, 19-23 November), and the Committee on Shipping, Transport and Communications, its thirteenth session (Bangkok, 17-21 December).

Regional co-operation

In 1990, the Commission prepared a study [E/ESCAP/703 & Corr.1,2] on restructuring the devel-

oping ESCAP economies in the 1990s, with special reference to regional economic co-operation. The study highlighted emerging issues at the national, regional and global levels that would have an impact on prospects for further growth and co-operation in the region in the coming decade. Closely related to the restructuring study was the preparatory work on the regional perspective for the Fourth United Nations Development Decade (see PART THREE, Chapter I). Expert group meetings and seminars on the restructuring theme were held. The Commission generally agreed with the study's conclusions, including the need for regional co-operation in facilitating the future process of restructuring in developing economies, but felt that greater emphasis was needed on equity, alleviation of poverty, human resources development and environmental protection. The Commission cautioned against the creation of closed trading blocs, which could adversely affect the evolution of an open trading system through the negotiations in the Uruguay Round [YUN 1986, p. 1210] of multilateral trade negotiations, on which the hopes of many Asian and Pacific developing economies were based. The Commission recommended that the theme for its 1991 session should focus on industrial restructuring in the region, in particular with a view to promoting regional co-operation. Regarding the Executive Secretary's proposal for an ESCAP council for regional economic co-operation (see above), the Commission requested him to elaborate its objectives and terms of reference.

Implementation of Least Developed Country Action Programme

The Commission noted with concern that the Substantial New Programme of Action for the 1980s for the Least Developed Countries (LDCs) [YUN 1981, p. 406] had failed to achieve its main targets. The Commission noted with satisfaction, however, the various restructuring measures adopted by the Governments concerned, including measures to reduce government deficits, increase export competitiveness, enhance the market's role and reduce the size of the subsistence sector, and urged continued efforts in those directions.

As part of the preparations for the Second United Nations Conference on the Least Developed Countries (see PART THREE, Chapter I), held in Paris in September, country studies and synthesis papers were prepared, and an expert group meeting and an intergovernmental meeting were held. The meetings reviewed the socio-economic situation of the LDCs of the ESCAP re-

gion during the 1980s and made recommendations for accelerating their growth in the 1990s.

Advisory assistance was also given to authorities in selected LDCs in the formulation of new development plans and programmes. Assistance was oriented mainly towards vital areas such as human resources development and institution-building.

Special problems of Pacific States

The Commission had before it a report [E/ESCAP/736 & Add.1] on the special problems faced by Pacific island countries. The Commission expressed concern at the unfavourable economic performance of most such countries in the 1980s, and took note of various constraints on them, including severe physical barriers, natural disasters, limited export base and less-than-favourable external trade environments, as well as grossly inadequate human resources and institutions. The annual ESCAP orientation programme for Pacific island officials continued in 1990. Several Governments provided support for the ESCAP Pacific Operations Centre (EPOC). The Executive Secretary said all possible assistance would be provided to the Republic of the Marshall Islands regarding its expressed interest in becoming a full member of ESCAP.

Economic and technical co-operation

In 1990, ESCAP continued its activities related to technical co-operation among developing countries (TCDC). At its annual meeting, it took note of the suggestion that priority be given to co-operation in trade, finance, technology, industry, entrepreneurial development and agriculture. The Commission suggested that co-operative efforts and expertise-sharing be carried out regarding prevention and mitigation of natural disasters. A multisectoral TCDC programming meeting was hosted by Indonesia (Jakarta, 30 July-3 August). The ESCAP secretariat supported 33 operational TCDC activities during the year. In addition, field study visits were increasingly undertaken on a TCDC basis on specific subjects, including water resources development, coconut intercropping, tribology techniques, entrepreneurship programmes for youth, and agricultural equipment and machinery.

International trade and development finance

At the Commission's 1990 session, particular interest was expressed in the outcome of the Uruguay Round [YUN 1986, p. 1210] of multilateral trade negotiations as a means to halt the retreat from multilateralism and establish a free multilateral

trading system with transparent and enforceable rules. Concern was expressed that the textile trade, important to the region's developing countries, had not been properly addressed in the Uruguay Round.

Activities in 1990 centred around five subprogrammes related to trade expansion, promotion and development; the development of commodities of interest to the region; and the promotion of subregional, regional and interregional trade co-operation. Technical assistance and advisory services were provided to facilitate the formulation and application of appropriate strategies and policies related to restructuring, production and trade in the commodity sector, particularly the silk industry. Training in commodity policy formulation was also provided. Mongolia requested technical assistance to facilitate transition to a market-oriented economy with state regulation and to organize training programmes to acquaint officials with international trading practices and regulations.

Transnational corporations

The Joint Unit on Transnational Corporations of ESCAP and the United Nations Centre on Transnational Corporations (UNCTC) published the Asia-Pacific TNC Review 1990, which included articles on TNC participation in particular sectors of the economy. The ESCAP/UNCTC Joint Unit also continued to strengthen its information activities, including activities related to the development of national information systems and the establishment of a regional information network. The Joint Unit also supported UNCTC advisory services, and provided services to Bangladesh, Nepal, Thailand and Viet Nam.

The Commission emphasized that TNC objectives should conform to those of host countries, particularly in relation to national development objectives, and that countries of the region should co-operate and exchange information regarding TNCs, including by creation of regional and subregional information networks.

Transport, shipping and communications

ESCAP intensified its support in 1990 for national efforts to pursue an integrated approach to medium- and long-term planning of the transport and communications sector, through national workshops and advisory services. It conducted a meeting of national experts on integrated transport planning, carried out national surveys in a number of countries and organized a meeting of senior experts. The secretariat contributed to the modernization of railways through the transfer of railway technol-

ogy, including computerization and electrification. A survey mission to selected countries to assess telecommunications needs was undertaken and a report prepared for the thirteenth session of the Committee on Shipping, Transport and Communications in December.

A regional maritime strategy study [E/ESCAP/714] promoted the planning of national shipping policy and cost control within ports, and aimed to provide decision makers with assistance in planning maritime sector investments. The Commission expressed concern that the United Nations Statistical Office might soon discontinue statistics that were the basis of the regional maritime strategy study trade data base, and were also of considerable use to countries of the ESCAP region. A series of workshops and seminars on multimodal transport were held. Regional co-operation was further promoted through meetings of chief executives in the maritime sector.

Asian Highway network

The Commission reaffirmed the important role of the Asian Highway in facilitating transport of people and goods within and outside the region, in the promotion of trade and tourism and in bringing countries of the region closer economically, commercially and socially. It recognized that the decisions of China, Mongolia and Myanmar to join the project opened up the possibility of providing alternative road connections between Europe and Asia. It also noted with interest the construction project of the Mekong River bridge linking Thailand and the Lao People's Democratic Republic. The Commission felt that the main emphasis in the Asian Highway development should be on eliminating gaps in the network and upgrading the existing highways to ensure the safety and convenience of road users.

Transport and Communications Decade

ESCAP organized five intercountry missions in connection with the mid-term review of the Transport and Communications Decade for Asia and the Pacific, 1985-1994, declared by ESCAP in 1984 [YUN 1984, p. 623]. On the basis of the interim report [E/ESCAP/719], the Commission recommended that the Decade's second half focus on such matters as human resources development, technology transfer, TCDC promotion, strengthening of intraregional and interregional linkages, and optimum use of resources through integrated planning of transport and communications, with particular emphasis on the problems and needs of LDCs, land-locked and Pacific island countries and of developing countries in the region. The second session of the Inter-

agency Consultative Group Meeting on the Transport and Communications Decade met in Bangkok in December, prior to a meeting later in the month of senior government representatives responsible for the Decade, also in Bangkok.

Tourism

ESCAP continued to provide technical assistance to developing countries with a view to securing greater socio-economic benefits from the sound development of tourism. Case-studies on the economic impact of tourism in Indonesia, Malaysia, Maldives and Thailand were conducted, as well as a study on the environmental aspects of mountain tourism in Nepal. To keep developing countries informed regarding the tourism sector, the ESCAP Tourism Review was issued.

Three regional meetings were held in 1990 in regard to tourism: the Seminar on the Promotion of Tourism in the ESCAP region; an Expert Group Meeting on the Measurement of the Economic Impact of Tourism by Input-output Analysis; and a Workshop on Human Resources Development in the Tourism Sector.

Industrial development

The ESCAP programme of work in the area of industrial development included the promotion of small- and medium-scale industries, investment promotion, privatization, special activities for LDCs and island developing countries and promotion of regional co-operation to accelerate economic growth. Advisory services were provided to Bangladesh, China, Malaysia and Viet Nam. Joint studies, meetings and seminars were organized with the United Nations Industrial Development Organization (UNIDO). A symposium on business collaborations between entrepreneurs from Nepal and the Federal Republic of Germany took place in April and May.

Natural resources and energy

In the mineral sector, ESCAP's role in mineral resources exploration and development and the strengthening of co-operation and co-ordination with related international organizations received increasing international recognition. Activities focused on the compilation of regional thematic maps, preparation of publications on geology and an inventory of mineral resources, promotion of subregional co-operation, strengthening of national geological/exploration agencies through group training and advisory services and the appraisal of geology for planning purposes through various activities under the geology and urban development programme.

The ESCAP energy programme continued to contribute to regional co-operation through documentation provided for the Committee on Natural Resources and Energy as well as through intercountry projects and publications. Sectoral energy demand studies conducted under an intercountry project of ESCAP and the United Nations Development Programme (UNDP) were assessed, and were found to have enhanced the capability of the eight participating countries to conduct sectoral energy demand analysis, and to have fostered regional co-operation and the exchange of information. Six regional energy working groups were established. The first meeting of the Regional TCDC Working Group on Rural Energy Planning and Development took place in November. In December, the Working Group on Wind Energy Technology was formed.

As for water resources, guidelines were prepared for preparation of national water plans; a manual and guidelines were prepared for comprehensive flood-loss prevention management; and various publications were issued on water resources management. Work was undertaken on environmental considerations in water resources development; urban flood-loss prevention and mitigation; water quality management; and water-use statistics.

Marine affairs

An ESCAP study on the implications of the new régime established under the 1982 United Nations Convention on the Law of the Sea [YUN 1982, p. 178] highlighted the rights and obligations of coastal countries and reviewed sectoral policies and legislation. The Commission strongly urged that the secretariat provide advisory services to countries on request, as well as technical assistance and training in the various sectors of marine affairs and the law of the sea. Activities so far had concentrated on strengthening countries' assessing and management of non-living resources under national jurisdiction. There were also many requests regarding assistance in the legal aspects of marine affairs, including drafting legislation.

Food and agriculture

The Commission's activities continued to focus on three broad areas: improvement of agricultural policies, planning and information; increasing production and improving supply, distribution and marketing of critical farm inputs; and integrated rural development, emphasizing poverty alleviation. Assistance was provided through research studies, seminars, training workshops, information collection and dissemination and technical assistance. The

Commission commended strategies such as crop diversification to mitigate the effects of low export prices for agricultural commodities resulting from the protectionist policies of developed countries.

The Fertilizer Advisory, Development and Information Network for Asia and the Pacific (FADINAP), a project of ESCAP, UNIDO and the Food and Agriculture Organization of the United Nations (FAO), fostered fertilizer sector development through dissemination of information, multifarious training programmes and advisory services, and contributed greatly to increasing agricultural production, reducing marketing costs, and soil fertility maintenance. The Agricultural Requisites Scheme for Asia and the Pacific (ARSAP) continued its work on agro-pesticide safety and information, including the establishment of guidelines and their translation into local languages.

In co-operation with the United States National Oceanic and Atmospheric Administration (NOAA) and the Asian Institute of Technology (AIT), ESCAP conducted a training course on satellite crop monitoring technology to improve drought early warning in participating countries.

Other ESCAP activities included publication of a training manual and training guidelines on farm broadcasting for agricultural extension workers and a regional seminar-cum-study tour in China and the Republic of Korea in September to exchange information on technologies related to gasification of rice husk and other biomass for electricity generation and substitution for fossil fuel.

Regional Network for Agricultural Machinery

The Regional Network for Agricultural Machinery (RNAM) continued to assist national institutes to develop appropriate agricultural machines both through the exchange of commercial machines among themselves and through dissemination of information on the latest developments in agricultural mechanization technologies. Two workshops and a training course were held, in Indonesia, Pakistan and the Republic of Korea. The Commission requested UNDP to reconsider its decision to terminate funding of RNAM programme support activities after 1991.

Science and technology

Asian and Pacific Centre for Transfer of Technology

The Asian and Pacific Centre for Transfer of Technology (APCTT) strengthened the technology absorption capabilities of developing countries and promoted technology utilization,

despite serious financial problems. APCTT prepared a technology atlas which had achieved wide acceptance. Some countries had used the atlas methodologies for their technological needs assessment. The APCTT Governing Board had suggested establishing an endowment fund with capital of \$5 million, the interest of which would be used to meet the Centre's institutional costs. The Commission recommended that the possibility of such a fund be explored. On 24 May, the foundation stone was laid in New Delhi for construction of a new building for the Centre's permanent headquarters.

Remote sensing

The ESCAP/UNDP Regional Remote Sensing Programme (RRSP) functioned as an effective co-ordination mechanism for interaction among the region's national centres and programmes. The network of national focal points established under RRSP, including the Regional Information Service contact points, acted as the co-ordinating linkages for regional efforts on enhanced TCDC collaboration in remote sensing development. Through RRSP meetings, training, pilot programmes and other activities, participating countries—particularly LDCs in the region—were assisted in broadening the base of their remote sensing manpower and in promoting the use of remote sensing in national socio-economic development activities. Workshops in 1990 dealt with the application of remote sensing to desertification and vegetation mapping, geotectonic mapping and mineral exploration, natural resources and environmental development projects and other topics. In June, the seventh session of the Intergovernmental Consultative Committee on RRSP was held in Kuala Lumpur.

Social and cultural development

The formulation of a regional social development strategy towards the year 2000 and beyond, to be presented at the Fourth Asian and Pacific Ministerial Conference on Social Welfare and Social Development in 1991, was central to ESCAP activities in the area of social development.

In December, a seminar on co-operation between government agencies and non-governmental organizations (NGOs) in the planning and delivery of social services took place in Hong Kong. Other meetings and workshops dealt with such issues as drug abuse prevention programmes, development policies and programmes for youth and quality-of-life surveys. The World Conference on Education for All was held in Jomtien, Thailand, in March. An inter-agency consultation on a Programme of Action in

Support of Education for All was held in July, and a meeting of senior officials on the same subject was convened in October. The ESCAP secretariat contributed to national efforts to promote policies and programmes to stimulate greater participation of the entire population in the development process, with special emphasis on less advantaged groups such as women, youth, disabled persons and the elderly.

ESCAP undertook a number of activities for human resources development within the framework of the 1988 Jakarta Plan of Action on Human Resources Development [YUN 1988, p. 282]. While the requisite institutional mechanisms to support an integrated approach continued to be lacking in many countries, a network of national focal points for human resources development was activated to ensure co-ordination of the implementation of the Plan. ESCAP would serve as the regional co-ordinating body to ensure effective interaction among the national focal points and to promote TCDC through facilitating exchanges of experience, information and expertise.

In preparation for a survey of the quality of life in the region, background studies on methodological issues were undertaken. It was suggested that social welfare services could be added to the basic components of quality of life, which were education, health, employment, shelter, environment, social security and social defence. The Commission emphasized the link between improvement of the quality of life and the development of human resources, with effective planning and delivery of social services as a necessary prerequisite. The secretariat, in co-operation with France, established the ESCAP Human Resources Development Award to encourage exemplary research and other innovative achievements.

Population

Activities regarding population helped create greater awareness of major issues in the area of population aging, increased knowledge about the interrelationship of population and development variables and facilitated the development of a framework for research and planning. The award of fellowships greatly assisted the countries with limited or no training facilities in developing a cadre of manpower trained in demography. Improved utilization of population data at the national level was promoted through technical assistance, training and information services provided to 13 national population information centres in the Asia-Pacific Population Information Network (POPIN).

The population policies subprogramme contributed significantly to narrowing the gap between stated fertility goals and actual fertility levels through technical assistance on fertility-regulating policies.

The Commission reiterated the need for changing the orientation of family planning programmes to increase their effectiveness and redirect them towards the qualitative aspects of service delivery, with the key to improved quality of service being a wide choice of contraceptive measures duly reflecting national characteristics and cultural traditions, easy accessibility of services and proper counselling about various contraception methods.

Human settlements

The ESCAP human settlements programme addressed three main areas: integrated settlements policies and planning; development of shelter, infrastructure and land; and stimulation of institutional capabilities and public participation. Priority was accorded to TCDC activities in settlement planning and development; strengthening institutional capabilities through technical co-operation; and promotion of public participation in human settlements financing and development. Leaflets and guidelines were prepared to aid Governments in applying innovative schemes for building regulations and housing finance.

The Commission decided [E/1990/40 (res. 46/2)], subject to availability of resources, to convene a high-level regional conference in 1992 on "Urbanization strategies in the ESCAP region—towards environmentally sound and sustainable development and management of urban areas", with special reference to urban planning, development and management, which would review the state of urbanization in the region, consider the regional plan of action and develop a framework for formulation of national action plans.

Women in development

The ESCAP secretariat generated greater awareness in the region of women's legal rights. Policy guidelines were prepared in order to stimulate national action to eliminate discriminatory legislative provisions and practices that impeded the achievement of equal rights for women. National, subregional and regional women's information systems were strengthened through training, improvement of indicators of women's issues and more systematic information exchange. Directories and newsletters on the status and participation of women in development were issued. Meetings included a subregional workshop on the processing of infor-

mation on women in development (Bangkok, October/November) and a meeting to evaluate guidelines on integrating women's concerns in development planning (Bangkok, November).

The Commission decided [res. 46/6] to consider "Women in development" as the theme of a Commission session in the near future to give special attention to policies and programmes at the national and regional levels regarding the advancement of women and their full participation in development. Subject to available resources, it requested an analytical study on progress and obstacles in implementing the Nairobi Forward-looking Strategies for the Advancement of Women [YUN 1985, p. 937], formulation of regional action proposals for improving the status of women and strengthening of secretariat capacity by an additional regular budget post for the sub-programme on women in development.

Environment

The ESCAP environment programme aimed at the achievement of environmentally sound and sustainable development. Activities included strengthening of desertification and deforestation control, development of coastal environmental management plans for Pakistan and Tonga and assistance to environmental impact analyses and related training for Bangladesh, the Pacific and the eastern seaboard of Thailand. A regional expert meeting was held on trade and the economic aspects of environmental sustainability. Another workshop formulated recommendations on protected area management training priorities as part of a joint ESCAP/UNDP/World Bank project on the management of critical ecosystems. A report entitled *State of the Environment in Asia and the Pacific 1990* [ST/ESCAP/917] was prepared for the Ministerial-level Conference on Environment and Development in Asia and the Pacific (Bangkok, October).

The Commission noted with concern that adverse environmental effects were highly visible in the region and that, if current trends continued, it would not be possible to sustain the momentum of regional development. It stressed the need for increased regional and international co-operation to solve resource depletion and environmental pollution problems and recommended that the secretariat lay greater emphasis on an intersectoral approach to environment and development issues, particularly since industrial, urban and agricultural development had been creating most of the environmental problems. It recommended incorporating into the secretariat's work such programmes as monitoring of hazardous and toxic products and wastes and their

transboundary movement, and transfer of environmentally benign technology.

Statistics

The statistics development work of ESCAP continued in 1990, with historically high levels of delivery maintained from the previous year. Advisory services were strengthened and missions were mounted to developing countries in the region. Workshops, seminars and training courses dealt with such topics as household survey methodology, economic classifications for population censuses, revision of the system of national accounts and electronic data processing. The Working Group of Statistical Experts held its seventh session in Bangkok in December.

The Commission stressed the need for the secretariat to promote government computerization further through advisory services and training opportunities, and supported in particular the convening of a working group of experts on government computerization.

Statistical Institute for Asia and the Pacific

The Statistical Institute for Asia and the Pacific (SIAP), in Tokyo, expanded its training programmes as well as data processing. The fourth five-year phase of SIAP ended in September 1990, and the fifth began in October. The new phase incorporated the thrusts of various Commission suggestions, including human resources development and management skills, public sector management and problem-solving approaches in the use of statistics. The Commission reiterated that the Institute should place special emphasis in its programmes on statistical developments in LDCs and the Pacific island developing countries, with particular stress on the use of TCDC modalities.

Organizational questions

Venue of forty-seventh ESCAP session

By **decision 1990/279** of 27 July, the Economic and Social Council decided that the forty-seventh (1991) session of ESCAP should be held in Seoul, Republic of Korea, in accordance with a 1985 General Assembly resolution on the pattern of conferences [res. 40/243].

Europe

The Economic Commission for Europe (ECE) held its forty-fifth session [E/1990/41] from 18 to 27 April in Geneva and held a resumed session on

14 December [E/1990/41/Add.1] to consider the report of a Special Working Group to define priority areas for the Commission in view of the profound changes that were taking place in Europe.

During the forty-fifth session, the Commission adopted one resolution and 14 decisions on: the work of ECE and future activities [E/1990/41 (res. 1(45))]; terms of reference of senior advisers on environmental and water problems [dec. B(45)]; code of conduct on accidental pollution of transboundary inland waters [dec. C(45)]; economies in transition in Eastern and Central Europe [dec. D(45)]; climate change [dec. E(45)]; statistical activities [dec. F(45)]; the ECE contribution to the International Decade for Natural Disaster Reduction [dec. G(45)] (see PART THREE, Chapter III); report of the World Commission on Environment and Development [dec. H(45)]; co-operation in environmental protection [dec. I(45)]; UN/EDIFACT [dec. J(45)]; transport co-operation [dec. K(45)]; economic co-operation in the Mediterranean [dec. L(45)]; standardization [dec. M(45)]; and engineering industries and automation [dec. N(45)].

The Commission decided [dec. A(45)] to create the Special Working Group at its forty-fifth session, to be chaired by the session's Bureau. The Group was mandated not only to define priority areas but to develop practical measures regarding those areas in order to improve the usefulness of the work of the Commission in accordance with the invitation addressed to ECE by the Bonn Conference on Economic Co-operation in Europe (19 March-11 April). At the resumed session, the Commission adopted two decisions on its future activities [E/1990/41/Add.1 (dec. O(45))] and its institutional arrangements [dec. P(45)]. The priority areas for future activity were environment, transport, statistics, trade facilitation and economic analysis. The institutional arrangements involved convening one-day ad hoc informal Commission meetings between annual sessions at least once every three months to monitor progress in work programmes, consult on policy matters and aid in preparations for the annual session. It was also decided to shorten annual sessions, with the target for the 1991 session set at seven days.

Economic trends

According to the summary [E/1991/64] of the Economic Survey of Europe in 1990-1991 [Sales No. E.91.II.E.1], the euphoria following the revolutionary changes in most of Eastern Europe and the Soviet Union in 1989 had given way to a more sober appreciation of the economic and political problems in those countries. Transformation of centrally planned economies into decentralized

market economies was seen more clearly as a task of enormous complexity, which could not be accomplished merely by a quick transfusion of technology and technicians from the West. That change in perception could be positive if facile optimism was replaced by carefully constructed policies designed to deal with the highly complex problems of transformation.

The Eastern European countries had embarked on radical economic transformation within the context of eight years of sustained growth in the Western market economies. Hungary and Poland had been able to take advantage of that favourable climate to boost considerably their exports to the West in 1990. However, the Gulf crisis led to a sharp fall in business and consumer confidence in the latter part of the year, with Western Europe's GDP likely to fall below 2 per cent for the first time since 1983.

The recession in Eastern Europe and the Soviet Union, already under way in a number of countries towards the end of 1989, spread throughout the region and deepened considerably in 1990. Net material product (NMP) fell by an average of 11 per cent in Eastern Europe and 4 per cent in the Soviet Union, while gross material product declined by more than 7.5 per cent in Yugoslavia. While the recession was general, its severity varied from an output fall of 3 to 5.5 per cent in Czechoslovakia, Hungary and the Soviet Union to more than 10 per cent in Bulgaria, Poland and Romania, and to nearly 20 per cent in the former German Democratic Republic. Industrial production fell more than NMP, by more than 18 per cent on average in Eastern Europe. The year 1990 was the worst in the last decade for Eastern European agricultural output, which fell 3.5 per cent.

Czechoslovakia, Hungary and Poland were following a coherent programme of stabilization and transformation, but economic deterioration in Bulgaria and the Soviet Union reflected loss of central control and the absence of coherent alternatives. Romania had begun in the latter half of 1990 to make considerable efforts to develop a framework of radical reform. Yugoslavia had had a clear reform programme at the end of 1989, but failed to maintain central control over monetary and fiscal policy in 1990. The fall in output in Eastern countries in 1990 had been much greater than expected, with the old command structure of the centrally planned economies collapsing much faster than expected and much faster than new, market economy factors could be put in place. Other developments were: effective disintegration of previous Eastern European community trade and payments systems; the unexpected pace of German reunification, leading to a fall in

imports to the former German Democratic Republic; and disruptions in Soviet energy supplies to Eastern Europe, which were more than 20 per cent less than agreed. Altogether, trade among the Eastern European countries fell by about 20 per cent in volume in 1990, while the volume of trade between them and the Soviet Union, more than half consisting of fuels, dropped 13-15 per cent. Gross fixed investment, a principal instrument of structural change and economic transformation, fell by an average of 14 per cent in Eastern Europe, and by 4 per cent in the Soviet Union, where it was expected to fall 14 per cent in 1991. In the Eastern transition economies unemployment had risen sharply by the end of 1990, with total unemployed estimated at over 3.5 million in Eastern Europe and 2 million in the Soviet Union. Even so, the general unemployment rate was still below 2 per cent of the labour force. The inflation problem had worsened and it was unlikely to be solved quickly. Annual rates varied from 10 per cent in Czechoslovakia to more than 580 per cent in Poland and Yugoslavia. By the end of 1990, the month-to-month rate was above 5 per cent in the other Eastern countries. A major feature of 1990 was the increasing difficulty of obtaining new commercial credit from the West, as Western private creditors' perceptions of the credit risk of Eastern borrowers underwent a marked change.

Assistance to Eastern Europe

Western private investors continued to show great interest in Eastern Europe, though there was considerable hesitancy in actually investing there until market institutions had been constructed, which depended on official and technical assistance from Western countries. The number of foreign investment registrations in Eastern Europe and the Soviet Union increased nearly sixfold, from 2,900 to 16,700, but the amount of foreign capital involved was very small, as Western companies were unwilling to commit large capital sums until reform was more advanced. Lending to Eastern Europe (excluding Yugoslavia) and the Soviet Union by the Bank for International Settlements reporting banks fell by nearly \$7 billion in the first nine months of 1990, and the decline would have been even larger but for an accumulation of payments arrears in Bulgaria, Poland and the Soviet Union. In 1990, the value of debt relief far exceeded grants from the Group of 24 industrialized countries, and was about the same magnitude as new official credit to Eastern countries.

Activities in 1990

In 1990, ECE continued to promote multilateral co-operation in Europe against a background of historic changes in the region, which had altered the political, economic and social landscape. Commission activities included the facilitation of trade through such programmes as UN/EDIFACT and promotion of joint ventures and the development of small- and medium-sized enterprises; statistics, including the holding of the Seminar on Integrated Statistical Information Systems (ISIS 90) in May 1990; energy; science and technology; and agriculture, particularly standardization policies; timber; human settlements; and engineering and automation. At its resumed forty-fifth session, ECE adopted a new orientation which clearly reflected the changing interests and priorities of its member countries in the context of the new economic and political realities in the region, and identified five priority areas (environment, transport, statistics, trade facilitation and economic analysis).

The Senior Economic Advisers to ECE Governments (twenty-sixth session, 28 May-1 June) [ECE/EC.AD/36] provided methods of work, themes, and a provisional list of topics that might be addressed in workshops in the ECE region. The programme of work was directed towards strengthening international economic co-operation in the region, and included an element on sustainable economic development.

International trade

The ECE Committee on the Development of Trade (thirty-ninth session, Geneva, 3-5 December) [ECE/TRADE/173] continued its activities to improve conditions for trade and industrial co-operation in the region. It revised its programme of work in the light of the Special Working Group's emphasis on trade facilitation as a priority area, particularly development of electronic data exchange, which would permit unprecedented increases in efficiency and financial savings. In adopting the proposals of the Special Working Group, the Commission stressed [E/1990/41/Add.1 (dec. O(45))] the importance of addressing the special problems in trade facilitation for countries changing to a market economy and those regarded as developing from an economic point of view. The Committee was asked by the Commission to continue working towards further development of mutually advantageous trade and commercial and industrial co-operation in the region [E/1990/41 (res. 1(45))].

The Working Party on Facilitation of International Trade Procedures met in March and September to consider harmonization of the descrip-

tion of freight costs, simpler shipping marks, legal or procedural issues hampering international trade and constituting obstacles to the introduction of electronic data exchange, pre-shipment inspection and development of UN/EDIFACT messages.

A meeting of experts in May considered the results of the secretariat survey of the impact of east-west compensation trade on small- and medium-sized enterprises in the region, and suggested updating and publishing the study and continuing research. In November, a joint meeting of experts of the Committee on the Development of Trade and the Conference of European Statisticians discussed disparities of foreign trade statistics and undertook a comprehensive review.

As the issue of privatization was a major concern for all countries in transition, in December the Working Party on International Contract Practices in Industry began consideration of a guide on legal aspects of restructuring ownership forms in industry. The Working Party finalized work on the Guide on International Buy-back Contracts, which had to be reprinted within a few months due to demand. It accepted an invitation from Austria to host a workshop on management of joint ventures in Vienna in May 1991.

Regarding future work in the development of trade, the Commission identified the following subjects for workshops, symposia and similar activities: costs of protectionism and managed trade in terms of foregone output and employment; links between trade and investment; and encouraging small- and medium-sized enterprises to engage in international trade.

Industry

The Chemical Industry Committee held its twenty-third session in Geneva (3-5 October) [ECE/CHEM/77], its last session under that name, which was to be changed to the Working Party on the Chemical Industry. A seminar, *Changes in Eastern Chemical Markets—the Role of Joint Ventures, Wholly-Owned Subsidiaries and Industry Federations*, was held in Warsaw, Poland, in December. Preparations began for a future High-level Meeting on Co-operation and Sustainable Development in the Chemical Industry.

In October, the Meeting on Questions of Statistics concerning Engineering Industries and Automation reviewed sectoral developments, including aspects related to international trade. A Seminar on Air Pollution Control in Engineering Industries was held in Geneva in November. The first workshop on rehabilitation engineering was held in Washington, D.C., in June. An ad hoc meeting in October elaborated a programme

for a seminar on new materials and their application to the engineering industries. A second ad hoc meeting to finalize the study of food-processing machinery, including packaging techniques, was held in October.

The Steel Committee held its fifty-eighth session in Geneva (24-26 October), its last session before changing its name to the Working Party on Steel. A review was made of the major trends in production, consumption and trade in steel and steel-making raw materials; investment and prices; and factors influencing steel consumption in the face of competitive materials. A Seminar on the Technical and Economic Aspects of the Manufacture of Coated Steel Products was held in Genoa, Italy, in May.

Regarding future work, the Commission identified [E/1990/41/Add.1 (dec. O(45))] the following issues: promotion of investment in industrial upgrading and new production technologies; promotion of sustainable industrial development, including creation of appropriate environmental standards and practices for industry; and upgrading the labour force and redeploying it from uncompetitive industries.

Transport

An informal group of high-level experts was set up by the Inland Transport Committee (fifty-second session, 29 January-2 February) to consider the implications of the recent political and economic developments in Europe, and the growing concern about the environmental impact of transport. An ECE-initiated, Europe-wide "Road Safety Week" (1-7 October) was held in conjunction with national campaigns. Regarding the Trans-European North-South Railway Project, a Project Central Office was established in Budapest in October.

The Commission endorsed [E/1990/41 (dec. K(45))] the importance of continuing multilateral efforts to reduce air pollution and noise by motor vehicles and invited ECE countries to make sufficiently available unleaded fuel of a satisfactory quality along international transit routes. It requested [dec. O(45)] the Committee to give priority to: standardization and administration of existing conventions; revision and development of those agreements, if necessary, to facilitate their extension to economies in transition; helping economies in transition and the member countries that were developing from an economic point of view with planning and advice on infrastructural developments needed to achieve a harmonized and coherent European transport network; promotion of Electronic Data Interchange for Administration, Commerce and Transport

(UN/EDIFACT); and promotion of environmentally sound modes of transport.

Energy

The seventh session of the Senior Advisors to ECE Governments on Energy (Geneva, 29 October-1 November) [ECE/ENERGY/15] reviewed the energy situation in the region from the point of view of sustainable development and examined the possibility of an information campaign entitled "Energy Efficiency 2000".

At its eighty-sixth session (Geneva, 25-28 September) [ECE/COAL/121], the Coal Committee emphasized the importance attached to future co-operation, particularly in the context of recent events in the Middle East, and identified as sectoral priorities environmental protection and safety, sustainability of coal conversion, transition of the coal industry to market conditions, standardization, classification and codification aiming at facilitating trade or enhancing safety, and co-operation on efficient, clean coal technologies. A Workshop on Market Adaptation of Coal Industries in Central and Eastern Europe was organized in the Czech and Slovak Federal Republic and France in June. Task forces were set up on the elaboration of an international classification of coals and on the elaboration of an international classification of the dynamic phenomena in mines.

The Committee on Electric Power held its forty-eighth session (Geneva, 5-8 February) [ECE/EP/80]. It concentrated on such issues as medium- and long-term prospects, new technologies, impact on the environment of electric power stations, implications of climate change for electricity supply, and Central European interconnections. A Seminar on the National Use of Electricity was held in Iassi, Romania, in November.

The Committee on Gas held its thirty-sixth session (Geneva, 15-18 January) [ECE/GAS/97]. A Symposium on the Use of Computers in the Gas Industry was held in Budapest in October.

The Commission decided [(dec. O(45))] to change the Committees on Coal, Gas and Electric Power to Working Parties. A new Committee on Energy would take up the work programme of the Senior Advisors to ECE Governments on Energy. The changes were part of the ECE effort to adapt to new political and economic circumstances. The Commission identified the following areas to be addressed by workshops, symposia and similar activities: promoting efficient use of energy and its conservation; development of environmentally sound energy production, storage, distribution and consumption, including safety aspects; and policies to facilitate adjustment by

enterprises and households to world market prices for energy.

Science and technology

The Senior Advisors to ECE Governments on Science and Technology held their eighteenth session (Geneva, 17-20 September) [ECE/SC.TECH/39]. They discussed the economic and social impact of biotechnology with a view to the public response and government policies to facilitate public involvement. Collection of information on safety guidelines in biotechnology continued, and summaries of submissions from 18 Governments were issued. The Seminar on the Role of Long-Term Forecasting in the Formulation of Science and Technology Policies was held in Prague in October.

Agriculture

The Committee on Agricultural Problems, which held its forty-first session (Geneva, 5-8 March) [ECE/AGRI/107], continued to monitor European markets for cereals, livestock and meat, milk and dairy products, as well as trade in agricultural produce and inputs. A symposium dealing with the use of computers in agriculture examined the impact of major developments such as policy deregulation, market liberalization, environmental factors and international product standardization on information needs and decision-making at the enterprise level, and the consequent increased need for computerization. At another symposium, on organic and chemical fertilizers, environmental questions figured prominently, including reduction of emissions into water supplies and the air, and the equilibrium between economic and ecological factors in ensuring long-term soil fertility and improving output quality.

The Timber Committee held its forty-eighth session (Geneva, 8-12 October) [ECE/TIM/54]. With the 1990 publication of *Timber Trends and Prospects in North America*, the series of studies covering the region was completed. Environmental concerns were at the forefront of two seminars, one in Germany (on forest site protection and conservation for sustained yield) and the other in the United Kingdom (on pesticide use in forestry).

The Commission identified [dec. O(45)] as topics for workshops, symposia and similar activities issues of agriculture and environment in a market-economy context, and economic analysis in the agri-food sector, emphasizing economies in transition, as discussed by the Ad Hoc Working Group on ECE-FAO Co-operation at its meeting in Berlin (18-19 September).

Environment

The Senior Advisers to ECE Governments on Environmental and Water Problems held their third session (Geneva, 26 February-2 March) [ECE/ENVWA/14]. The Senior Advisers completed work on the European Red List of Globally Threatened Animals and Plants, and made recommendations to ECE Governments on wastewater management and methods and techniques for the prediction of environmental impacts. They also issued a report on the relationship between economic development and the conservation of flora, fauna and habitat. The Senior Advisers took steps to strengthen co-operation with other international organizations, and considered possibilities for improving monitoring of the state of the environment throughout the ECE region.

The Executive Body for the Convention on Long-range Transboundary Air Pollution in November asked the Working Group on Abatement Strategies to take up work on nitrogen oxides, tropospheric ozone and sulphur dioxide, including preparation of a revised draft protocol on the latter. The Executive Body also established task forces on persistent organic pollutants and on emissions of heavy metals.

The Commission adopted [E/1990/41 (dec. C(45))] the Code of Conduct on Accidental Pollution of Transboundary Inland Waters [E/ECE/1225] and invited Governments to develop or strengthen methodologies, measures and practices regarding accidental pollution, at both the pre- and post-accident stages, and recommended that they apply the Code as an essential element of further co-operation among them as well as an input to national water-pollution control policies.

The environment was one of the five priority areas chosen by the Commission in adopting [dec. O(45)] the proposals of the Special Working Group. It attached special importance to ECE as a forum for elaborating legal instruments and follow-up action on the environment, and urged the Executive Secretary to take all possible steps for servicing activities in the framework of conventions currently under way. The Executive Body and the Senior Advisers on the environment were asked to initiate a continuing review of priorities and to give special attention to activities that could support development of environmentally sound economies in countries in transition as well as those that were developing economically, including the exchange of information and experience related to appropriate technologies.

Human settlements

The Committee on Housing, Building and Planning held its fifty-first session (Geneva, 11-14 September) [ECE/HBP/80] and identified two primary concerns: assistance to countries in transition and sustainable human settlements development. It agreed to prepare a strategy for environmentally sound and sustainable development of human settlements in the region. The Committee recognized the need to ensure fast response to practical problems faced by countries in transition. In December, a first workshop was held in Romania. The Seminar on Distributional Aspects of Housing and Taxation Policies in October adopted recommendations concerning countries in transition.

The Commission proposed [dec. O(45)] as a subject for workshops, symposia and similar activities socio-economic issues of sustainable housing development in the context of a market economy.

Standardization

The eleventh Meeting of Government Officials Responsible for Standardization (Geneva, 7-11 May) [ECE/STAND/32] agreed on a new programme element to provide practical steps (workshops and seminars) to assist countries in transition to adopt new national standardization principles and practices. The meeting was the last under that name, which was to be changed to the Working Party on Standardization Policies [dec. O(45)].

Statistics

The Conference of European Statisticians, at its thirty-eighth plenary session (Geneva, 11-15 June) [ECE/CES/36], undertook an in-depth review of its work programme and set new priorities, emphasizing transition, integration and development projects. Highlights of the Conference's substantive work included seminars and meetings on demographic and economic consequences and implications of population age structures, disparities in foreign trade statistics, and labour statistics in countries in transition. The Working Party on Electronic Data Processing focused on new processing techniques and data base management systems, standards for electronic interchange of statistical data and the needs of transition countries in statistical information technology. Special attention was paid to supporting statistical offices in transition through seven workshops held in 1990.

Latin America and the Caribbean

The Economic Commission for Latin America and the Caribbean (ECLAC) held its twenty-third session in Caracas, Venezuela (3-11 May) [E/1990/43]. In his message to ECLAC, the Secretary-General praised two documents of the session, *Changing Production Patterns with Social Equity: The Prime Task of Latin American and Caribbean Development in the 1990s* [Sales No. E.90.II.G.6] and a report on options to reduce the debt burden in Latin America and the Caribbean [LC/G.1605 (SES.23/5)], and hoped that the debate would help change the productive apparatus and relieve poverty in the region. He stated that tremendous changes under way at the world level, particularly in Eastern Europe, had caught Latin America at a time of great vulnerability. External debt, whose systemic nature had taken a long time to be identified, was the greatest barrier to the region's full participation in the restructuring of the world economy. Unless an effective solution was found, the globalization process could force the region to fall back on its own resources rather than seeking negotiated integration. Restructuring called for vigorous steps to promote a form of integration that would help reduce the debt burden, generate needed resources and consolidate democratic Governments. The changes in Eastern Europe and the Soviet Union and their integration into the world economy must not threaten the high priority of international co-operation with the countries of the South. The countries of the ECLAC region needed to unite their efforts in order to enhance their potential for positive participation in the emerging new international economic system. The Secretary-General also said there was an urgent need to protect the environment from hazards related to current development patterns.

The Executive Secretary of ECLAC proposed three main lines of approach for development: international competitiveness and the need to make changes in the production patterns of the region; a dynamic and creative interaction between public and private agents to enable the region to build its own road to development on the basis of the special features and circumstances of each country; and collective action and intraregional co-operation to increase the region's influence in international and economic relations. He said that developed countries could not elude their responsibilities in supporting internal efforts of development, for the eradication of poverty would benefit the whole world community.

The Commission adopted 15 resolutions which related to: support for Haiti [E/1990/43 (res. 503(XXIII))]; admission of Italy as an ECLAC member [res. 504(XXIII)]; admission of Puerto Rico as an associate member [res. 505(XXIII)]; economic co-operation between the Caribbean nations and the other countries of the region [res. 506(XXIII)]; changing production patterns, social equity and the international development strategy [res. 507(XXIII)]; co-operation among developing countries and regions [res. 508(XXIII)]; ECLAC calendar of conferences, 1990-1992 [res. 509(XXIII)]; ECLAC work programme, 1992-1993 [res. 510(XXIII)]; work guidelines for the Latin American and Caribbean Institute for Economic and Social Planning (ILPES) [res. 511(XXIII)]; work priorities for the Latin American Demographic Centre (CELADE) [res. 512(XXIII)]; the role of women in the region's economic and social development [res. 513(XXIII)]; drinking-water supply and sanitation to the year 2000 [res. 514(XXIII)]; ECLAC activities in the fight against drug abuse [res. 515(XXIII)] and in the area of environment [res. 516(XXIII)]; and the venue and date of the next session [res. 517(XXIII)].

Economic trends

The summary [E/1991/56] of the Economic Survey of Latin America and the Caribbean, 1990 [Sales No. E.91.II.6.2, vols. 1&2] stated that notwithstanding the bold efforts of Governments and their citizens to correct macro-economic disequilibria, the region's economic performance in 1990 was clearly unsatisfactory. Economic output, as measured by gross domestic product (GDP), fell by 0.5 per cent. As a result, GDP per capita declined, by 2.6 per cent, for the third year in a row, leaving it at the same level as in 1977. Nine countries had output falls and six more grew at rates equal or inferior to population growth rates. In some countries, which had in previous years experienced reduced inflationary pressure, price levels again showed an upward trend, and economic policy was once again strongly conditioned by the central objective of stabilizing prices.

Although most countries increased exports, those rises were partially offset by falls in primary commodity export prices, except for petroleum, whose sudden price rise again unsettled the regional scene. The region's total export value rose by 7 per cent, to almost \$120 billion; even so, the rate of export growth declined for the second consecutive year. At the same time, the total value of imports increased 14 per cent, causing a fall in the merchandise trade surplus from almost \$30 billion in 1989 to just over \$26 billion in 1990.

Accrued interest payments and profit remittances fell slightly, due to lower international in-

terest rates, while net capital inflows increased significantly due to two countries (Mexico and Chile) regaining partial access to voluntary capital markets, inflows of short-term capital and forced foreign financing associated with accumulation of arrears in foreign debt servicing. Consequently, the net transfer of financial resources from the region declined substantially in 1990, to nearly \$19 billion.

In 1990, the region's total external debt increased by 3.5 per cent, to \$423 billion, after having fallen slightly in 1989. There were some selective advances as well as set-backs regarding debt, with Costa Rica, Mexico, Uruguay and Venezuela implementing debt-reduction programmes. There were also some advances in the treatment of official debt, with seven official bilateral debt rescheduling exercises carried out, some of which included more favourable terms. The problem of arrears in debt servicing with multilateral bodies persisted, although in some cases new mechanisms emerged to regularize payments. All in all, the international debt strategy continued to show serious deficiencies regarding the elimination of debt overhang.

Activities in 1990

Development policy and regional economic co-operation

The activities of the various regional forums took on greater importance and dynamism as a result of the new momentum gained by the process of subregional integration. Economic and social problems were given prominence, and intensive work was undertaken in ministerial meetings and technical support provided by regional integration agencies. ECLAC supported those efforts and helped to develop a basic document and proposals on restructuring integration. It also collaborated with the organizations that were members of the Inter-Agency Commission on Implementation of the Decisions of the Central American Economic Co-operation Committee. Regarding economic relations between Mexico and Central America, ECLAC participated in the formulation of negotiation proposals, which were submitted for consideration to authorities in the subregion.

Although the Central American Economic Co-operation Committee did not meet, one of the most important tasks of the secretariat was participation in the elaboration of basic documents for discussion of the economic aspects of the agenda of the meeting of Central American presidents held in Antigua, Guatemala, in mid-1990.

The Committee of High-Level Government Experts (CEGAN) held its seventeenth session in La Paz, Bolivia (5-7 March) [LC/G.1617(CEG.17/4)]. Its main objective was to consider the changing of production patterns in Latin America and the Caribbean, which was to be the region's priority task in the 1990s.

The Presiding Officers of the Regional Council for Planning of the Latin American and Caribbean Institute for Economic and Social Planning (ILPES) held their thirteenth meeting (Santiago, Chile, 5-6 November). The report on activities carried out in 1990 was adopted by consensus and new guidelines were elaborated, incorporating suggestions and orientations linked to the themes of integration programmes and projects, government reforms, project banks, macroeconomic programming and leading indicators, and strengthening of regional co-operation, including relations with non-governmental organizations (NGOS).

Other activities included a seminar on stabilization and external debt (Santiago, 26 April); the Second Regional Seminar on Fiscal Policy, Stabilization and Adjustment (Santiago, 20-24 August); and national technical seminars on fiscal policy, organized in Brazil, Colombia, Ecuador, Mexico and Venezuela.

A Commission resolution [res. 507(XXIII)] agreed with the secretariat emphasis on the need for systematic efforts to bring about changes in production patterns with social equity and to mitigate the problems of extreme poverty, which would require the combination of a consistent and stable form of macro-economic management with sectoral policies, as well as integration of short- and long-term policies and institutional changes or rearrangements to facilitate creative interaction between public and private agents. It recommended support for increased co-operation and mutual trade between countries of the region and Eastern Europe, and enumerated priority concerns for the region including reactivation of growth, reversal of the negative trend of financial resource transfer from the region's developing countries to developed countries, and improved market access, with particular attention to multilateral negotiations aimed at the roll-back of protectionism. Another Commission resolution [res. 511(XXIII)] provided guidelines to ILPES and recommended that it expand links with other actors in the economic process.

Industrial, scientific and technological development

Activities related to industry focused on industrial restructuring in Latin America and at the international level, support for small- and

medium-scale industry and the capital goods industry.

The Joint ECLAC/UNIDO Industry and Technology Division offered a course on industrial planning and policies between October and December as part of the ILPES International Course on Development, Planning and Public Policies. Seminars and meetings held during the year included a symposium on the restructuring of production (Santiago, 8-9 November). ECLAC also co-operated in all technical aspects of the Latin American Symposium on Small- and Medium-sized Business, held in November.

International trade and development finance

The International Trade and Development Division addressed the major issues of: Latin America and the Caribbean and the proposed new international economic order; Latin American and Caribbean economic relations with other regions; economic integration and co-operation; and development finance. Regarding commodities, a Meeting on the Roles of Commodity Exchanges in the Expansion of Latin American and Caribbean Commodity Exports was held in Santiago (22-23 November). In the field of services, four studies on international trade in this area (insurance, construction, and professional services and tourism) were prepared and then examined at expert meetings in Caracas, Venezuela (10-15 September). In respect of the region's relations with developed market-economy countries, a seminar was conducted regarding relations with the European Economic Community in the 1990s (Santiago, 25-26 October). Two meetings of experts, both held in Santiago, concerned economic integration and regional co-operation: one on prospects for integration in Latin America and Europe regarding intraregional trade and for countries with insufficient markets (2-3 April) and the other on economic integration and changing production patterns with social equity (3-4 December). Another seminar (Santiago, 3-5 December) dealt with financial system regulation and pension system reform. Technical co-operation continued to be provided to a number of countries in the region.

Natural resources and energy

The Natural Resources and Energy Division, through the Water Resources Unit, contributed significantly to elaboration of management approaches and methods for development of high-altitude river basins in the Andean region and the integral management of water resources. A model programme of training courses on integrated water resource management was designed

with the help of a working group of national experts (Santiago, 25-27 April). A seminar to discuss the proposed model programme was held in Petropolis, Brazil (2-5 October).

In the area of mining, documents were prepared for a technical meeting on intraregional trade and the mining and metallurgical sector, to be held in July 1991.

Regarding marine resources, a survey was taken of the efforts that had been made at the regional and subregional levels to promote protection of the marine environment and the incorporation of considerations relating to the oceans into strategies for the sustainable and equitable development of natural resources.

Transport

Support was provided to countries in the region in analysing aspects of the transport, distribution, marketing and competitiveness of their exports. Research on the relationship between structural changes in ports and the competitiveness of Latin America's foreign trade was published, showing how current port structures limited the region's export possibilities. Those results were widely disseminated through national seminars in most countries of the region.

Other activities included seminars on the procedure for the international transit of goods from Bolivia through Peru (La Paz, Bolivia, 15 January) and on subsidies, regulation and ownership of mass transport in the metropolitan region of Chile (Santiago, 29 March).

A seminar on the impact of telecommunications on the economic and social development of the region was organized in Santiago (22 and 25 May).

Social development

The Social Development Division made advances in several fields, including the analysis of social change, the formulation of social policies to reorient development styles and the design of social development strategies for several countries in the region. The Division participated in meetings and conferences on a variety of issues including youth, education, health care and the human dimension of global changes.

Integration of women

The Social Development Division attached great importance to activities related to the integration of women in development. Most of its efforts related to preparations for regional conferences and meetings. A meeting on changing production patterns and the integration of

women in development was also held (Santiago, 13-14 November).

The tenth Meeting of the Presiding Officers of the Regional Conference on the Integration of Women into the Economic and Social Development of Latin America and the Caribbean (Santiago, 28-29 May) [LC/L.565(MDM.10/8)] analysed substantive and operative activities, and emphasized the need to link the work of ECLAC on women's issues to the proposal on changing production patterns with social equity, as well as to continue to enhance understanding of education, culture, gender relations, information and statistics, as well as the situations of specific groups of women, including young women, migrant women and women in the informal sector. The meeting also stressed the need to design regional projects to generate fresh resources to improve the living conditions of women.

The eleventh Meeting of the Presiding Officers (Varadero, Cuba, 19-20 November) [LC/L.605(MDM.11/9)] discussed regional activities and projects and preparations for the fifth session of the Regional Conference, to be held in September 1991.

A Commission resolution [res. 513(XXIII)] on the role of women endorsed the assessment and recommendations made by the fourth Regional Conference on the Integration of Women into the Economic and Social Development of Latin America and the Caribbean [YUN 1988, p. 302] and by the ninth Meeting of the Presiding Officers of the Conference [YUN 1989, p. 270].

Environment

Activities were carried out under the joint programme of ECLAC and the United Nations Environment Programme (UNEP); they aimed to strengthen the incorporation of the environmental dimension in the work of the ECLAC system and to promote strategies for environmentally sustainable development, including through dissemination and training activities.

The first Meeting of High-level Government-designated Experts to review the draft Action Plan for the Environment in Latin America and the Caribbean was held in Santiago (10-13 July). The third Meeting of the Latin American and Caribbean Commission on Development and Environment (Santiago, 2-3 August) was also organized. The Environmental Dimension in Development Planning [Sales No. E.90.II.G.14] was published in 1990.

Regional meetings and seminars dealt with the following topics: natural and cultural heritage inventories and accounts; environmentally sustainable development; development planning and

coastal marine resources; and regulation and control of air pollution from fixed sources in the production and energy sectors.

A Commission resolution [res. 516(XXIII)] expressed grave concern at the increasing environmental degradation and contamination of ground and sea water, air and soil, as well as at the over-intensive use of natural resources and the rapid decline in biological diversity, frequently caused by policies and strategies failing to take environmental aspects into account.

Population

The Latin American Demographic Centre (CELADE), the institution within the ECLAC system charged with the regional population programme, implemented its activities within the framework of three related subject areas: technical co-operation and applied research for the integration of population variables in development planning; population information and technology; and training. Close ties were established with national institutions concerned with economic and social development and countries were assisted in compiling data.

Technical assistance was provided to countries regarding processing of population and housing censuses, stressing the long-term use of the 1990 round of censuses by the public and private sectors at both the national and subnational levels. With respect to training, the third and final Postgraduate Course on Population Dynamics and Development Programmes and Policies was completed in Santiago, and the thirteenth intensive regional course on demographic analysis for development was held in San José, Costa Rica.

Seminars addressed the issues of fertility transition in Latin America, population dynamics and development, population and health, biodemographic aspects of population in certain indigenous reservations, updating indirect techniques for population measurement, and the global training programme in population and development.

Food and agriculture

Activities carried out by the Agriculture Division focused on analysis of agro-industries and the study of agro-industrial chains in selected countries. Seminars were held in each country with the participation of government authorities and officials and relevant economic agents such as producers, industrialists and technicians.

A seminar on the export of dairy products was held in Montevideo, Uruguay (19-20 July). The Division also organized a workshop on trade in organic products in Santiago (20 October), and a

national seminar on the cultivation and transportation of fruit, held in Neuquén, Argentina (5-7 July). Collaboration with the Food and Agriculture Organization of the United Nations (FAO) included organizing a round table on taxation and public spending on agriculture (Santiago, 3-5 October).

Statistics and economic projections

Activities of the Statistics and Projections Division included efforts to enlarge the regional framework of statistical information and dissemination of new computer technologies to ECLAC countries. In the field of regional co-operation, eight seminars were offered in support of the 1990 census round, including on the subjects of computer systems for census processing and post-census evaluation and the use of master samples. A meeting was held of representatives of central banks and national bureaux of statistics to discuss creation of a regional data base on the current economic situation of countries of the region (Santiago, 5-7 December). Other seminars covered microcomputer systems for processing statistical data, national accounts and computer data bases and dissemination.

Transnational corporations

The joint ECLAC/Centre on Transnational Corporations (TNCs) unit gave special attention to studying the role of foreign capital in the changing of production patterns or industrial restructuring under way in most of the countries of the region. It continued its previous work on studies of the four countries selected as pilot cases: Brazil, Chile, Colombia and Mexico. The joint unit also participated in the sixteenth session of the Commission on Transnational Corporations (New York, 2-11 April 1990).

Subregional activities

Caribbean

ECLAC's subregional headquarters for the Caribbean, at Port of Spain, Trinidad, organized a Conference on Young Women in Development, held in Curaçao (8-11 March) as part of its efforts to assist countries in working towards the goal of full integration of women into the national development process.

Other meetings organized by the subregional programme included: a preparatory meeting for Caribbean island developing States (Saint Lucia, 27-31 March); the ninth plenary session of the Caribbean Council for Science and Technology (Kingston, Jamaica, 9-10 September); a meeting on diesel and gas-based power generation (Port

of Spain, 22-24 October); and a forum on higher-level human resource development strategies (Bridgetown, Barbados, 28-29 November).

Haiti

A Commission resolution [res. 503(XXIII)], considering that Haiti, the only country in the region on the list of least developed countries, was not part of any regional group in the preparatory activities for the Second United Nations Conference on the Least Developed Countries (see PART THREE, Chapter I), decided to support any action that country took in the context of the Conference. It appealed to all official bilateral sources and other sources, including UN agencies and programmes, to intensify co-operation activities with Haiti, and urged ECLAC member countries to give tangible form to their support by providing technical co-operation to Haiti.

Co-operation between the United Nations and the Latin American Economic System

In response to General Assembly resolution 44/4 [YUN 1989, p. 271], the Secretary-General reported [A/45/514] in September on co-operation between the United Nations and the Latin American Economic System (SELA). He concluded that co-operation had become stronger and broader in scope. The trend towards incorporating such co-operation into agreements and conventions had continued and a number of UN system organizations, programmes and agencies that had not yet initiated co-operative activities had expressed willingness to explore ways of doing so in the near future. An essential aspect was co-operation between ECLAC and SELA, which shared various areas of activity. Regarding the Assembly's request in its 1989 resolution that the Secretary-General arrange a meeting in 1990 of the secretariats of the United Nations and SELA to identify areas of possible broadened co-operation, he said that a number of working meetings had been held between SELA and various UN entities, and that consultations were being held to determine a date and place for a more general meeting to which all UN organizations would be invited. Consultations had also been initiated, he reported, to fulfil the Assembly's 1989 request regarding the drafting of an agreement of co-operation between the United Nations and SELA.

GENERAL ASSEMBLY ACTION

On 16 October, the General Assembly adopted **resolution 45/5**.

Co-operation between the United Nations and the Latin American Economic System

The General Assembly,

Recalling its resolution 44/4 of 17 October 1989 on co-operation between the United Nations and the Latin American Economic System,

Having considered the report of the Secretary-General on co-operation between the United Nations and the Latin American Economic System,

Taking into account decision 302 of 7 September 1990 on co-operation between the United Nations and the Latin American Economic System, adopted at the sixteenth regular session of the Latin American Council, in which it approved the signature of an agreement between the United Nations and the Latin American Economic System and it authorized the Permanent Secretary to sign the above-mentioned agreement on behalf of the Latin American Economic System,

Considering that the Economic Commission for Latin America and the Caribbean has developed close ties of co-operation with the Latin American Economic System which have improved the satisfactory co-ordination of their activities during the last year,

Bearing in mind that the Permanent Secretariat of the Latin American Economic System has carried out several programmes with the support of the United Nations Development Programme in areas that are considered of priority for the economic development of the region,

Considering also that the Latin American Economic System is developing joint activities with specialized agencies and other bodies and programmes of the United Nations system, such as the United Nations Conference on Trade and Development, the United Nations Educational, Scientific and Cultural Organization, the United Nations Industrial Development Organization, the World Meteorological Organization, the World Health Organization, the World Intellectual Property Organization, the United Nations Environment Programme, the United Nations Centre on Transnational Corporations, the Office of the United Nations Disaster Relief Co-ordinator, the United Nations Institute for Training and Research and the International Telecommunication Union,

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

2. Expresses satisfaction with decision 302 of the Latin American Council of the Latin American Economic System;

3. Urges the Economic Commission for Latin America and the Caribbean to continue broadening and deepening its co-ordination and mutual support activities with the Latin American Economic System;

4. Urges the United Nations Development Programme to strengthen and broaden its support to the programmes that the Permanent Secretariat of the Latin American Economic System is carrying out;

5. Urges the specialized agencies and other organizations and programmes of the United Nations system to continue and intensify their support for and co-operation with the activities of the Latin American Economic System;

6. Requests the Secretary-General of the United Nations to promote, in close collaboration with the Permanent Secretary of the Latin American Economic System, the holding of a meeting in 1991 between their

respective secretariats, with the aim of identifying those areas in which it will be possible to broaden co-operation between the United Nations system and the Latin American Economic System;

7. Requests both the Secretary-General of the United Nations and the Permanent Secretary of the Latin American Economic System to continue consultations with a view to signing, as soon as possible, an agreement of co-operation between the United Nations and the Latin American Economic System;

8. Also requests the Secretary-General to submit to the General Assembly at its forty-sixth session a report on the implementation of the present resolution.

General Assembly resolution 45/5

16 October 1990

Meeting 31

Adopted without vote

26-nation draft (A/45/L.6); agenda item 24.

Organizational questions

Membership

On 10 May [E/1990/43 (dec. 504(XXIII))] the Commission, considering the region's historical, cultural and economic links with Italy, welcomed that country's request for ECLAC membership and recommended that the Economic and Social Council approve Italy's admission. By **decision** 1990/277 of 27 July, the Council approved Italy's admission to ECLAC.

On 10 May, the Commission decided to admit Puerto Rico as an associate member [dec. 505(XXIII)]. It called upon the United States, taking into account the wishes expressed by Puerto Rico, to continue to take all necessary measures to guarantee to the Puerto Rican people their right to self-determination in accordance with pertinent provisions of the United Nations Charter as well as relevant General Assembly resolutions and decisions.

Venue

On 11 May, the Commission recommended [dec. 517(XXIII)] to the Economic and Social Council that it approve the holding of the twenty-fourth session of ECLAC in Chile in 1992. On 27 July, by **decision** 1990/278, the Council decided that the session should be held in Chile.

Western Asia

In accordance with a 1987 resolution [YUN 1987, p. 562] of the Economic and Social Commission for Western Asia (ESCWA) to hold sessions biennially, the Commission did not meet in 1990. A report [E/ESCWA/1990/1] of the Executive Secretary reviewed ESCWA activities since the previous ses-

sion [YUN 1989, p. 272]. According to the Executive Secretary, the cease-fire between Iran and Iraq (the Commission's host country) had allowed the Commission to work in an atmosphere of security, which had a positive effect on its activities and programmes; however, the repatriation of staff following Iraq's invasion of Kuwait (see PART TWO, Chapter III) began on 2 August and continued throughout the year, causing serious disruption of the Commission's work.

Economic trends

According to the summary of the survey of economic and social developments in the region in 1990 [E/1991/92], owing primarily to the adverse effects of the Gulf crisis, the gross domestic product (GDP) of the region contracted by more than 5 per cent in 1990, after having registered a 3.34 per cent growth in 1989.

Prior to the Gulf crisis, the Gulf Co-operating Council (GCC) countries (Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates) had enjoyed favourable economic conditions with oil revenues for January-July 1990 estimated at \$30 billion, generally maintaining the level of the same period in 1989. Oil production increases more than compensated for the oil price drop from \$ 17.31 a barrel in 1989 to \$ 15.04 in the second quarter of 1990. The GCC countries continued their policy of diversifying their economies with a view to reducing overwhelming dependence on crude oil exports. The petrochemical and fertilizer sectors increased output, and the construction industry improved. The services sector, considered the brightest sector after oil, showed steady growth, with banking and the stock market showing good performance in the first six months of the year, as did the trade sector. In countries with diversified economies the agricultural sector performed better in 1990, following drought in 1989, but overall the balance-of-payments position in the region worsened and unemployment increased. Repercussions of the drop in oil prices were prominent among the factors leading to a slow-down in economic activities. In Yemen, the least developed country in the region, the drop in remittances from expatriates, the major source of foreign exchange earnings, adversely affected economic conditions, though both the agricultural and manufacturing sectors appeared to perform better in 1990 than 1989. The mining sector was promising, with oil discoveries and oil exports expected to help reduce the overwhelming dependence of the Yemeni economy on external financial resources. During 1990, Yemen concluded several agreements with various oil companies for exploring and exploiting its oil. In May, the two

parts of Yemen were reunified (see PART TWO, Chapter III), creating conditions conducive to accelerated economic growth and development. Aden was selected to become a free zone to encourage Yemeni and foreign private investment.

In addition to catastrophic damage to the environment, the Gulf crisis affected every aspect of economic and social life in Western Asia. The crisis had four major effects on the international oil market: loss of Iraqi and Kuwaiti oil exports; sharp price fluctuations; increased oil production by other exporters; and unusually high stockpiling by commercial users and Governments. For 1990 as a whole, the average spot price was \$22.17 a barrel, a 28 per cent increase over 1989. Hence, with the exception of Kuwait, GCC countries enjoyed an increase in revenues from oil of 21.4 per cent, to \$61 billion. However, the crisis caused increased governmental expenditures, and Saudi Arabia was estimated to have had expenses greater than its additional oil revenues of \$10 billion. In the non-oil sectors of the GCC countries, industrial and construction projects were postponed, and trade activities were curtailed because of higher import prices (mostly caused by higher war-risk insurance premiums), commercial bank reluctance to provide credit lines, departure of expatriates, and a politically unstable environment. There was a large reduction in private bank deposits and capital flight, with deposits transferred to safe havens abroad. Many international banks rapidly withdrew from the Gulf area. The crisis put severe constraints on economic growth and development and aggravated pre-existing economic imbalances. The immediate effects were seen in the displacement of a large number of nationals from Egypt, Jordan, Lebanon and Yemen working in the GCC countries and Iraq, disruption of trade flows, loss of workers' remittances and decline in export earnings and financial assistance. Returnees included 700,000 to Egypt, 220,000 to Jordan, 60,000 to Lebanon, 170,000 to the Syrian Arab Republic and 800,000 to Yemen. In Jordan, the result was a sudden 6.9 per cent rise in the country's population and an unemployment increase from 16 to more than 30 per cent. Yemen's increase in population was 9 per cent and 15 per cent in the labour force. Remittances had been estimated to account for more than 40 per cent of Yemen's total foreign exchange earnings.

Social conditions in most countries in the region also underwent profound changes as a result of the Gulf crisis, and the negative effects were expected to last for a long time. They would affect the whole population, but with a much greater negative impact on vulnerable groups such as youth, women, the elderly, the disabled,

delinquents and displaced persons and refugees. The Gulf crisis created additional social problems, especially regarding the forced migration of large numbers of people as a result of the wars and political disturbances prior to the crisis. The new difficulties were expected to intensify the negative effect of deteriorating social conditions, particularly with regard to mass poverty, unemployment, sharp contrasts in living standards, internal violence and social conflicts, weakened family cohesion, juvenile delinquency, increasing numbers of refugees and displaced persons, and a rise in disruptive and self-damaging behaviour that was socially and morally unacceptable in all societies of the region. With worsening social conditions, many States would be forced to expend additional resources.

The sudden and unexpected migrations resulting from the Gulf crisis were expected to increase social deviance and misbehaviour, especially among young persons who had lost their incomes and were unable to find new sources. If the situation remained uncorrected there would likely be more political and socio-economic disturbances. The number of disabled caused by prolonged conflicts in the region was estimated at 10 per cent of the population, and the Gulf crisis would place additional restraints on the limited resources available to deal with the problem. The already rapid growth in crime and drug abuse might well be aggravated by the young unemployed seeking illegal arms and drugs. The ESCWA secretariat strongly recommended consideration of preventive measures including comprehensive methods for control and prevention of drug abuse and the treatment of offenders.

It was estimated that thousands of families lost their source of income from heads of families due to the Gulf crisis. Additional burdens would therefore be placed on women who would be forced to seek sources of income outside the home and possibly to behave in a manner socially unacceptable in their societies.

Activities in 1990

In his report [E/ESCWA/16/3 (Part I)] on the Commission's activities, the Executive Secretary pointed out that the Gulf crisis and consequent repatriation of staff seriously disrupted most of the Commission's work, with much of the 1990 work programme having to be postponed and in some cases terminated. A few staff members worked throughout the repatriation period at the ESCWA liaison office in Amman, Jordan, providing administrative and substantive support to the Executive Secretary and working on several out-

puts related to the Gulf crisis, its dimensions and its far-reaching implications for the region. A number of staff members carried out substantive assignments in their home countries when possible. Technical co-operation activities, advisory services and contacts with member States were sustained, though at a reduced rate. Some programmes were rescheduled for the following biennium.

During 1990, ongoing activities in the food and agricultural sectors continued. Programmes included work on the formulation of national plans of action to combat desertification in Bahrain and Yemen, and the development of desertification control projects in Jordan. A regional training workshop in agricultural planning and analysis was held in Amman (November/December).

In the area of industrial development, a pilot training programme on promoting entrepreneurship was held in Amman in May. In the trade sector, analytical reviews were begun of developments and issues in the external trade and payments situation of countries in Western Asia.

Work was begun on a technical publication on the population situation in the ESCWA region. Another document reviewing and appraising national policies and measures related to population distribution in selected ESCWA member countries and a bibliography of population literature in the Arab world were also begun.

The Commission's activities for the advancement of women focused on enhancing women's economic and social roles, identifying women's needs and collecting data and disseminating information. ESCWA participated in the meeting of the Executive Committee of the Arab Association for Women and Development (AWAD) in April. AWAD was created to mobilize educated Arab women and channel their collective efforts within an institutional framework. Work was also begun on a directory of Arab professional women in the field of technical co-operation among developing countries.

Work also began on technical publications on problems and issues of road maintenance in the region and on utilization of port capacities in Western Asia. Work on a technical publication on current developments and trends in the monetary and financial sectors in the economies of the region was completed.

Regional co-operation

The executive secretaries of the five regional commissions, under the chairmanship of the

Director-General of Development and International Economic Co-operation, met in Baghdad in May. They reviewed the outcome of the General Assembly's eighteenth special session, devoted to international economic co-operation, and preparations for the International Development Strategy for the Fourth United Nations Development Decade (see PART THREE, Chapter I); environmental issues, including preparations for the 1992 United Nations Conference on Environment and Development (see PART THREE, Chapter VIII); preparations for the 1994 Conference on Population (see PART THREE, Chapter IX); agency support costs; the regional dimension of development in the 1990s; and interregional co-operation in such matters as transport, trade facilitation, reconstruction and rehabilitation of war-ravaged countries.

In June, the Secretary-General reported on regional co-operation [E/1990/84 & Corr.1 & Add.1-4], highlighting the work of the regional commissions. He submitted a draft proposal for interregional co-operation regarding trade facilitation and reviewed co-operation in monitoring and assessing traffic in toxic and dangerous products and waste (see below).

On 27 July, the Economic and Social Council took note of the Secretary-General's report by decision 1990/280. On 26 July, the Council also took note of documents on international economic and social policy (decision 1990/266), including the summaries of: the survey of economic and social conditions in Africa, 1988-1989 [E/1990/53]; the economic and social survey of Asia and the Pacific, 1989 [E/1990/52]; the economic survey of Europe, 1989-1990 [E/1990/51]; the economic survey of Latin America and the Caribbean, 1989 [E/1990/54]; and the survey of economic and social developments in Western Asia, 1989 [E/1990/56].

Trade facilitation

In response to Economic and Social Council resolution 1989/118 [YUN 1989, p. 244], the regional commissions, in co-operation with the United Nations Conference on Trade and Development (UNCTAD), developed a draft proposal for interregional co-operation in trade facilitation, particularly the phased application of the Rules for Electronic Data Interchange for Administration, Commerce and Transport (UN/EDIFACT). The project's ultimate objective was to improve the market position of exports from the developing countries. By simplifying, minimizing and standardizing those governmental and institutional procedures, formalities and requirements that constituted obstacles to the international free

flow of goods, a reduction in costs of those goods would be achieved, thereby making them more competitive in world markets.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 27 July, the Economic and Social Council adopted resolution 1990/74.

Proposal for interregional co-operation in the area of trade facilitation, and in particular the phased application of the Rules for Electronic Data Interchange for Administration, Commerce and Transport (EDIFACT), whenever appropriate

The Economic and Social Council,

Recalling its resolution 1989/118 of 28 July 1989 on interregional co-operation for facilitation of international trade, in which it invited the regional commissions and the United Nations Conference on Trade and Development to prepare jointly a project proposal in this field,

Recognizing that African countries need to co-operate effectively with the rest of the world and to participate in international trade facilitation, including the use of electronic data interchange for the transmission of trade documentation,

Conscious of the urgent need in Africa to build up, strengthen and upgrade capacities to identify problems and requirements for the facilitation of international and i&a-African trade, including the analysis of practices, procedures, laws, regulations, policies and documentation governing international trade, and that such capacity-building would benefit government ministries and departments concerned with planning, trade, transport, customs administration, statistics and data processing,

Recognizing further the desirability of interregional co-operation among the regional commissions jointly with the United Nations Conference on Trade and Development in promoting the global application of agreed measures for the facilitation of international trade,

1. Decides fully to support the implementation by participating African States of the project proposal on interregional co-operation for the facilitation of international trade, prepared jointly by the regional commissions and the United Nations Conference on Trade and Development;

2. Recommends the proposal for funding by donors;

3. Invites all States Members of the United Nations to support the project proposal;

4. Requests the United Nations Development Programme, the World Bank, the regional development banks and bilateral donors to provide adequate financing to ensure the full realization of the project;

5. Also requests the Executive Secretary of the Economic Commission for Africa to report to the Commission at its twenty-sixth session on the implementation of the present resolution;

6. Further requests the Secretary-General to include in his annual report on regional co-operation, to be submitted to the Economic and Social Council at its second regular session of 1991, a report on the progress made in the implementation of the present resolution, as well as on the further consideration of Council reso-

lution 1989/118 by the regional commissions for Europe, Latin America and the Caribbean, Asia and the Pacific and Western Asia.

Economic and Social Council resolution 1990/74

27 July 1990 Meeting 37 Adopted without vote

Approved by First Committee (E/1990/114) without vote, 23 July (meeting 10); draft by ECA (E/1990/84), orally revised by Committee following informal consultations; agenda item 6.

Traffic in toxic and dangerous material

In response to General Assembly resolution 44/226 [YUN 1989, p. 434], the Task Force on Environment, consisting of representatives of the regional commissions and the United Nations

Environment Programme (UNEP), under the chairmanship of the office of the Director-General, met in Geneva (22-23 March) to discuss the prevention of illegal traffic in toxic and dangerous products. The Assembly had called for regional assessments, on a continuing basis, of such illegal traffic and its environmental and health implications. It was concluded that each regional commission should create an operational unit to develop guidelines for monitoring, collect data on illegal traffic and disseminate its information to the other regional entities as well as States of export and possible import.

PART THREE

Economic and Social questions

Chapter I

Development policy and international economic co-operation

In 1990, against the background of a decelerating world economy and the transformation and integration of the economies of Eastern Europe into the world trading and financial systems, the United Nations General Assembly held its eighteenth special session to discuss global economic issues. On 1 May, the Assembly adopted the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of Developing Countries, stating that the most important challenge for the 1990s was the revitalization of economic growth and social development in the developing countries, which called for sustained growth of the world economy and favourable external conditions.

During the year global per capita output declined for the first time since 1982 and overall global output grew by only 1 per cent. Although the situation in the Persian Gulf was a serious shock to the world economy, the principal causes of the slow-down were the hesitant recession in the major industrialized countries, the transition problems in Eastern Europe and the stabilization efforts in Latin America. Nevertheless, the rise in oil prices and other consequences of the Gulf crisis reduced the growth of world output in 1990 by some 0.3 per cent.

In addition to the special session, the United Nations took other action to promote the economic and social development of the developing countries, including the Assembly's proclamation in December of the Fourth United Nations Development Decade (1991-2000), to start on 1 January 1991, and its adoption of the International Development Strategy for the Decade. The principal aim of the Strategy was to ensure that the decade of the 1990s was one of accelerated development in the developing countries and that policies and measures were proposed to support and realize that goal.

The Second United Nations Conference on the Least Developed Countries, which was held in Paris in September, adopted the Paris Declaration and Programme of Action. The Programme of Action-endorsed by the Assembly in December-outlined proposals for action for the least developed countries, their development partners, financial institutions and development

funds to help a fundamental growth-oriented transformation of their economies.

Action was also taken to address the special problems of the island developing countries with the adoption, at the June Meeting of Governmental Experts of Island Developing Countries and Donor Countries and Organizations, of "Challenges and opportunities: A strategic framework". That document noted that the island developing countries suffered because of their smallness, remoteness, lack of natural resources and other handicaps and proposed strategies to address those vulnerabilities.

Other development and economic issues addressed by the Assembly and the Economic and Social Council during 1990 included entrepreneurship, industrial development co-operation and the eradication of poverty.

International economic relations

During 1990, several United Nations bodies, including the General Assembly, the Economic and Social Council and the Committee for Development Planning, discussed various aspects of development and international economic co-operation. The Assembly, at its eighteenth special session, adopted the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries. Also, at its regular 1990 session, the Assembly adopted the International Development Strategy for the Fourth United Nations Development Decade (see below).

The Assembly's Second (Economic and Financial) Committee considered issues of development and international economic co-operation during the 1990 regular session and made recommendations on a number of topics (see APPENDIX IV). By decision 45/440 of 21 December, the Assembly took note of Part One of the Committee's report [A/45/849]. In related action, by decision 45/435 of 19 December, the Assembly deferred consideration of the launching of global negotiations on international economic co-operation for

development and decided to include it in the provisional agenda of its forty-sixth (1991) session.

Economic and Social Council. At its July 1990 session [A/45/3], the Economic and Social Council, in its general discussion of international economic and social policy, including regional and sectoral developments, focused on resources for development and the external indebtedness of the developing countries (see PART TWO, Chapter IV). It also discussed developments in Eastern Europe and the USSR; the Declaration of the eighteenth special session of the General Assembly (see below); international trade (see PART TWO, Chapter IV); the human factor; and environment and development.

The Council had before it the World Economic Survey 1990: Current Trends and Policies in the World Economy [E/1990/55, Sales No. E.90.11.C.I], which discussed, among other things, the state of the world economy at the beginning of the 1990s and trends in global output and policies (see below).

Also before the Council were reports of the Secretary-General on the main research findings of the system in major global economic and social trends, policies and emerging issues [F/1990/81], on proposals to improve the work of the United Nations in early identification, analysis and forecasting of world economic developments [E/1990/80 & Corr.1], and on national entrepreneurs in economic development [A/45/292-E/1990/82] (see below for details of these reports).

By decision 1990/263 of 24 July, the Council took note of an oral report made on 11 July by the Director-General for Development and International Economic Co-operation on strengthening multilateral co-operation in international economic affairs and decided to focus, at its 1991 second regular session, in its general discussion of international economic and social policy, including regional and sectoral developments, on the question of strengthening multilateral co-operation in international economic affairs, to be considered on the basis of a report by the Secretary-General.

Eighteenth special session

In accordance with a 1989 General Assembly decision [GA res. 43/460] to convene a special session devoted to international economic co-operation, in particular to the revitalization of economic growth and development of the developing countries, the eighteenth special session took place in New York from 23 April to 1 May 1990. By decision 44/461 of 12 March, the Assembly had decided that its special session would be held from 23 to 28 April.

The special session concluded with the adoption, on the recommendation of the Ad Hoc Committee of the Eighteenth Special Session, of the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries (see below).

In other action, the Assembly admitted the Republic of Namibia to membership in the United Nations (resolution S-18/1) and approved the report of the Credentials Committee (resolution S-18/2). With regard to procedural matters, the Assembly appointed the members of the Credentials Committee (decision S-18/11); elected the President of the forty-fourth Assembly (Joseph Nanven Garba, Nigeria) to serve in the same capacity at the eighteenth special session (decision S-18/12); elected the Chairmen of the Main Committees (decision S-18/13); elected the Vice-President of the Assembly (decision S-18/14); and elected the officers of the Ad Hoc Committee of the Eighteenth Special Session. The Assembly also adopted the agenda for the special session (decision S-18/15) (for list of agenda items, see APPENDIX IV) and decided to allocate item 9 to the Ad Hoc Committee of the Eighteenth Special Session (decision S-18/22). By decision S-18/21, the Assembly endorsed the report of its Preparatory Committee and the recommendations contained therein (see below). Consideration of a draft resolution entitled "Second United Nations Conference on the Least Developed Countries" was deferred to a meeting of the Assembly's forty-fourth session to be convened on 17 May 1990 (see below).

In his statement, the Assembly President said that the object of the special session was to give an impulse to international economic co-operation in order to overcome the slowdown of the world economy in the 1980s and the dual-track development that had left the majority of developing countries with retarded economies. The developing countries had borne the brunt of the decline in growth during the 1980s and the gap between developed and developing countries had increased. The prospect of another decade of stagnation in most developing countries must therefore be a matter of grave concern for the international community.

Work of the Ad Hoc Committee

On 23 April, the General Assembly established the Ad Hoc Committee of the Eighteenth Special Session and allocated to it consideration of agenda item 9, entitled "International economic co-operation, in particular the revitalization of

economic growth and development of the developing countries.”

The Ad Hoc Committee held five meetings between 23 and 30 April [A/S-18/14] and had before it the report of the Preparatory Committee for the Eighteenth Special Session [A/S-18/7 (Parts I and II)]. The Preparatory Committee, which had held its organizational and first sessions in 1989 [YUN 1989, p. 282], held its second (26 February-2 March) and third (16-20 April) sessions in New York in 1990. At those sessions, the Preparatory Committee discussed the main international economic developments in the 1980s and the challenges of the 1990s and an assessment of the obstacles and impediments to growth and development; the reactivation of economic growth and development in developing countries; and strengthening and enhancing international economic co-operation and multilateralism in international economic relations.

The Secretary-General presented to the Preparatory Committee a report on the state of international economic co-operation and effective ways and means of revitalizing the economic growth and development of developing countries [A/AC.223/5 & Corr.1]; a note by the Secretariat [A/AC.223/L.2 & Add.1] transmitting, in accordance with a 1989 General Assembly decision [GA res. 44/444], the text of the Chairman of the Preparatory Committee annexed to that decision; a proposal by Bolivia, on behalf of the Group of 77 developing countries, for a draft declaration to be adopted by the special session [A/AC.223/L.3]; a proposal by Canada on elements for a declaration of the special session [A/AC.223/L.6]; and a proposal by Ireland, on behalf of the European Community, for a draft declaration [A/AC.238/V8].

The Preparatory Committee submitted a number of recommendations to the special session, including a text to be used as a basis for the preparation of the final document.

Having considered the Preparatory Committee's report, the Ad Hoc Committee recommended to the Assembly for adoption a draft resolution, annexed to which was the text of the Declaration.

GENERAL ASSEMBLY ACTION

On 1 May, the General Assembly adopted resolution S-18/3.

Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries

The General Assembly

Adopts the Declaration on International Economic Co-operation, in particular the Revitalization of Eco-

nomic Growth and Development of the Developing Countries, annexed to the present resolution.

ANNEX

Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries

We, the States Members of the United Nations,

Solemnly proclaim our strong commitment to a global consensus to promote urgently international economic co-operation for sustained growth of the world economy and, in particular, to the revitalization of economic growth and development of the developing countries so as to realize the basic right of all human beings to a life free from hunger, poverty, ignorance, disease and fear. To that end, we adopt the present Declaration.

1. This is a time of positive transformation in international relations. The reduction in international political tensions, the increasing integration of the world economy and the broad movement towards economic and political reform will create an opportunity for strengthening international economic co-operation based on the need to provide just and equal opportunities to all peoples to enable them to develop their full potential.

2. We strongly affirm the need to revitalize growth and development in the developing countries and to address together the problems of abject poverty and hunger that continue to afflict far too many people in the world. The international community has a responsibility to give strong support to the efforts of the developing countries to solve their grave economic and social problems through the creation of a favourable international economic environment.

3. In an increasingly interdependent world, the developing countries should play an important role in the growth and expansion of the world economy for the progress and prosperity of all peoples.

4. Each country is responsible for its own economic policies for development, in accordance with its specific situations and conditions, and for the life and well-being of all its citizens. National policies also need to take fully into account the obligations of all countries to international economic co-operation.

I. Assessment of the 1980s

5. In the 1980s, progress in developed and developing countries was uneven. The decade was marked by a widening gap between those groups of countries as well as by relatively slow growth and large global financial and trade imbalances. Developed market-oriented countries have succeeded to a large extent in controlling inflation and in maintaining sustained, though modest, growth. However, many countries, particularly developing countries, have encountered serious difficulties in their attempt to adapt to structural changes, to benefit from the economic growth of the industrialized countries and to promote the well-being of their citizens.

6. External and fiscal imbalances in some of the countries whose economies have the largest impact on the world economy have contributed to international monetary instability and led to higher interest rates. In the late 1980s, such imbalances started to narrow; none the less, they remain large.

7. For many developing countries, the 1980s have been viewed as a decade lost for development. Living

conditions in Africa and Latin America and the Caribbean, and in parts of Asia, deteriorated, and economic and social infrastructure eroded, impairing stability and prospects for growth and development. Other developing countries were able to achieve economic and social progress.

8. The position of developing countries in international trade and finance weakened substantially, further widening the gap between developing and developed countries. External indebtedness emerged as a main factor in the economic stalemate in the developing countries. Their capacity to service debt was seriously weakened as interest rates grew and terms of trade deteriorated. This problem has contributed to the fall in investment and the cessation of new financial flows. A long-term downward trend in the prices of commodities has had devastating effects for commodity-dependent developing countries.

9. As a result, there was a large net transfer of resources from the developing to the developed countries, depriving the former of much needed resources for development. This made the process of adjustment more difficult and complicated the tasks of coping with its social consequences and obtaining the necessary political support for reform.

10. Eastern European countries were not appropriately involved in the world economic system. Their need for comprehensive reform and transformation grew and, in the late 1980s, fundamental political and economic changes began to take place. These countries face problems of adaptation to the scientific, technological and structural changes taking place in the world economy.

11. As the world changes around us, we must respond positively. The 1980s marked the beginning of fundamental rethinking towards the achievement of economic development. A gradual convergence of views on economic policy, including the need for sound macro-economic policies and enhanced competition, is emerging. Flexibility, creativity, innovation and openness must be integral parts of our economic systems.

II. Challenges and opportunities for the 1990s

12. The most important challenge for the 1990s is the revitalization of economic growth and social development in the developing countries; which calls for sustained growth of the world economy and favourable external conditions. This major challenge has to be addressed in the context of increasing interdependence and integration in the world economy.

13. It will be essential to stem the increasing marginalization of the least developed countries and to reactivate their growth and development through comprehensive national action and international support measures.

14. Finding an early and durable solution to the international debt problems, meeting the increasing needs for development finance, creating an open and equitable trading system and facilitating the diversification and modernization of the economies of developing countries, particularly those that are commodity-dependent, are conditions for the revitalization of growth and development in the developing countries in the 1990s and require continued concerted efforts.

15. There is a pressing need to improve the international economic environment in order to ensure the success of national policies. Countries can then take advantage of the major advances in science and technology and the globalization of markets and thereby enhance their human capital and modernize their economies.

16. Economic development must be environmentally sound and sustainable. The deterioration of the environment is a cause of grave concern for all countries. Growing environmental problems, such as pollution, desertification, deforestation and climate change, increasingly pose a serious threat to the future growth of the world economy.

17. Countries have to adapt their national policies to facilitate open exchange and flexible responses to the changing world economy. Effective national policies have a critical role to play in achieving sustained, non-inflationary economic growth in all countries. Such policies should be supportive of investment as well as of efficient allocation and mobilization of resources in order to achieve durable growth.

18. The eradication of poverty and hunger, greater equity in income distribution and the development of human resources remain major challenges everywhere. Economic and social progress requires that growth be broadly based, offering equal opportunities to all people, both women and men, to participate fully in economic, social and political activities.

19. There is a need to integrate the Eastern European countries into the world economy and the international economic system. This should generate positive impulses for world trade and development.

20. The revitalization of economic growth and development of the developing countries will have to be undertaken against the backdrop of these opportunities and challenges. Our collective efforts will be needed to ensure that the rapidly changing realities result in a positive transformation in favour of the economic development of all countries, particularly the developing countries.

III. Commitments and policies for international development co-operation

21. Reactivation of economic growth and development in the developing countries will require a concerted and committed effort by all countries. The present opportunity to restore a long-term approach to development and move beyond short-term adjustment must be seized. The States Members of the United Nations will endeavour to take all necessary steps to reverse the adverse trends of the 1980s, address the challenges of the 1990s and move into a more productive decade. Such actions should take into account the responsibility of each country for its own development and should be in accordance with its capacity and its impact on the international economy.

22. The major industrialized countries influence world economic growth and the international economic environment profoundly. They should continue their efforts to promote sustained growth and to narrow imbalances in a manner that can benefit other countries. The co-ordination of macro-economic policies should take full account of the interests and concerns of all countries, particularly the developing countries. Efforts should be made to enhance the effec-

tiveness of multilateral surveillance aimed at correcting existing external and fiscal imbalances, promoting non-inflationary sustainable growth, lowering real rates of interest and making exchange rates more stable and markets more accessible.

23. In accordance with their legislation, development objectives and national priorities, developing countries should continue to work towards keeping control over inflationary tendencies, promoting domestic savings, achieving favourable conditions for domestic and foreign investment, modernizing their economies and increasing their international competitiveness.

24. However, economic policies should have as their ultimate objective the betterment of the human condition and the enhancement of the contribution of all persons to development. The full utilization of human resources and the recognition of human rights stimulate creativity, innovation and initiative.

25. A primary objective must be to respond to the needs and maximize the potential of all members of society. Health, nutrition, housing, population policies and other social services are a key to both improving individual welfare and successful development. Education and training, which must be available to all, are essential for improving the quality of human resources and for sustaining economic growth. The international community should support efforts to arrest the current escalation of extreme poverty and hunger. It is essential to reverse the present deterioration of this grave situation.

26. A durable and broad solution of the external debt problems of the developing debtor countries should continue to be given urgent attention, and the serious debt-servicing problems of some other countries should be further addressed with a view to an early solution. Recent initiatives and measures to reduce the stock and service of debt or to provide debt relief for developing countries should be broadly implemented. Relief measures should aim at the resumption of vigorous growth and development in these countries and should address all types of bilateral debt of debtor developing countries. Serious consideration should be given to continuing to work towards a growth-oriented solution of the problems of developing countries with serious debt-servicing problems, including those whose debt is mainly to official creditors or to multilateral institutions.

27. Substantial concessional resources will be called for to enable developing countries, especially the least developed ones, to cope with the challenges of the 1990s. Developed countries should implement the undertakings they have made to attain the agreed international target of devoting 0.7 per cent of gross national product to official development assistance and 0.15 per cent to the least developed countries. Developed countries should enhance the quantity and quality of their aid. Appropriate additional resources for the least developed countries should be considered at the Second United Nations Conference on the Least Developed Countries. The special development problems and needs of the island and land-locked developing countries should also be addressed.

28. Scientific and technological capability is increasingly important in the development of developing countries. Developed countries and international or-

ganizations should support the efforts of developing countries to create and develop endogenous capacities in this area.

29. The current threat to the environment is the common concern of all. All countries should take effective actions for the protection and enhancement of the environment in accordance with their respective capacities and responsibilities and taking into account the specific needs of developing countries. As the major sources of pollution, the developed countries have the main responsibility for taking appropriate measures urgently. The economic growth and development of developing countries are essential in order to address problems of the degradation and protection of the environment. New and additional financial resources will have to be channelled to developing countries. Effective modalities for favourable access to, and transfer of, environmentally sound technologies, in particular to developing countries, including on concessional and preferential terms, should be examined.

30. Multilateral financial institutions should be in a position to respond to the increasing development needs of developing countries in the 1990s. They should be provided with adequate resources to support long-term development, to facilitate structural reform and to finance programmes to alleviate the adverse social consequences of adjustment for poor and vulnerable groups.

31. Countries should seek to reduce expenditures for military purposes, thereby opening up the possibility of enhanced spending on social and economic development for the benefit of all countries, in particular the developing countries. In this context, the feasibility of channelling some of these reductions through financial mechanisms for development should be explored.

32. An open and credible multilateral trading system is essential for the promotion of growth and development. Any present or future trends towards unilateralism, bilateralism and the erosion of the multilateral trading system must be arrested. Protectionism should be resisted everywhere; commitments to standstill and roll-back of protectionism should be honoured. It is vitally important that the Uruguay Round of multilateral trade negotiations result in a balanced outcome, preserving and strengthening the multilateral trading system, enabling trade liberalization and increased market access for the exports of developing countries. The principles underlying the multilateral trading system should be reaffirmed, and international organizations active in multilateral trade should be strengthened as part of the process of attaining these objectives.

33. Commodity exports will continue to play a key role in the economies of most developing countries and to make a crucial contribution to export earnings and investment. There is a need for better functioning of commodity markets and more stability and predictable conditions. Diversification helps the developing countries to increase and stabilize their export earnings. All countries and multilateral institutions should undertake measures to support these endeavours.

34. Regional economic integration is important in expanding trade and investment in developing countries. Developing countries should strive to promote economic integration and strengthen economic and technical co-operation among themselves. These ef-

forts should be encouraged and supported by the developed countries, as well as by the international organizations.

35. Eastern European countries should be supported in their efforts to integrate themselves into the international economy, including, as appropriate, their adhesion to international institutions. This will benefit their own people and the rest of the world; it must not detract from the high priority placed on international development co-operation with the developing countries. Their integration will strengthen the role of Eastern Europe as a dynamic trade partner and as a market and source of technology.

36. The United Nations system has a large role to play in international co-operation for revitalizing development in the 1990s. All its Member States have a responsibility for making it more effective and efficient. The United Nations is a unique forum in which the community of nations can address all issues in an integrated manner. Its many specialized agencies make an indispensable contribution to development. They have a major responsibility in the great task of revitalizing growth and development in the 1990s.

37. Member States agree to work for fruitful results at the forthcoming Second United Nations Conference on the Least Developed Countries, in the elaboration of a new international development strategy, the World Summit for Children, the eighth session of the United Nations Conference on Trade and Development in 1992, the United Nations Conference on Environment and Development, to be held in Brazil in 1992, and the international meeting on population in 1994.

38. The States Members of the United Nations pledge themselves solemnly to advance the multilateral dialogue, to respond to the challenge and commitments contained in the present Declaration through national policies and enhanced international co-operation and to keep the implementation of the Declaration under political review.

General Assembly resolution S-18/3

1 May 1990 Meeting 11 Adopted without vote

Approved by Ad Hoc Committee of the Eighteenth Special Session (A/S-18/14), 30 April (meeting 51; draft by Chairman (A/S-18/AC.1/L.2). orally revised; agenda item 9.

Implementation of the Declaration on International Economic Co-operation

In accordance with decision 1990/259 of 4 July, the Economic and Social Council considered in plenary on 11, 16 and 24 July the question of the implementation of the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries [E/1990/SR.26, 30 & 34].

ECONOMIC AND SOCIAL COUNCIL ACTION

On 24 July, the Economic and Social Council adopted resolution 1990/54.

Implementation of the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries

The Economic and Social Council,

Recalling General Assembly resolution S-18/3 of 1 May 1990, containing the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries,

Reaffirming the strong commitment to a global consensus to promote urgently international economic co-operation for sustained growth of the world economy and, in particular, the revitalization of economic growth and development of the developing countries,

Fully convinced of the need to implement the policies and commitments expressed in the Declaration,

1. Decides to recommend to the General Assembly that an item entitled "Implementation of the commitments and policies for international development co-operation agreed upon in the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries", be included in the agenda of its forty-fifth session in order to accelerate steps to put into effect the commitments and policies agreed upon in the Declaration and to ensure that those commitments and policies are translated into concrete measures;

2. Recommends to the governing bodies of the organs and organizations of the United Nations system that they include in their agenda the question of the implementation of the Declaration and invites them to report to the Council, at its second regular session of 1991, on steps taken by them and by Governments within their respective spheres of competence, with a view to ensuring the implementation of the Declaration.

Economic and Social Council resolution 1990/54

24 July 1990 Meeting 34 Adopted without vote

Draft by Bolivia for Group of 77 (E/1990/L.35); agenda item 7(h).

Meeting numbers. ESC 26, 30, 34.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/234.

Implementation of the commitments and policies agreed upon in the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries

The General Assembly,

Reaffirming its resolution S-18/3 of 1 May 1990, the annex to which contains the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries,

Convinced that the full and effective implementation of the commitments and policies agreed upon in the Declaration would contribute to the strengthening of international economic co-operation, in particular the revitalization of economic growth and development of the developing countries,

Noting with appreciation the results achieved by the Second United Nations Conference on the Least De-

veloped Countries and in the elaboration of the International Development Strategy for the Fourth United Nations Development Decade: contained in the annex to General Assembly resolution 45/199 of 21 December 1990, as well as by the World Summit for Children in the light of the Declaration,

1. Takes note of Economic and Social Council resolution 1990/54 of 24 July 1990;

2. Calls upon States Members of the United Nations and States members of the specialized agencies to take appropriate measures to ensure the full and effective implementation of the commitments and policies agreed upon in the Declaration;

3. Requests the Secretary-General to submit to the General Assembly at its forty-sixth session a report on the steps taken by the Governments of developed and developing countries, individually and collectively, as well as by the organs, organizations and bodies of the United Nations system, to fulfil those commitments and policies, taking into account Economic and Social Council resolution 1990/54;

4. Decides to include in the agenda of its forty-sixth session an item entitled "Implementation of the commitments and policies agreed upon in the Declaration on International Economic Co-operation, in particular the Revitalization of the Economic Growth and Development of the Developing Countries";

3. Decides that, during consideration of the item mentioned in paragraph 4 above, the General Assembly should elaborate effective modalities to ensure action-oriented political review and follow-up processes for the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries and for the International Development Strategy for the Fourth United Nations Development Decade, as provided for in paragraph 38 of the Declaration and paragraph 112 of the Strategy.

General Assembly resolution 45/234

21 December 1990 Meeting 71 Adopted without vote

Approved by Second Committee (A/45/858) without vote. 5 December (meeting 53); draft by Vice-Chairman (A/C.2/45/L.83) based on informal consultations on draft by Bolivia for Group of 77 (A/C.2/45/L.7). and orally revised; agenda item 148.

Meeting numbers. GA 45th session: 2nd Committee 10, 17, 53; plenary 71.

Impact of East-West relations on the world economy

The Economic and Social Council, by decision 1990/205 on the implementation of resolutions 1958/77 [YUN 1988, p. 705] and 1989/114 [YUN 1989, p. 740], both of which dealt with the revitalization of the Council, decided to hold discussions in 1990 on the impact of the recent evolution of East-West relations on the growth of the world economy, in particular on the growth and development of the developing countries, as well as on international economic co-operation. That subject would also be the major policy theme to be discussed in 1991 at a special meeting at an appropriately high level, not excluding the ministerial level.

Accordingly, the Council held an informal exchange of views on the subject on 12 July, following which the Council's President, in a statement annexed to the Council's annual report to the General Assembly [A/45/Rev.1], said that there was general agreement that the short-term consequences of the transition taking place in Eastern Europe and the demands made on resources worldwide would be negative for the developing countries and particularly severe for Africa and the least developed countries. While the negative effect on commercial bank lending and foreign direct investment might be modest, the picture was rather bleak with regard to official development assistance (ODA), and interest rates would rise, adding to the debt problem of developing countries. However, it was agreed that the long-term results of the transition from centrally planned to market economies should be beneficial for the global economy, including the developed countries.

The President mentioned several suggestions that had been made for dealing with the situation, including that the international community maintain ODA in real terms; that the industrialized world have separate budget heads for their assistance to Eastern and Central Europe; and that the international financial institutions assess the resources needed to finance the requirements of developing countries, as well as those of Eastern and Central Europe and the Soviet Union. Several delegations had noted that the United Nations should play a central role in the transition process, given its expertise and knowledge.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 27 July, the Council adopted resolution 1990/68.

Special high-level meeting of the Economic and Social Council in 1991

The Economic and Social Council,

Recalling General Assembly resolution S-18/3 of 1 May 1990, containing the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries,

Recalling its own decision 1990/205 of 9 February 1990 on the implementation of Council resolutions 1988/77 of 29 July 1988 and 1989/114 of 28 July 1989, in particular paragraph 1 (b) regarding the convening of a special meeting of the Council on 4 and 5 July 1991 to discuss the impact of the recent evolution of East-West relations on the growth of the world economy, in particular on the economic growth and development of the developing countries, as well as on international economic co-operation,

Recalling further the relevant provisions of the report of the Committee for Development Planning on its twenty-sixth session,

Fully convinced of the need to ensure adequate preparations for the special high-level meeting of the Council, which is the first of its kind and an important concrete step in the process of the revitalization of the Council,

1. Notes that during the second regular session of the Council a meeting was convened on 12 July 1990 devoted to an informal exchange of views on the subject of the special high-level meeting of the Council in 1991;

2. Invites the Secretary-General, in consultation with the President of the Council, to take all the necessary measures to ensure the adequate preparation of the special high-level meeting of the Council in 1991, and to prepare an analytical-report for that meeting, which should, *inter alia*, include complete information on patterns of trade, financial flows and investments in the context of the recent evolution of East-West relations and its consequences for the developing countries;

3. Invites the President of the Council to convene a one-day preparatory meeting of the Council before the special high-level meeting;

4. Invites the Committee for Development Planning, at its twenty-seventh session, to make a contribution to the special high-level meeting, taking into account its programme of work;

5. Calls upon all appropriate organs, organizations, bodies and programmes of the United Nations system to contribute to the success of the special high-level meeting;

6. Invites all Member States and observer States that are in a position to do so to be represented at the ministerial level.

Economic and Social Council resolution 1990/68

27 July 1990 Meeting 37 Adopted without vote

Draft by Vice-President (E/1990/L.50), based on informal consultations on draft by Bolivia for Group of 77 (E/1990/L.32), orally revised; agenda item 3.

Meeting numbers. ESC 33, 37.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/182.

Special high-level meeting of the Economic and Social Council with ministerial participation

The General Assembly.

Recalling its resolution S-18/3 of 1 May 1990, the annex to which contains the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries,

Taking into account Economic and Social Council decision 1990/205 of February 1990 on the implementation of Council resolutions 1988/77 of 29 July 1988 and 1989/114 of 28 July 1989, in particular paragraph 1 (b) thereof regarding the convening of a special meeting of the Council on 4 and 5 July 1991 to discuss the impact of the recent evolution of East-West relations on the growth of the world economy, in particular on the economic growth and development of the developing countries, as well as on international economic co-operation,

Taking into account also Economic and Social Council resolution 1990/68 of 27 July 1990 on the special high-level meeting of the Council in 1991,

Fully convinced of the need to hold that meeting at a high level,

Fully convinced also of the need to ensure adequate preparations for the special high-level meeting, which is the first of its kind and an important concrete step in the process of the revitalization of the Council,

1. Takes note of Economic and Social Council resolution 1990/68 and decision 1990/205;

2. Invites all Member States and observer States that are in a position to do so to be represented at the ministerial level;

3. Invites the Secretary-General, in consultation with the President of the Economic and Social Council, to take all the necessary measures to ensure the adequate preparation of the special high-level meeting of the Council in 1991;

4. Culls upon all appropriate organs, organizations, bodies and programmes of the United Nations system to contribute to the success of the special high-level meeting of the Council in 1991;

5. Decides to discuss at its forty-sixth session, in the context of the examination of the report of the Economic and Social Council, the outcome of the special high-level meeting.

General Assembly resolution 45/182

21 December 1990 Meeting 71 Adopted without vote

Approved by Second Committee (A/45/848) without vote, 19 November (meeting 44); draft by Chairman (A/C.2/45/L.43) based on informal consultations on draft by Bolivia for Group of 77 (A/C.2/45/L.11); agenda item 12.

Meeting numbers. GA 45th session: 2nd Committee 12-16, 22, 44; plenary 71.

Development and economic co-operation

Strategy for the Fourth UN Development Decade

The Fourth United Nations Development Decade (1990-2000) was proclaimed by the General Assembly on 21 December 1990, to start on 1 January 1991. The Assembly also adopted the International Development Strategy for the Decade, which set out the goals and objectives for the 1990s and policy and measures for their support and realization. It also dealt with special situations, including those of the least developed countries (LDCs); identified the role of the United Nations system; and outlined a process for review and appraisal of the Strategy.

The Strategy's text had been drafted by the Ad Hoc Committee of the Whole for the Preparation of the Strategy for the Fourth United Nations Development Decade (1991-2000), established by Assembly resolution 43/182 [YUN 1988, p. 319].

Ad Hoc Committee of the Whole

The Ad Hoc Committee of the Whole held its third (13 January and 19 to 23 March) and fourth (4 and 6 June, 17 to 26 September, and 9 October) sessions in New York in 1990 [A/45/41]. The Committee's organizational, first and second sessions were held in 1989 [YUN 1989, p. 284].

At its third session, the Committee had before it a summary of the Secretary-General's updated report [A/AC.232/7] on the overall socio-economic perspective of the world economy to the year 2000. The report discussed long-term trends in world economic development, presented quantitative scenarios for the world economy to the year 2000, and considered structural change in world production and trade; sectoral issues in agriculture and energy; new technologies; environmental issues; population and human settlements; and human resources development and social policy. The report concluded that the likely impacts of many changes in the world economy were difficult to assess, especially those modifying the relationships on which projections of the world economy were based. The outlook for the next decade depended on the progress made in national policy-making and in international co-operation.

The Ad Hoc Committee requested the Chairman to prepare a working document for consideration at its fourth session, taking into account the statements and views expressed by Member States, organs, organizations and bodies of the United Nations system during the third session.

The Economic and Social Council, in resolution 1990/10 of 24 May, recommended that the Ad Hoc Committee, in preparing the international development strategy, ensure that women's needs and their contribution to the development process were reflected in all aspects of the strategy and consider measures for their full and effective participation in development. It urged Member States to give special attention to the role of women in development when preparing their contributions to the Committee and to consult with national machinery and NGOs concerned with women in development.

By decision 1990/215 of the same date, the Council decided to transmit to the Ad Hoc Committee at its fourth session the text of resolution 1990/10.

By decision 1990/267 of 23 July, the Council took note of an oral report by the Chairman of the Ad Hoc Committee on the Committee's work.

At its fourth session, the Ad Hoc Committee had before it a Secretariat note [A/AC.232/9] containing suggestions for an international development strategy. At the resumed fourth session (September), it considered a working document

[A/AC.232/10], prepared by the Chairman, containing a proposed text of the strategy; the contribution of the European Community [A/AC.232/L.12] submitted by Italy; and a letter containing the views of Canada [A/AC.232/CRP.7]. Also before the Committee was a background note [A/AC.232/L.11] by the secretariats of the United Nations Educational, Scientific and Cultural Organization, the International Civil Aviation Organization, the Universal Postal Union, the International Telecommunication Union and the International Maritime Organization.

On 9 October, the Ad Hoc Committee, having considered a draft text of the strategy [A/AC.232/L.14/Rev.1], proposed by the Chairman on the basis of informal consultations, recommended to the General Assembly the adoption of the proposed text of the international development strategy for the fourth United Nations development decade.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted decision 45/442, by which it took note of the report of Ad Hoc Committee of the Whole for the Preparation of the International Development Strategy for the Fourth United Nations Development Decade. On the same date, the Assembly adopted resolution 45/199.

International Development Strategy for the Fourth United Nations Development Decade The General Assembly

1. Proclaims the Fourth United Nations Development Decade, starting on 1 January 1991;
2. Adopts the International Development Strategy for the Fourth United Nations Development Decade, as set forth in the annex to the present resolution.

ANNEX International Development Strategy for the Fourth United Nations Development Decade

I. Preamble

1. We, the States Members of the United Nations, adopt the following International Development Strategy and designate 1 January 1991 to 31 December 2000 as the Fourth United Nations Development Decade. The global consensus reached in the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries, contained in the annex to General Assembly resolution S-18/3, provides the basis for this Strategy. We pledge ourselves individually and collectively to undertake the measures necessary to implement the Strategy.

2. The goals and objectives of the International Development Strategy for the Third United Nations Development Decade were for the most part unattained. Adverse and unanticipated developments in the world economy wiped out the premises on which growth had been expected. The early years of the 1980s witnessed a recession in the development market economy countries. Although growth in these countries resumed in 1983

and was sustained at a moderate tempo virtually without inflation over the remainder of the decade, the period was one of marked imbalances, external as well as fiscal, and of relatively high unemployment. Growth rates slowed down in the countries of Eastern Europe, where the need for structural transformation became increasingly manifest, resulting, by the end of the decade, in sweeping economic and political changes. World trade returned to a path of relatively rapid growth in the second half of the 1980s. But, for the developing countries, the external economic environment over the decade was generally characterized by shrinking resource flows, declining commodity prices, rising interest rates and increasing barriers to market access. During the 1980s, overall growth in the developing countries averaged 3 per cent annually and per capita growth 1 per cent. Over the 1960s and 1970s, by comparison, overall growth in these countries averaged 5.5 per cent and per capita growth 3 per cent.

3. Despite this background, some developing countries, among them some of the biggest and the poorest, succeeded in maintaining a relatively fast tempo of growth and transformation. For most others, however, the decade was one of falling growth rates, declining living standards and deepening poverty. The debt crisis that erupted in 1982 led to the virtual cessation of net commercial bank lending. There was a negative transfer of net financial resources to the indebted countries, whose debt-servicing capacity was further weakened as interest rates grew and terms of trade deteriorated. As a result, the overall growth of developing countries with debt-servicing difficulties was only 1.5 per cent during the period 1981-1990. The decade of the 1980s saw a widening of the gap between the rich and the poor countries. It also witnessed political tensions and conflicts, as well as natural and man-made disasters that were costly and disruptive.

4. If the 1990s are to be a decade of development, this record of unsatisfactory progress and performance needs to be changed. Projections by the agencies of the United Nations system unanimously suggest, however, that in the absence of major changes in policies, the coming decade will be much like the previous one. While relatively rapid growth is foreseen for some countries of Asia, the prospect is one of continued stagnation for others, particularly in Africa and Latin America.

5. Such a prospect is fraught with danger. Growing populations and young and expanding work forces, as well as rising aspirations associated with the spread of education and the impact of communications, are imposing intense pressures on the political and social fabric of developing countries. Unless these pressures are relieved by decisive improvements in the pace and character of development, economic distress and political and social instability may spread, not only within national boundaries but beyond them as well, and may affect the peace and stability of the world as a whole. In the many developing countries where economic conditions stagnated or declined in the 1980s, absolute poverty became more widespread and conditions deteriorated with regard to nutrition and food security, job creation and education, health care and infant mortality, housing and sanitation. The erosion of living standards and social services brought mounting political unrest to many countries.

6. The interdependence of nations is rapidly becoming far more than a matter of trade and finance links alone. There are strong trends towards greater openness in the movement of funds, people and ideas around the world. Over the past decade, violence, social disorder and terrorism have become more common. Conflicts and upheavals lead to the movement of refugees and international migrants and give rise to problems of border control, admission and assimilation in receiving countries. The illicit traffic in narcotics links the poverty and social problems of the rich countries to those of producers whose traditional crops no longer ensure them a living. Environmental threats and epidemics are often themselves of global scope. These and other related problems can only be aggravated by economic stresses and strains and by the failure of the development process in the developing countries. The entire international community, rich and poor countries alike, has thus a vital stake in ensuring that the decade of 1990s is truly one of economic and social progress throughout the world.

7. The prospects for the 1990s, assessed on the basis of the continuation of present policies, can and must be changed. The reactivation and acceleration of the development process is in the interest of all countries. The developing countries can provide a strong stimulus to world trade and investment and can contribute to the strength and stability of the world economy. They already account for a significant share of the markets of the developed countries. Far-reaching developments have taken place on the international scene that provide new opportunities for reversing the trends of the 1980s. The relaxation of international tensions offers an opportunity for reducing military spending worldwide, for a reduction of the strains on national economies and for the application of larger resources to the fight against world poverty. The waning of ideological conflicts is improving the climate of co-operation at all levels. There is no universal prescription for successful development, but a growing convergence of views is emerging with respect to effective approaches to economic and social development and with regard to the potential contributions to the development process of the private and public sectors, of individuals and enterprises and of democratic rights and freedoms.

8. A strong stimulus to global co-operation is provided by the consciousness of the global consequences of environmental problems and their interaction with both development and the lack of development and by a growing awareness of the threats to the security of nations that could arise from frustrations and tensions in developing countries. Closer integration, in both Europe and North America, in prospect of the 1990s, has the potential to strengthen major economies and their capacity to support global economic growth if accompanied by openness to the outside world. The reform and restructuring of the economies of Eastern Europe and their integration into the world economy can contribute to the strength and dynamism of world trade. Closer co-operation and integration among the developing countries themselves also offer an opportunity to enhance the vigour of the development process. No less important, the rapid advances in science and technology and in global communications are opening up new vistas for improvement of productivity, structural change and accelerated development.

9. These changes do not by themselves guarantee a reversal of the present trends or ensure that the development experience in the new decade will differ markedly from that of the 1980s. There are dangers, if the opportunities are not grasped, of increasing marginalization of many developing countries in the world economy and of a weakening of the focus on development as an objective of international economic co-operation. But the changes offer a new context for decision-making and policy formulation and for approaches that could reverse the experience of the 1980s. They provide an opportunity for the formulation and implementation of an International Development Strategy that is aimed at releasing the great potential for development that exists in the developing countries and in the world economy.

10. The Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development, contained in the annex to General Assembly resolution S-18/3 contains a pledge that Member States will endeavour to take all necessary steps to reverse the adverse u-ends of the 1980s, address the challenges of the 1990s and move into a more productive decade, recognizing that such actions should take into account the responsibility of each country for its own development and should be in accordance with its capacity and its impact on the international economy. As in the 1980s, events now unforeseen will undoubtedly put their stamp on the coming decade. This Strategy is flexible. It seeks above all to spell out an agreed understanding on the issues and challenges, the actions and commitments, on the basis of principles for national and international action that will remain valid.

11. Countries have to adapt their national policies to facilitate open exchange and flexible responses to the changing world economy. Effective national policies have a critical role to play in achieving sustained, non-inflationary economic growth in all countries. Such policies should be supportive of investment, as well as of efficient mobilization and allocation of resources in order to achieve durable growth.

12. It is against this background that Member States agree on the goals and objectives for the Fourth United Nations Development Decade Assistant as set out below.

II. Goals and objectives

13. The principal aim of the Strategy is to ensure that the 1990s are a decade of accelerated development in the developing countries and strengthened international co-operation. The decade should witness a significant improvement in the human condition in the developing countries and a reduction in the gap between rich and poor countries. It should be one in which ways are found for the world community to meet its needs without degrading the environment. The Strategy also has important social and political objectives. Development over the decade should enhance the participation of all men and women in economic and political life, protect cultural identities and assure to all the necessary means of survival. Each country is responsible for its own economic policies for development, in accordance with its specific situation and conditions, and for the life and well-being of all its citizens. The Strategy should help provide an environment that supports the evolution everywhere of political systems

based on consent and respect for human rights, as well as social and economic rights, and of systems of justice that protect all citizens.

14. To achieve these fundamental aims six interrelated goals must be met. They are:

(a) A surge in the pace of economic growth in the developing countries;

(b) A development process that is responsive to social needs, seeks a significant reduction in extreme poverty, promotes the development and utilization of human resources and skills and is environmentally sound and sustainable;

(c) An improvement of the international systems of money, finance and trade so as to support the development process;

(d) A setting of strength and stability in the world economy and sound macro-economic management, nationally and internationally;

(e) A decisive strengthening of international development co-operation;

(f), A special effort to deal with the problems of the least developed countries, the weakest among the developing countries.

15. These goals and objectives pose a big challenge. They call for serious and committed efforts by all countries. The developing countries themselves have the responsibility for the great effort needed to mobilize the potential of their people, to modernize and diversify their economies and to set themselves ambitious targets to build the foundation on which development rests: technical and managerial skills, industrial and agricultural capability and effective government services. Human resources development, entrepreneurship and innovation, and the energetic application of science and technology, in a context of political freedom, respect for human rights, justice and equity, are all essential and relevant to growth and development. The Strategy has singled out a number of areas of special priority: the eradication of poverty and hunger, human resources and institutional development, population, the environment and food and agriculture. The pursuit of goals in these areas calls for resolute and vigorous action and for styles of development that establish a mutually reinforcing relationship between rapid economic growth and social objectives.

16. The efforts of the developing countries will, however, be easily thwarted by an unsupportive external environment. They will be thwarted if sudden external shocks decimate their national product and external revenues, as happened to many of them in the 1980s. All countries live in the international economic environment, but most developing countries remain imperfectly integrated into it and excessively vulnerable to its instability. Many are captives of external debt problems, of reduction in external resource flows, of sharply declining terms of trade and of mounting barriers to market access. Great obligations fall on the industrialized countries, which influence the international economic environment and the functioning of the international economy and are partners in international co-operation for development. Great obligations fall also on the system of international organizations to extend and fulfil their role in the promotion of development. Developing countries can prosper only in a stable and progressive world economy and, conversely, the world community can have a safe and prosperous

future only if economic, social and political progress in the developing countries is assured.

17. The attainment of the aims of the Strategy calls for more than marginal increases of growth rates. The developing countries must be enabled to generate progressively the resources needed to ensure productive employment for a fast-growing labour force, to overcome hunger, disease and ignorance and to raise living standards. The negative trends of the 1980s need to be reversed and conditions created for a kind of development that signifies a genuine transformation and does more than keep a growing population from the brink of famine. The time has come to move beyond adjusting to the shocks of the 1980s and to lay the foundations for a new wave of development. For most developing countries, growth rates must accelerate significantly during the decade. Growth objectives will vary from country to country. For the relatively few countries where growth in the 1980s was satisfactory, the aim would be to consolidate progress and ensure that it is sustained. In the many countries where growth was interrupted, the first requirement is a return to a path of expansion where economic growth does not merely keep pace with, but well exceeds, the growth of population. In the second half of the decade, the foundations for higher rates of growth should have been established. On the basis of the experience of some countries, it is considered that sustained growth at a rate of the order of 7 per cent would provide the necessary conditions for a genuine transformation of the economy, with rapid increases in productive employment and poverty eradication, and would generate the resources needed for the protection of the environment.

18. Higher rates of growth in developing countries will reflect progress in several sectors of the economy and in the pursuit of social and other goals. Although the Strategy does not seek to establish comprehensive and interrelated sectoral targets to be attained by the developing countries as a whole, many of its elements have been addressed in the various parts of the United Nations system. They cover such areas, among others, as employment and health, women and children, industry and technology, agriculture and food, population, education and culture, shelter and settlement, telecommunications, transportation, including shipping, and the environment. Sectoral strategies and plans for significant achievements have been agreed upon by Governments. Translated into goals and objectives for both national and international efforts, ambitious and feasible targets of this kind have proved valuable in focusing policies and in monitoring progress. They also serve as reminders of the progress that can be achieved within a decade, with strong political commitment and dedicated efforts.

19. The Strategy must look beyond the constraints of the moment. A decade is not enough to work miracles, but a true decade of development would make a great difference to the world situation on the eve of the next century. Serious development problems would still persist, but the debilitating deadlock of the recent past would have been broken for many developing countries. Their living standards would be rising instead of falling, the younger generation would find employment instead of being condemned to a desperate scurry for survival, and poverty and hunger would be pushed back instead of advancing. Revived invest-

ment would lay the foundation for growth in the next century and the energies and talents of the people in the developing countries would be harnessed for building their own future. The world as a whole would be safer and more prosperous than it will if present trends continue. A continued development failure in the next decade would be an invitation to world-wide disorder.

III. Policies and measures

20. The policies and measures needed to support and realize the Strategy must reflect the urgency of its goals and objectives. They must aim at the acceleration of growth and give attention to issues of special priority in the development process and must respond to special situations, including those of the least developed countries. In each area, there are important policies and measures that need to be adopted in a national context by the developing countries themselves. There are equally important policies and measures that have to be adopted by the developed countries in the context of international co-operation for development. The international community as a whole must also strengthen the systems that support the sound workings of the world economy and the development process. The Strategy is thus of relevance to all countries, which must commit their best efforts to put-sue its goals within the limits of their abilities and responsibilities. The Strategy does not require unrequited sacrifices on the part of any countries. To the extent that public resources must be used in the pursuit of its goals, they represent investments in a better future world, investments that are strikingly modest by the standard of present defence budgets.

A. THE REACTIVATION OF DEVELOPMENT

1. Economic policy frameworks, external debt, development finance, international trade, commodities

21. The reactivation and acceleration of development requires both a dynamic and supportive international economic environment and determined policies at the national level. It will be frustrated in the absence of either of these requirements. The policies and measures needed for the 1990s must therefore cover both aspects. A supportive external economic environment is crucial. The development process will not gather momentum if the global economy lacks dynamism and stability and is beset with uncertainties. Neither will it gather momentum if the developing countries are weighed down by external indebtedness, if development finance is inadequate, if barriers restrict access to markets and if commodity prices and the terms of trade of developing countries remain depressed. The record of the 1980s was essentially negative on each of these counts and needs to be reversed. The policies and measures needed to create an international environment that is strongly supportive of national development efforts in the 1990s are thus a vital part of the Strategy. So too are national policies for development. Their main elements are set out below.

The economic policy framework

22. A surge in development during the decade of the 1990s can take place only within supportive frameworks of overall economic policy, both national and international. The sound macro-economic management of the world economy is of paramount importance. The major industrialized countries, which broadly de-

termine the international economic environment by their policies, have a special responsibility to bring about a stable and predictable international economic environment in which development can succeed. The adverse development environment of the 1980s was in part a consequence of restrictive policies of the earlier years of the decade aimed at combating inflation at the expense of growth. The major industrialized countries influence world economic growth and the international economic environment profoundly. They should continue their efforts to promote sustained growth and to narrow imbalances in a manner that can benefit other countries. The co-ordination of macro-economic policies should take full account of the interests and concerns of all countries, particularly the developing countries. Efforts should be made to enhance the effectiveness of multilateral surveillance aimed at correcting existing external and fiscal imbalances, promoting non-inflationary sustainable growth, lowering real rates of interest and making exchange rates more stable and markets more accessible.

23. The macro-economic policies of the developed countries should take account of the interests and concerns of the developing countries. During the 1980s, the developing countries were seriously affected by increases in real rates of interest and by frequent fluctuations in key exchange rates.

24. The economic policy framework of developing countries helps to shape the national environment for development and will need to take account of the objectives, priorities and particular circumstances of each country. But the acceleration of development will require strenuous efforts on a number of fronts. There is a need for determined policies that aim at increasing domestic savings and raising investments, as well as at improving the returns to investment. National policies must succeed in containing inflationary pressures, which often have adverse economic and social consequences that prove disruptive of development. This calls for monetary and fiscal discipline to promote price stability and external balance and the maintenance of realistic exchange rates without the need for repeated currency depreciations that have often had adverse consequences on social stability and the terms of trade of developing countries.

25. National policies must also be directed at mobilizing all the latent energies and impulses for development within the developing countries, at promoting efficiency in the allocation of resources and at taking advantage of the opportunities for trade, investment and scientific and technological progress provided by a changing global economic environment. The role of the public sector in the development process is essential. Impediments to progress caused by bureaucratic inefficiencies, strains on administration, excessive controls and neglect of market conditions by public enterprises need to be removed. The policy environment should, within the context of national goals, encourage a creative contribution by the private sector, stimulate entrepreneurship and innovation and promote the participation of the people at all levels in the development process. It should provide scope for the operation of market forces and for realistic pricing as a means to greater efficiency and soundness in the allocation of resources. The national policy framework should also

enable developing countries to take full advantage of the opportunities of international trade and foreign investment, as well as promote co-operation among themselves. The effectiveness and flexibility of national policy frameworks would be enhanced in a setting of improving political institutions and legal systems. This would be reinforced by conditions that would permit declining military expenditures and thus the channelling of resources released to social and economic development.

External debt

26. For many developing countries, the reactivation of development will not take place without an early and durable solution to the problems of external indebtedness, taking into account the fact that, for many developing countries, external debt burdens are a significant problem. The burden of debt-service payments on those countries has imposed severe constraints on their ability to accelerate growth and eradicate poverty and has led to a contraction in imports, investment and consumption. External indebtedness has emerged as a main factor in the economic stalemate in the developing countries; there has been a large net transfer of resources from the developing to the developed countries, depriving the former of much-needed resources for development. Development during the decade of the 1990s should not be hampered by prolonged failure to resolve the international debt problems. Accordingly, a durable and broad solution to these problems should continue to be given urgent attention as we begin the decade of the 1990s. Innovative solutions need to be found and relief obtained in the initial years of the decade.

27. Recent initiatives and measures to reduce the stock and service of debt or to provide debt relief for developing countries should be broadly implemented. Relief measures should aim at the resumption of vigorous growth and development in these countries and should address all types of bilateral debt of debtor developing countries. Serious consideration should be given to continuing to work towards a growth-oriented solution of the problems of developing countries with serious debt-servicing problems, including those whose debt is mainly to official creditors or to multilateral institutions.

28. Finding a solution to the debt problems is the joint responsibility of debtor and creditor countries, commercial banks and multilateral financial institutions. Debtor countries should continue their efforts to attain efficiency and return to a path of sustained growth by adopting appropriate national economic policies. The creditor countries are encouraged to continue reviewing their tax policies and regulatory and accounting practices in order to facilitate commercial debt and debt-service reduction operations. The multilateral financial institutions should continue to provide support for debt and debt-service reduction packages, with the necessary flexibility, under their established guidelines. Creditor countries should support growth-oriented policies of debtor countries in order to facilitate the resumption of growth and development, as well as the prompt restoration of creditworthiness of the debtor countries.

29. The measures agreed upon in the Paris Declaration and Programme of Action for the Least Developed

Countries for the 1990s adopted by the Second United Nations Conference on the Least Developed Countries, held in Paris from 3 to 14 September 1990, on the external debt problems of the least developed countries should be urgently and vigorously implemented.

30. The Paris Club is invited to consider increasing the flexibility of its negotiating mechanism and examining the current criteria of eligibility for debt relief, as well as the scope of the initiative taken at the Toronto Economic Summit, held in June 1988, for dealing with the debt problem, taking into account, *inter alia* the Economic Declaration adopted at the Houston Economic Summit, held in July 1990. Measures must continue to be taken to relieve the external debt burden of low-income and lower-middle-income countries whose debts are mainly to official creditors. Measures to address the external official debt problems of middle-income countries should also be seriously considered.

31. The external debt of the developing countries includes debts to multilateral financial institutions. These institutions must continue to find means to relieve the burdens that arise out of such debt in ways that safeguard the high standing of the institutions in financial markets, such as the World Bank Debt Reduction Facility of the International Development Association established in 1989 to provide debt relief to severely indebted low-income developing countries.

32. There is a close interrelationship between the external debt problem of the developing countries and the global economic environment. The debt-service burden is aggravated by rising interest rates, declining terms of trade, shrinking flows of external resources, protectionist barriers to trade and slow growth in the world economy, and would be lessened by an improvement in these factors. A marked improvement in the international economic environment, combined with appropriate national policies that take advantage of this improvement, is essential in order to solve these debt problems and to avoid their proliferation among countries that have hitherto avoided their disruptive consequences.

External development finance

33. Adequate resources, both domestic and external, are an essential condition for the reactivation of development. The developing countries need to mobilize domestic resources to the greatest extent possible and implement determined policies and measures to this end. In the case of most developing countries, domestic savings contribute by far the larger part of the resources utilized for investment.

34. However, the essence of the development problem is that countries that are poor have limited scope for increasing savings by restraining levels of consumption that are already low. The savings efforts of the developing countries need therefore to be supplemented by external resources so as to raise investment to the levels needed for adequate economic growth.

35. Furthermore, the development process is generally dependent on the flow of imported goods and services that are needed for the growth of the economy. Where export earnings fall short of import needs, the development process would be frustrated in the absence of supplementary flows of external resources.

36. The external economic environment of the 1980s did not favour the flow of external resources to

developing countries. Falling commodity prices and protectionist trends weakened the export earnings from many countries, while the flow of development finance was impeded by constraints on aid budgets in the donor countries and, after the debt crisis of 1982, the end of net lending by commercial banks to developing countries. Because of this, developing countries became less attractive for foreign investors. By the middle of the 1980s, the net transfer of resources to developing countries on the aggregate turned negative because of the burden of debt-service payments. This trend was further compounded by losses incurred by developing countries on account of the deterioration in their terms of trade.

37. These trends have to be reversed in the 1990s if development is to be accelerated. A surge in the tempo of development is virtually unimaginable if the flow of external resources is from the poorer to the richer countries rather than vice versa. This would make meaningless the concept of a decade of development endorsed by the international community. The new consensus on the need for a reactivation of development and on the priorities of development policies calls for a new commitment on the part of the international community to augment the flow of development finance to the levels needed to attain these agreed goals.

38. A reduction in the burden of debt-service payments, as discussed earlier, is an essential requirement for reversing the negative trends relating to the flow of external resources to developing countries. But there must also be significant improvements in the flow of finance for development from the major sources of such finance, that is, official bilateral assistance, lending by commercial banks, direct private investment and multilateral financial institutions. Such improvements, when taken as a whole, should be adequate for the requirements of development finance in the 1990s. In order merely to restore a positive net transfer to the developing countries in a foreseeable future, during which no substantial flows or commercial credits can be expected, net official flows of loans and grants from all sources, which remained virtually constant at \$35 billion in the 1980s, would have to grow substantially in the first half of the 1990s.

39. Economic reforms and the integration of Eastern Europe into the world market will generate substantial new demands for resources. This enlargement of the international division of labour will be to the benefit of all, but such needs should be met without diversion of the flows needed by developing countries.

40. Official development assistance must remain an essential source of concessional aid to the developing countries, particularly to the poorest and the least developed. Aid programmes of donor countries have in many cases remained at low levels and need to be substantially improved in the 1990s. Official development assistance has, on average, remained at only half of the internationally agreed target of 0.7 per cent of their gross national product. Donor countries should, in the 1990s, implement such undertakings as they have made to reach or surpass this target, as well as the targets for the least developed countries as adopted by the Second United Nations Conference on the Least Developed Countries. There should also be continued improvements in the quality of aid as well as in its utili-

zation. The release of resources from any reductions in military spending and the recovery in the industrial countries should ease the budgetary constraints of donor countries, and rising concern about the environment and world poverty should provide new opportunities for development co-operation.

41. New possibilities for increasing the flow of development finance in the 1990s should also be explored. These include proposals for devoting part of the resources that may be released by the disarmament process and reduced military spending to development and for recycling to the developing countries, through suitable mechanisms and modalities, a part of the payments surpluses of major developed countries.

42. Lending by commercial banks, in the aftermath of the debt crisis, has ceased to be a major source of development finance. However, a resumption of such lending is relevant in the context both of solutions to the debt problem and of the needs of the developing countries, particularly those which are not recipients of significant concessional aid. The reactivation and acceleration of growth and an improvement in the global economic environment will help restore confidence in the creditworthiness of borrowing countries and facilitate the return of flight capital. None the less, innovative changes will also be needed to evolve instruments of lending that help cushion borrowing countries against a recurrence of debt-service problems.

43. Foreign direct investment, which is not generally debt creating, could play an increasingly important role as a source of development finance, particularly when international trade is growing, markets are expanding and new opportunities are opening up through scientific and technological developments. Transnational corporations are already channels for technology transfer, world trade and marketing. Many developing countries are seeking, to the extent compatible with national objectives, to establish a positive investment climate and to adopt appropriate investment codes.

44. The need for development finance is unlikely to be met exclusively through channels of official development assistance, lending by commercial banks and direct private foreign investment. The multilateral financial institutions could and should play a major role in the 1990s in development financing. Despite the efforts that have been made to enlarge the resources of the institutions in order to meet new needs, they will have to be considerably expanded in the 1990s. Their resources have been falling behind the growth of the world economy and especially behind that of the world capital markets. The net lending of the World Bank and regional development banks was, by the late 1980s, negligible or negative for a large number of developing countries. These institutions should be enabled to serve the role of intermediation between developing countries and the international capital market, for which they were designed. The conditionality associated with the use of resources should be realistic and in accordance with the need to ensure effective utilization by recipient countries.

45. The international monetary and financial system must evolve in the 1990s and respond to the needs of a changing world, which now calls for universal co-operation. It should become an increasingly important source of both development finance and international

liquidity. It should provide greater stability and predictability in exchange rates. Developing countries should have greater influence in decisions that affect them vitally.

International trade

46. The goal of reactivating development requires a strongly supportive environment for international trade in general and for trade of the developing countries in particular over the decade of the 1990s. The international trading system is the pillar of an interdependent world economy and should establish conditions of openness and fairness in the interest of all countries. Growth and development and the solution of the pressing problems facing the developing countries are dependent on an open and credible multilateral trading system based on the principles of non-discrimination and transparency. Outward-looking development policies and export-based industrialization will not succeed if export markets are limited by restrictive barriers. The international trading system will function best in an environment of growth and dynamism in the world economy, an environment to which the system itself will contribute, but it needs to be strengthened further in the 1990s by specific actions and measures.

47. Policies and measures in the area of international trade must be directed, in the first place, at arresting and reversing trends, particularly apparent during the 1980s, towards the erosion of the multilateral trading system as a result of unilateralism, bilateralism and protectionism. The international organizations in the field of trade should be strengthened to play their part in the achievement of this objective. Many new issues that reflect the changing nature of the world economy are pertinent to the evolution of the international trading system. But the strengthening of the trading system also requires the resolution of a number of ongoing issues, some of which are of special interest to developing countries and are crucial to the development process.

48. The acceleration of development in the decade of the 1990s should, *inter alia*, be supported by the following actions and measures in the field of international trade:

(a) Full and effective implementation of the commitment to halt and reverse protectionism, as undertaken in the Ministerial Declaration on the Uruguay Round of multilateral trade negotiations. Protectionist trends of the 1980s have an adverse impact on the world economy and on the development process and performance of the developing countries and should not continue in the 1990s. Recourse to non-tariff barriers of various kinds, which has tended to increase in recent years, has affected the exports of developing countries;

(b) Trade liberalization and a sustained improvement in the access of developing country exports to the markets of both developing and developed countries through the reduction and removal of tariff and non-tariff barriers. Rapid structural adjustment in the developed countries in line with shifting comparative advantages will facilitate market access for the growing export capabilities of developing countries that arise in the course of their economic transformation. The rules of the international trading system recognize the need for differential and favourable treatment of developing

countries in the context of the other principles set out in the Ministerial Declaration on the Uruguay Round. This need should be reflected in the functioning of the system;

(c) Liberalization of trade in tropical products and natural resource-based products. This should include ending the escalation in tariffs on processed primary products;

(d) Bringing trade in textiles under the normal rules of the General Agreement on Tariffs and Trade;

(e) Progressive and substantial reduction of support and protection in the field of agriculture;

(f) Effective implementation and appropriate improvement of the generalized system of preferences, expansion of product coverage, duty-free treatment and adherence to the principles of non-reciprocity and non-discrimination in its application;

(g) Measures to ensure that regional economic integration and the formation of trade blocs will not impede the growth of world trade and are in conformity with the rules of the General Agreement on Tariffs and Trade. In particular, it is necessary to ensure that such developments do not result in additional barriers to developing country exports;

(h) Strict adherence to the rules and principles of the General Agreement on Tariffs and Trade by all contracting parties.

49. Developing countries should endeavour to liberalize their trade régimes in ways consistent with their development objectives so as to improve the efficiency and flexibility of their economies and their participation in the world economy. They should create trade opportunities among themselves and promote more rapid industrialization, in particular through the effective implementation of the Global System of Trade Preferences. There is great potential for economic integration among developing countries and new efforts should be made during the 1990s to establish effective subregional and regional market arrangements among them.

50. The successful and balanced conclusion of the Uruguay Round of multilateral trade negotiations, which aims at strengthening the international trading system, is crucial for progress in the 1990s. The treatment of new issues, hitherto outside the scope of the rules of the system, should take account of the development dimension and of the need for developing countries to build up their own capabilities. The dialogue and negotiations about required improvements in the international trading system should be continued and expanded in the 1990s. The dialogue should focus, *inter alia*, on an equitable balance of interest between developed and developing countries, the adaptation and reform of the system to ensure its relevance to the changing patterns of international trade, and the need to ensure greater co-ordination between international trade and financial policies.

Commodities

51. The terms of trade of the developing countries are an important aspect of the international economic environment for development. The depressed levels of commodity prices and earnings of developing countries from commodity exports were an important element in the slowing down of the development process in many developing countries in the 1980s. Technological change played some part in depressing the long-

term trend of demand for certain commodities. But slow growth and instability in the world economy and persistently high supplies were factors of critical importance. Commodity exports will continue to play a key role during the 1990s in the economies of most developing countries and will remain crucial to their export earnings and livelihood. For these countries, the reactivation of development during the decade will prove difficult in the face of continued weakness in their commodity sectors and terms of trade and will require a flexible response on the supply side to changing market conditions. The Strategy must aim at better functioning of commodity markets with greater transparency and more stable and predictable conditions. There is scope for improving international commodity policies in a number of ways.

52. The Integrated Programme for Commodities sought to improve the functioning of commodity markets through commodity agreements between producers and consumers, with support from the Common Fund for Commodities. The negotiation and renegotiation of such agreements proved difficult in the rapidly changing world economy of the 1980s, and a number of existing agreements broke down. There has been hardly any lasting improvement in most commodity markets since then, and the need for remedial action remains urgent. Commodity agreements between producers and consumers that improve the stability, transparency and functioning of markets and reflect long-term market trends benefit both producers and consumers, and efforts should be made to negotiate or renegotiate agreements of this type in the 1990s. The first window of the Common Fund was established for the specific purpose of supporting such international commodity agreements.

53. The diversification of the economies of developing countries and their increased participation in the processing, marketing and distribution of their commodities is of the utmost importance. The second window of the Common Fund for Commodities should be effectively used in this regard, particularly for technical assistance and for commodity-specific programmes for horizontal and vertical diversification, especially for the least developed countries. The diversification process should also be supported through the provision of improved market access for primary and processed commodities. Co-operation among developing countries could also play a significant role in the processing, transportation and marketing of commodities.

34. Compensatory financing is an important means of cushioning developing countries, in particular the least developed countries, against commodity-related shortfalls in export earnings. Existing compensatory financing schemes, particularly the Compensatory and Contingency Financing Facility of the International Monetary Fund, should be strengthened as appropriate.

2. Science and technology, industrial policies and measures, agriculture

55. A solution to the debt problem, adequate resource flows and a supportive environment in the areas of international trade and commodity markets are among the prerequisites for the reactivation of development during the 1990s. But a sustained acceleration of the development process will not take place unless

developing countries modernize and transform their industrial and agricultural sectors and participate in the progress made possible by advances in science and technology. National policies in these areas must reflect the particular situations. But many issues have strategic aspects that are widely relevant. These are set out in the sections that follow, as a guide both to national efforts and to the support that is possible and needed through international development co-operation. In virtually all areas of effort, there is scope and need for supportive financial and technical assistance from donor Governments, multilateral lending institutions and international agencies. There are also possibilities and requirements for co-operation among developing countries.

Science and technology

56. The reactivation of development in the decade of the 1990s on a sustained basis will be linked to the ability of the developing countries to participate in the rapid advances in science and technology that have characterized the global economy in recent years and will continue in the future. Knowledge is today a crucial determinant of economic progress. The knowledge gap between the developed and the developing countries has been widening, and policies and measures are needed to help narrow it over the coming decade. High priority must therefore be given by the developed and capabilities in this area.

57. Development and modernization in a setting of rapid advances in science and technology call for the establishment and strengthening of scientific cadres and for upgrading the skills of the work force. Developing countries, in their plans and policies, should emphasize policies and measures that enhance their scientific and technological capability and should devote adequate resources to that end. Such policies must range from the expansion and adaptation of their educational systems, including vocational education, to the building up of scientific and technological research and development capabilities.

58. Policies and measures in this field should seek to enhance the capacity of developing countries to utilize scientific and technological developments from abroad, as well as to modify and adapt them to suit local conditions. Such policies should also aim at traditional technologies that are capable of being developed as a means of raising productivity.

59. Building the scientific and technological capability of developing countries calls for external assistance in research and development, in the establishment and strengthening of institutions in the area of science and technology, in the diffusion of new technologies and in the training of scientific cadres. Developing countries should not be discriminated against with regard to commercial access to science and technology for development purposes. Commercial channels for the import of technology, including direct foreign investment, are especially relevant and should be utilized on suitable terms and conditions. In addition, with respect to access to and transfer of technology on concessional and preferential terms, in particular to developing countries, effective modalities should be examined with a view to implementing and enhancing such access and transfer as much as possible.

60. The international community should also review ways in which the intellectual property system can promote more effectively the economic and technological development of all countries, particularly the developing countries, and in which intellectual property can be effectively protected. Work on the international code of conduct on the transfer of technology should also be completed.

61. There is considerable scope for co-operation among developing countries in the development of science and technology. The developing countries could help each other through the establishment of common institutions and centres for research and training, the pursuit of joint projects for technological research and development, the offer of facilities for education in science and technology among themselves and the exchange of information. Science and technology must be given a prominent place in schemes for co-operation among developing countries at the global as well as at the regional and subregional levels.

Industrial policies and measures

62. An acceleration in the process of industrialization must be a central element in the economic transformation of most developing countries and in the reactivation of development in the 1990s. Given the limits to agriculture as a means of providing increased employment and additional external earnings, industrialization becomes indispensable for sustained economic growth and social development. It is also through industrialization that developing countries could make use of many of the opportunities provided by advances in science and technology and by international markets. Policies and measures to promote industrialization must thus be a major plank in the Strategy.

63. Some notable exceptions apart, manufacturing industry stagnated in many developing countries during the 1980s. These countries experienced a chronic underutilization of existing industrial capacity, a lack of maintenance, import constraints and technological obsolescence. These problems were at Limes Compounded by mismanagement. For these countries, the rehabilitation of their industrial sectors and an end to the underutilization of capacities must be objectives of priority. The rate of industrialization will obviously vary among countries, but for many countries, especially for those where manufacturing industry was set back in the 1980s, historical experience suggests that the objective should be to raise it significantly, say, to 8 to 10 per cent.

64. Industrial progress requires investments directly related to increasing manufacturing capacity. It is also dependent on an improved and modernized infrastructure in such areas as communications and transport, power and banking and finance. It is dependent, too, on a supportive policy framework in the fiscal and monetary fields. Not least, it is crucially dependent on managerial and technical skills and on a trained and efficient work-force. Industrial development must also make use of linkages with other sectors of the economy, particularly the rural sector, which could supply both materials and markets for industrial growth. These subjects must form an integral part of the policies and measures that developing countries need to take for industrial progress during the decade. But there are also certain other major issues of policy

that are central to faster progress in industrialization and that may call for new orientations. These are outlined below.

65. One such issue concerns the relative roles of the public and private sectors. In the past, many developing countries, anxious to speed up industrialization and faced with a weak and inexperienced private sector, sought to establish manufacturing enterprises owned and run by governmental entities and enjoying a high degree of protection. Experience has shown that there can be limitations to such an approach, particularly when administrative capacities are strained. State-run enterprises can be hampered by bureaucratic rigidity and inefficiency, and lack flexibility, competitiveness and innovative power. The capabilities of the private sector have grown in many countries and there is considerable scope for enhancing the contribution that private enterprise can make to a dynamic process of industrialization. Entrepreneurship should be encouraged at all levels for the setting up of industries. There is usually a strong potential for the development of medium- and small-scale industries that could also contribute to enlarging both urban and rural employment opportunities. Where industries are under public ownership, efficiency should be improved through measures that increase their flexibility and their ability to respond to changing conditions.

66. Another issue is that of industrial production for exports as against production for the domestic market and import substitution. The establishment of industries supplying domestic markets is desirable because of market proximity, linkages with other sectors and reduced dependence. But there are often limits to the scope for import-substituting industries, particularly where markets are small. In these cases, policies based excessively on import substitution supported by highly protective barriers result in high cost and inefficiency. Production for export is a means of overcoming these limitations. It becomes a virtual imperative where the scope for additional agricultural exports is limited. It is also a means of keeping step with technological progress and of closer integration with global markets, since exports call for efficiency and competitiveness.

67. The goal of industrialization calls for the building up of domestic ownership and national managerial and technological capabilities. But, direct foreign investment can make an important contribution to industrialization. Such investment not only provides additional resources, but is also a means of having access to modern technologies, skills and markets. The rules and regulations of developing countries should encourage direct foreign investment in ways in which mutual interests are furthered. The constraints to the flow of external resources from other sources give added importance to direct foreign investment as a means of augmenting this flow.

68. The progress of industrialization in developing countries, and of outward-looking development in general, is closely related to openness and non-discrimination in international markets. The implementation of the measures needed in this area, as set out in the section on international trade, such as the lowering of tariff and non-tariff barriers and measures to further structural adjustment in the developed countries, form an important part of the strategy for industrialization.

69. Industrial progress in developing countries can also be significantly enhanced through co-operation among such countries at the global, regional and sub-regional levels. The integration of markets of developing countries, the setting up of joint ventures and programmes for training and upgrading skills must be among the objectives of policies and measures to promote industrialization during the 1990s.

Agriculture

70. For many countries, agriculture, with its large contribution to the national economy, will remain the principal means for the revitalization of economic growth during the 1990s. To the extent that countries depend on the export of agricultural commodities to world markets, progress will be closely related to the implementation of the measures outlined earlier for strengthening international trade in commodities. But agricultural production in the developing countries also meets the production requirements for the domestic market for food and other products of both the farming and the non-farming population. The acceleration of development calls, therefore, for a special focus on policies and measures aimed at raising agricultural output and at strengthening food security and self-reliance in food.

71. The transition from a traditional system of cultivation, sometimes at a subsistence level, to modernized agriculture should be the underlying aim of agricultural policy. In many developing countries, the pressures on available land are already high and there are limits to what can be achieved through an extension of the area under cultivation. Where such possibilities remain, measures could be taken to bring new land under cultivation through programmes of irrigation and land settlement, provided that adverse environmental consequences, such as could arise from excessive forest clearing, are avoided. In great part, however, progress in agriculture is heavily dependent on raising productivity on lands already under cultivation. The scope for this could be large given the gap, often wide, between current productivity and technical potential.

72. There are several important components of the policies and measures needed for raising agricultural production and productivity. An annual rate of growth of the order of 4 per cent on average in food production would make a major contribution to food security and support agro-industrial development. But the great diversity of country situations means that there is no single set of policies of general applicability. Success will often depend on the removal of key constraints, which vary greatly from country to country. However, policies and measures based on the considerations set out below will be of broad applicability.

73. Success in reaching the potential for raising agricultural productivity require a farming population possessed of the knowledge, the incentives and the means required for this purpose. Improving the knowledge and skills of farmers calls for the diffusion of technology relating to agricultural practices and the use of improved varieties, as well as for the continued development and adaptation of technology through research. This underlines the importance both of effective extension efforts and services and of measures to enhance the capabilities of research institutions. The successful adoption of better methods and technolo-

gies is crucially dependent on incentives that link the use of superior methods to prospects for farmers to improve their standard of living. The price incentive is especially important, particularly in the context of the transition from subsistence farming to modernized agriculture. Policies that depress the prices of farm output in order to protect or subsidize living costs for the population at large are often counter-productive. A policy framework that permits more realistic prices that better reflect market situations often yields better results. Such a framework must also remove the shortcomings in marketing, distribution and storage that lead to an excessive gap between retail and farm prices.

74. Farmers must also have access to the means of raising agricultural productivity. Economic units of land and secure systems of tenure are often prerequisites for agricultural progress. Facilities for irrigation and a strong infrastructure of transport, communications and power, as well as other services that overcome the remoteness of rural areas, are among the others. A strong network of rural banking and credit is also vital to help farmers procure inputs and make the investments needed for raising production.

75. Policies and measures aimed at raising agricultural production need to take account of the linkages between agriculture and other sectors of the economy. The link with the industrial sector is especially important, since industry is a source of farm inputs and of consumer goods for the rural population, as well as a source of demand for agricultural products. Agro-industries located in rural areas can provide both a stimulus to agriculture and a source of employment for underutilized labour. In a more general sense, there is also a close link between the productivity of farmers and the extent and quality of educational and health services and of housing available to the rural population.

76. There is often considerable potential for improving the contribution of women to agricultural progress. In most developing countries, women form an important part of the active farming population and of the agricultural labour force. Policies and measures to increase their productivity and involve them more in key decisions should raise their contribution to output and their incomes. Schemes for rural self-help and for the mobilization of labour for community development and for the upgrading and maintenance of the rural infrastructure can also play an important part in the drive for agricultural progress.

77. A number of steps are also needed at the international level. Finance for investments in the agricultural sector and technical assistance should form part of programmes for development co-operation, both bilateral and multilateral. Developing countries should have assured access to advances in such fields as biotechnology and genetic engineering, at appropriate costs. The removal of existing distortions in international trade in agriculture is also essential. In particular, the achievement of this objective requires that there be substantial and progressive reduction in support and protection of agriculture--covering internal régimes, market access and export subsidies--in order to avoid inflicting large losses on the more efficient producers, especially in developing countries. Special importance is attached to the successful outcome and effective follow-up of the Uruguay Round in the areas of agriculture, tropical products and natural resource-

based products, taking account of the needs of the net food-importing developing countries.

B. PRIORITY ASPECTS OF DEVELOPMENT

78. An acceleration in the rate of economic growth is an essential objective for the 1990s. It is a condition for expanding the resource base of the developing countries and hence for economic, technological and social transformation. But economic growth by itself does not ensure that its benefits will be equitably distributed or that the physical environment will be protected and improved. Yet, if poverty persists or increases and there is neglect of the human condition, political and social strains will grow and endanger stability in the 1990s and beyond. Similarly, if environmental damage and degradation increases, the natural resource base of the developing countries and the welfare of populations will be harmed and progress in development itself will become unsustainable. The Strategy must therefore give special attention to the policies and measures needed in the areas of poverty alleviation, human resource development and the environment. It must also pay special attention to the related areas of population growth and the elimination of hunger. The decade of the 1990s must witness a significant improvement in the human condition everywhere and establish a mutually reinforcing relationship between economic growth and human welfare. The need to strengthen this relationship is, in fact, a principal theme of the present Strategy. It has not only to be reflected in national efforts but must also be promoted by the international community through financial and technical support.

1. Eradication of poverty and hunger

79. The international community, noting the severity of problems related to poverty in developing countries, agrees that the objective of eradicating poverty is of the highest priority. It is encouraging that a broad consensus is emerging on strategies to be pursued towards the achievement of this goal.

80. The goal of eradicating poverty calls for policies and measures on two broad fronts. It calls, in the first place, for a style of development in which economic progress is distributed as widely as possible and not concentrated excessively on a few localities and sectors or limited groups of the population. It also requires, to the extent that poor and vulnerable sections of the population are not reached by this process, special and supplementary programmes and actions that are directly targeted to bring benefits to these groups.

81. The generation of employment and income through productive occupation is a major means of eradicating poverty since the absence of adequate income owing to landlessness or the lack of opportunities for work is a prime cause of poverty. Development programmes and processes that provide employment on a large scale are thus an essential need. The sectors and the regions in which development takes place and the technologies adopted must be such as to have a significant impact on employment. This must be an important consideration in establishing the balance between growth in the agricultural, industrial, construction and other service sectors. The creation of employment and income through the activation of the informal sector of the economy and through the expansion of self-

employment activities should also be an important part of policies to improve incomes and eradicate poverty.

82. Progress in development, even when occurring on a broad front, might still bypass significantly large sections of the population, particularly the poorest and most vulnerable. Special programmes and measures that are aimed directly at increasing their real income are thus likely to prove necessary. These could include the provision of cheap and subsidized food and other essentials, as well as income support for the poorest and the destitute. They could also include programmes of training and of mobilization of labour for local self-help and community development as well as for production. Such programmes establish a link between activities aimed at the eradication of poverty and productive activities. The provision of facilities at low cost in such areas as health, education and transport is also a means of raising the real income of the poor. Measures to relieve homelessness or poor housing should be another major aspect of poverty eradication programmes. The increase in the number of homeless people in many developing countries has been one of the serious manifestations of the deteriorating human condition, and the improvement of human settlements as agreed in the Global Strategy for Shelter to the Year 2000 should be part of the crucial effort in this field.

83. Women and children are a particularly vulnerable group in situations of poverty. Policies and measures for poverty eradication should have a particular focus on their needs and give special attention to maternal and child health care and to nutrition. Food security is also a major aspect of the fight against hunger and poverty and calls for an integrated approach to food production and consumption.

84. Policies and measures that are specifically directed at poverty eradication must carefully target that part of the population which is in need. Subsidized facilities and services that are general in scope and bring benefits to groups that are not in need are normally costly and impose excessive strains on the limited resources available to developing countries. Subsidies of a general nature could also contribute towards distorting prices and may, as in the case of food, have adverse effects on incentives for domestic production.

85. Developing countries need not await the transformation in per capita income to do away with the extremes of poverty, particularly hunger and destitution. Some developing countries with low per capita incomes have succeeded in obtaining relatively good results in the social field. In the long run, however, economic growth is needed to raise living standards and eliminate poverty. Long periods of stagnation or low growth might make unsustainable the initial gains in the social area.

86. The struggle against poverty is the shared responsibility of all countries. The eradication of poverty, as well as broad humanitarian and social goals, such as advancement in the quality of development, broad participation, larger choice and better opportunities for all men and women, need and should have the full support of the international community. A substantial reduction in hunger and malnutrition is within reach. There is considerable scope for international food aid going beyond emergency situations. Member States must give effect to agreements already reached to make all efforts to meet four goals during the decade:

- (a) The elimination of starvation and death caused by famine;
- (b) A substantial reduction in malnutrition and mortality among children;
- (c) A tangible reduction of chronic hunger;
- (d) The elimination of major nutritional diseases.

2. Human resource and institutional development

87. Human resource development has the closest of interactions with the process of economic and technological transformation. In a broad sense, it covers a wide range of activities that release the creative potential of the individual and determine the style of development. Each country has to choose its approach to human resource and institutional development in accordance with its national priorities, values, traditions and cultures and stage of development. Education and health are, however, essential aspects of human resource development and must receive special attention.

88. Education is both a basic human need and a prerequisite for the achievement of the other objectives of development. The educational skills of the labour force determine to a large extent a country's competitive strength and its capacity to adjust to new and sophisticated technologies. In a number of developing countries, expenditure on education declined in absolute or relative terms during the 1980s against the background of a worsening economic situation, and there was a resulting deterioration in the quality of education. Attention needs to be given, in the light of country situations, to each of the aspects of the educational system. The eradication of illiteracy needs special emphasis, including its eradication among women. A target of reducing adult illiteracy by at least one half during the decade has already been set by the international community. But a sound base of primary and secondary education is a basic requirement. Policies and measures in this area must provide for the relatively rapid increase in the school-age population that accompanies the growth of population common to most developing countries. In fact, the goals for the decade of providing universal access to basic education and of the completion of primary education by at least 80 per cent of the school-age group have been internationally accepted. This calls for adequate resources, both financial and administrative, capital and current, for the provision of facilities and materials and for the recruitment of teachers. At the same time there is a need to ensure that the expansion of the educational base does not result in a deterioration of quality and is supported by policies to train and retain teachers. The content of education at the primary and secondary level must also be relevant to a country's need for economic, social and political progress. In the framework of action to meet basic learning needs, it is important to ensure the speedy implementation of the World Declaration on Education for All, adopted by the World Conference on Education for All.

89. The increasingly important role that knowledge plays in determining economic progress in a rapidly changing global environment of science and technology gives a new urgency to upgrading and transforming the scientific, technological, entrepreneurial and managerial aptitudes of the population. This calls for an emphasis on higher education and on the development of the institutional base for the train-

ing of skilled cadres as well as for vocational training. It also calls for policies and incentives that are conducive to retaining skilled personnel in their countries on a voluntary basis. The skills of the work force at all levels may well be the key to progress in the 1990s and beyond.

90. In the field of health services, special attention needs to be given to primary health care and the prevention of chronic diseases as well as to general development objectives such as sanitation, safe drinking water and nutrition. This will help relieve the strains on the curative medical system to which increasing numbers tend to have recourse as a result of population growth, education and social change. Policies and measures in the field of health need to give special attention to women and children. Several targets for the decade have already been agreed upon by the international community. These include the reduction of under-five mortality rates by one third or 70 per 1,000 live births (whichever saves more lives); the reduction of malnutrition among children under five by one half; and the halving of maternal mortality rates. The participatory and environmental aspects of health care should be emphasized in the design of programmes. There should also be a special focus on preventing the spread of epidemics and other diseases that are endemic in many developing countries. Urgent steps need also to be taken for the control and prevention of acquired immunodeficiency syndrome (AIDs).

91. As in the field of education, policies and measures for health must give increased attention to institution-building and the training of skilled health personnel at all levels. Here again, conditions have to be created that encourage the retention of skilled cadres.

92. Human resource development could also be promoted by co-operation among developing countries. Developing countries could benefit by opening to each other their centres of quality for higher education and training. They could benefit by the exchange of teachers and of personnel in the field of health and by the sharing of experiences. They could also profit from the joint operation and management of institutions for human resource development, particularly at the regional and subregional levels.

93. The developed countries have an important role to play in promoting human resource and institutional development. Apart from investment support and technical assistance for the supply and use of equipment and for curriculum development, a major contribution can be made by the developed countries through the provision of facilities for the training of skilled cadres. Education abroad has always played an important part in training in developing countries. But in the 1990s and thereafter, its role can be vastly enhanced because of rapid developments in the field of knowledge and the urgent need of the developing countries for larger cadres of skilled personnel. At the same time, the developing countries should be assisted in building up their own institutions for training and higher education. As development progresses, there is need for them to enhance their self-reliance in this field.

94. Human rights and human development are ends in themselves. All human resource activities are mutually reinforcing. Careful analysis, policy design and effective management in education and health programmes will be required, and the support of agen-

cies of the United Nations system should play a vital role. Given the interrelated nature of human resource development activities, inter-agency co-ordination in education, health, nutrition, housing, employment, child welfare and the advancement of women requires close attention. There should be programmes to integrate the elderly in development.

3. Population

95. Population programmes should be integrated with economic goals and strategies. The 1990s will see the largest increase in the population of developing countries of any decade in history, an increase of well over 20 per cent. The decade will also witness the aging of the world population. The demographic situation varies among countries, but in most developing countries a lowering of the rate of population growth will relieve the strains on the social situation, economic growth, the environment and natural resources. Population growth rates are in fact beginning to decline in a number of developing countries. Over half of the developing countries are pursuing active policies to reduce the rate of population growth and important lessons have been learned from this experience. The education of women, improved maternity and child care and family-planning services suited to the socio-cultural environment of individual countries have proved to be effective and successful instruments of population programmes and should be further pursued and strengthened. Assistance to developing countries in the area of population should be substantially increased during the 1990s. Developing countries should also intensify their efforts to allocate adequate resources to population programmes.

4. Environment

96. The current threat to the environment is the common concern of all. All countries should take effective action for the protection and enhancement of the environment in accordance with their respective capacities and responsibilities and taking into account the specific needs of developing countries. As the major sources of pollution, the developed countries have the main responsibility for taking appropriate measures urgently. The economic growth and development of developing countries are essential in order to address problems of the degradation and protection of the environment. New and additional financial resources will have to be channelled to developing countries. Effective modalities for favourable access to, and transfer of, environmentally sound technologies, in particular to developing countries, including on concessional and preferential terms, should be examined.

97. The General Assembly, in its resolution 44/228 of 22 December 1989, has set important goals for the United Nations Conference on Environment and Development in 1992. These goals need to be realized.

IV. Special situations including those of the least developed countries

98. Over two decades ago, the United Nations adopted criteria to identify the countries that were economically the weakest among the developing countries and that faced the most recalcitrant structural problems. It was recognized that these countries, designated the least developed countries, needed special support measures from the international community in their efforts to transform their economies and to im-

prove their prospects for sustained development. In 1981, the United Nations Conference on the Least Developed Countries adopted the Substantial New Programme of Action for the 1980s for the Least Developed Countries, in which a number of measures to support the development process in these countries were agreed upon. The measures included the setting of a target of 0.15 per cent of the gross national product of the developed countries for concessional aid to the least developed countries.

99. However, those very countries, and others that were among the poorest and the weakest, were the hardest hit by the difficulties that arose in the 1980s on the world economic scene. In terms of the criteria initially adopted, the number of countries falling into the category of "least developed countries"-instead of declining as a result of successful development-actually increased from 24 in 1972 to 41 in 1990. The measures taken by the international community, to support the least developed countries did not suffice to offset the adverse factors that affected their development experience in the 1980s. In the light of developments in the world economy there is a risk that these countries will become increasingly marginalized; this risk needs urgently to be avoided.

100. The Second United Nations Conference on the Least Developed Countries was held in Paris in September 1990. It underscored the principle of shared responsibility and strengthened partnership for the growth and development of the least developed countries and called for mutual commitments and strengthened joint efforts on the part of both the least developed countries and their development partners. The programme of action adopted by the Conference needs to be fully implemented. Broad requirements have been set out. The present official development assistance targets agreed on at the Conference, should, in the first instance, be met. Special attention is needed to facilitate increased access of exports of the least developed countries to major markets. Enhanced compensatory financing for export earnings shortfalls should be considered. Donors should take the necessary steps to provide further bilateral concessional debt forgiveness to the least developed countries. All donors are urged to implement Trade and Development Board resolution 165(S-IX) of 11 March 1978 as a matter of priority in such a way that the net flows of official development assistance should be improved for the recipient. The Paris Club should consider the application of the terms agreed upon at the Toronto Economic Summit to all the least developed countries in accordance with established procedures and criteria; the Toronto options should be reviewed, taking into account the communique of the Houston Summit Economic; and proposals for further debt relief should be examined urgently. Financial institutions, particularly those providing non-concessional credits, are invited to give serious attention to measures to alleviate the burden of the debt that least developed countries owe to them.

101. The special development problems of the land-locked developing countries and of the island developing countries also call for special attention. Measures are needed to lift the constraints on their development arising from the special transportation and communications problems they face, from their lim-

ited internal markets and from their high degree of vulnerability to environmental damage and natural disasters.

102. These measures should aim at reducing the cost to those countries of access to and from the sea and world markets, improving the quality, efficiency and reliability of transit-transport facilities and diversifying their economies.

V. Role of the United Nations system

103. The organs, organizations and bodies of the United Nations system have a special responsibility for the pursuit of the goals and objectives of the present Strategy. The system has played a unique role in bringing the development issue to the attention of the international community. Through its studies on the several aspects of the development problem, both national and international, through the international conferences it has convened on major issues, through the understandings, conventions and agreements it has helped to negotiate-some of them of a legal or quasi-legal character-and not least through the technical assistance it has provided to developing countries, it has made an invaluable contribution to ideas, policies and actions in the realm of development. This role must not only continue but must be strengthened and expanded in the 1990s with the support and encouragement of Member States.

104. Virtually every aspect of the Strategy falls within the areas of concern of the various parts of the United Nations system. In many such areas and sectors, goals and targets for the coming decade and the actions needed for realizing them have already been agreed upon by Member States and are crucial to the implementation of the Strategy. The Strategy also provides guidelines for further work on the evolution of policies and programmes and on seeking agreements for new actions. Major conferences of the United Nations system are already scheduled for the initial years and there will be others in the period beyond. These will be important occasions for reaching agreements that give more specific content to the actions and commitments needed to realize the goals of the Strategy.

105. The organs, organizations and bodies of the United Nations system thus have a vital role to play in furthering the analytical work of relevance to the elaboration and implementation of the Strategy, in promoting and securing the international co-operation needed and in providing technical assistance. The work of the international system should be given greater coherence by closer inter-agency co-operation and co-ordination and by organizational measures that strengthen the contribution of the system to development. The Strategy provides an initial framework for these objectives. The review of the functioning of the United Nations system should continue to be pursued with this aim in view; all of its Member States have a responsibility for making it more effective and efficient.

106. The Secretary-General is encouraged to continue, by such means as he deems appropriate, his efforts to facilitate the solution to the debt problems of developing countries, taking into account all relevant proposals. In addition, the relevant organs and bodies of the United Nations system should undertake follow-up measures pertaining to the Uruguay Round of multilateral trade negotiations.

107. The growing interdependence in the world economy and the increasing linkages between various issues, such as money and finance, trade and development, give a new urgency to the co-ordination of macro-economic policies and management at the international level. The United Nations should play its role in this area as envisaged in the provisions of the Charter relating to the functions of the Economic and Social Council.

VI. Review and appraisal

108. A process of review and appraisal should be an integral part of the Strategy so as to ensure its effective implementation. This process should be undertaken at the national level by the respective Member States. But it needs also to be undertaken within the United Nations system at the global, sectoral and regional levels. It should provide an opportunity to give the necessary political stimulus, in the light of evolving needs and developments. It must be expected that conditions in the course of the decade will change in ways that cannot now be foreseen, and there is thus a case for permanent monitoring and periodic review, allowing, when necessary, for amendments and revisions to the Strategy.

109. The recent events in the Gulf region are having repercussions on the immediate economic outlook of many countries, particularly in energy and trade balances. While it is not possible, in view of the uncertainties, to take account of them at present, it is important to keep the situation under review to determine whether in the context of the Strategy additional measures are required.

110. The organs, organizations and bodies of the United Nations system will play an important catalytic role in the implementation of the goals and objectives of the present Strategy in their respective areas of competence.

111. The machinery for continued monitoring exists: the various agencies of the United Nations system and the regional commissions issue annual reports, which, in effect, monitor the state of progress in virtually every area of international development. Governments participate in numerous debates in the specialized agencies, the Economic and Social Council and the General Assembly, in which the state of progress in international development is a major theme. In this sense, review and appraisal is already built into the procedures of the United Nations system.

112. Nevertheless, review and appraisal relating directly to the progress of the Strategy as a whole is also needed on a periodic basis. This should be carried out biennially by the General Assembly through the Economic and Social Council, with an item on the implementation of the Strategy included in their agendas. The Secretary-General should submit appropriate recommendations in order to assist in this process of review and appraisal.

Economic stabilization programmes

On 21 December, the General Assembly adopted **resolution 45/194**.

Economic stabilization programmes in developing countries

The General Assembly,

Recalling its resolution S-18/3 of 1 May 1990, containing the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries,

Recalling also its resolution S-13/2 of 1 June 1986, the annex to which contains the United Nations Programme of Action for African Economic Recovery and Development 1986-1990,

Recalling further its resolution 44/24 of 17 November 1989 on the African Alternative Framework to Structural Adjustment Programmes for Socio-Economic Recovery and Transformation,

Recalling its resolution 44/212 of 22 December 1989 on international co-operation for the eradication of poverty in developing countries,

Deeply concerned about the difficult economic situation facing most developing countries, which has severe political and social consequences,

Reaffirming that the reactivation of economic growth and development in the developing countries will require a concerted and committed effort by all countries and should be addressed in the context of the increasing interdependence and integration in the world economy,

Reaffirming also that a supportive international economic environment and appropriate national policies are crucial to the revitalization of economic growth and development of developing countries,

Recognizing that economic stabilization and structural adjustment programmes are necessary, in many cases, in order to strengthen economic growth and development,

Recognizing also the significant efforts being undertaken by many developing countries in order to achieve the revitalization of their economic growth and development,

1. Stresses that adequate measures should be taken at the international and national levels, as appropriate, to counteract the negative effects of the economic conditions that have prevailed in most developing countries during the past decade;

2. Stresses also the necessity of the integration of the human dimension in the formulation and implementation of structural adjustment programmes with the aim of protecting, in particular, the most vulnerable groups of the population in the processes of adjustment;

3. Stresses further that structural adjustment programmes, in the context of the attainment of macro-economic balance, should contribute to modernization, diversification and growth of the economies of the developing countries and, at the same time, to the fulfilment of the aim of improving the human condition, especially the standard of living and quality of life of people, in particular the most vulnerable groups of the population;

4. Calls upon appropriate organs, organizations and bodies of the United Nations system to monitor and analyse further the relevant socio-economic indicators

General Assembly resolution 45/199

21 December 1990 Meeting 71 Adopted without vote

Approved by Second Committee (A/45/849/Add.2) without vote, 10 December (meeting 53); draft by Vice-Chairman (A/C.2/45/L72), based on informal consultations; agenda item 79 (a).

Meeting numbers. GA 45th session: 2nd Committee 19-21, 53; plenary 71.

in order to assess closely the various socio-economic effects of the adjustment programmes;

5. Emphasizes that structural adjustment programmes should contain appropriate measures for long-term and sustained development and, thereby, contribute to the improvement of human and social conditions in developing countries;

6. Emphasizes also that the success of developing countries in stabilizing their economies will depend both on their own efforts and on a supportive international economic environment; in that regard, the international community should continue efforts to find a durable solution to the problems of external indebtedness, to increase the transfer of resources to developing countries, to develop a more open, durable and viable trading system and to enhance access to technologies; the co-ordination of macro-economic policies should take full account of the interests and concerns of all countries, particularly the developing countries;

7. Calls upon Governments, international organizations, multilateral financial institutions and bodies, organs and agencies of the United Nations system to take, within their mandates, appropriate measures designed to mobilize resources and increase financial flows to developing countries, with a view to ensuring that the resources available to them are commensurate with their efforts to stabilize their economies and their structural adjustment programmes, with particular reference to the need for protecting the most vulnerable groups of the population, through, inter alia, social compensatory programmes;

8. Requests the Secretary-General to submit to the General Assembly at its forty-sixth session a report on the implementation of the present resolution.

General Assembly resolution 45/194

21 December 1990 Meeting 71 Adopted without vote

Approved by Second Committee (A/45/849/Add.1), 10 December (meeting 53); draft by Bolivia for Group of 77 (A/C.2/45/L.36/Rev.1), based on informal consultations, and orally revised; agenda item 79.

Meeting numbers. GA 45th session: 2nd Committee 19-21, 43, 53; plenary-71.

Entrepreneurship in economic development

In response to a Economic and Social Council request in resolution 1988/74 [YUN 1988, p. 321], the Secretary-General submitted in June a report on national entrepreneurs in economic development [A/45/292-E/1990/82]. The report analysed the role played by entrepreneurship in the economic development of developing countries, describing the enterprise culture and the components that encouraged entrepreneurship in some societies; education and training aimed at improving entrepreneurial skills; and sources of entrepreneurs and ways to attract special groups, particularly women and youth.

The main focus of the report was on the national policy environment and on policies that encouraged and inhibited entrepreneurship in developing countries. Successful examples and policies were cited and suggestions made for reducing the impediments to creating successful indigenous enterprises. Various forms of co-operation between

national and foreign enterprises were highlighted, as were effective approaches employed by international organizations to encourage entrepreneurship in developing countries. The role of bilateral donors and the contribution of the United Nations system were stressed.

In its conclusion, the report summed up the impact of the international economic policy environment on the development of indigenous entrepreneurship and the prospects for developing countries.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 26 July the Economic and Social Council, in decision 1990/266, took note of the Secretary-General's report on national entrepreneurs in economic development.

On the same date, the Council adopted decision 1990/265.

Entrepreneurship as a means of attracting non-debt-creating flows of capital

At its 36th plenary meeting, on 26 July 1990, the Economic and Social Council decided to recommend that the General Assembly at its forty-fifth session consider and take appropriate action on the draft resolution contained in document E/1990/L.40/Rev.1, the text of which is annexed to the present decision, taking into account the informal consultations held on the draft resolution.

ANNEX

Entrepreneurship as a means of attracting non-debt-creating flows of capital

The Economic and Social Council,

Recalling General Assembly resolution 41/182 of 8 December 1986 on indigenous entrepreneurs in economic development and taking note of the report of the Secretary-General on national entrepreneurs in economic development (A/45/292-E/1990/82),

Recognizing that each country is responsible for its own economic policies for development and that the promotion of growth and development depends on appropriate domestic economic policies and a supportive international economic environment,

Acknowledging the need for effective and responsible governance for setting and implementing each country's national goals in the political, social and economic spheres,

Aware that as the world changes economically, societies must respond positively,

Appreciating that political pluralism and market-oriented economies together provide the optimal flexibility in responding to change in order to provide just and equal opportunities to all peoples to enable them to develop their full potential,

Noting the importance and relevance of private enterprise in the growth and development of countries and the need to provide the necessary incentives and environment to enable the spirit of entrepreneurship and competition to prosper,

Aware that higher domestic savings and inflows of capital, including new investment and the return of flight capital, depend upon free enterprise, a key component of which is entrepreneurship,

Realizing that capital secured by entrepreneurs from investors adds to the non-debt-creating flows of capital within the economy,

1. Encourages the development of entrepreneurship in societies seeking to develop or recuperate their economic vitality through free enterprise and market opportunities;

2. Agrees that entrepreneurship, in the context of a competitive market economy and supportive governmental policies, attracts non-debt-creating flows of private capital within and between countries and enhances the internationalization of financial markets and a more integrated world economy;

3. Urges States to enhance their legal and regulatory frameworks and to make more efficient their capital and credit markets to provide for sound private sector development and its positive benefits for employment opportunities and national wealth;

4. Looks forward to the meeting of the Joint Ministerial Committee of the Boards of Governors of the World Bank and the International Monetary Fund on the Transfer of Real Resources to Developing Countries, to be held in September 1990, in particular the deliberations on the issue of giving higher priority to private sector development, including the mobilization of domestic and foreign private capital, and institutionalizing this priority across the entire range of Bank operations;

5. Requests the Secretary-General to incorporate in future issues of the World Economic Survey a chapter on the role of entrepreneurship as a key element of growth and development;

6. Requests the Secretary-General to study measures at the national and international levels to promote the contribution of entrepreneurship to societies seeking to develop or regain their economic vitality through free enterprise and market opportunities; drawing upon the work already in progress in the United Nations system and bearing in mind the need to avoid duplication of effort and cost, and to report thereon to the General Assembly at its forty-sixth session through the Economic and Social Council.

Economic and Social Council decision 1990/265

26 July 1990 Meeting 36 Adopted without vote

Draft by Vice-President (E/1990/L.55), based on informal consultations on draft by United States (E/1990/L.40/Rev.1); agenda item 2.

Meeting numbers. ESC 32, 36.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/188.

Entrepreneurship

The General Assembly,

Recalling its resolution S-18/3 of 1 May 1990, the annex to which contains the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries, bearing in mind the International Development Strategy for the Fourth United Nations Development Decade and taking note of the Programme of Action for the Least Developed Countries for the 1990s, adopted by the Second United Nations Conference on the Least Developed Countries, held in Paris from 3 to 14 September 1990,

Recalling also its resolution 41/182 of 8 December 1986 and Economic and Social Council resolution

1988/74 of 29 July 1988, and taking note of the report of the Secretary-General on national entrepreneurs in economic development,

Recognizing that there is no universal prescription for successful development and that each country is responsible for its own economic policies in accordance with its specific situation and conditions and that the promotion of growth and development depends on appropriate domestic economic policies that take into account specific national circumstances and requirements,

Acknowledging the importance of effective, efficient and accountable governance in all countries for setting and implementing national goals in the economic and social spheres,

Acknowledging also the need for an effective and efficient public sector in, inter alia, establishing or improving conditions favourable to private initiative, including sound infrastructure, appropriate policies for the development of human resources, including the expertise and capabilities of the business community, basic health care and the protection of vulnerable groups within society, where appropriate, with the support of the international community,

Recognizing the responsibility of the international community, in particular the developed countries, to promote and endeavour to provide an equitable and open international economic environment supportive of the development of developing countries,

Reaffirming that flexibility, creativity, innovation, political and economic openness, respect for human rights and market-oriented approaches, inter alia, provide opportunities to people to enable them to develop their potential in responding to change,

Acknowledging the important role of entrepreneurship, notably in small and medium-sized enterprises, in mobilizing resources and in promoting economic growth and socio-economic development,

Calling for international support for specific programmes for private enterprise development in the least developed countries, which should address, inter alia, the promotion of domestic and foreign direct investment, management training, promotion of small-scale ventures and micro-enterprises and the development of entrepreneurial skills, in accordance with relevant provisions of the Programme of Action for the Least Developed Countries for the 1990s.

Cognizant of the importance of entrepreneurship in the growth and development of countries—specially those seeking to develop or revitalize their economies through free enterprise, decentralized decision-making, deregulation, demonopolization of economic activities, simplification of administrative procedures, market opportunities, structural adjustment and market-oriented reform—and of the need to provide the incentives, access to information and new technology and environment necessary to enable the spirit of entrepreneurship and competition to prosper,

Noting that higher domestic savings and inflows of capital, including new investment and the return of flight capital, depend, inter alia, upon sound micro- and macro-economic policies supportive of entrepreneurship,

Recognizing that public enterprises, in appropriate conditions, can help promote and can engage in the development of entrepreneurship,

Welcoming the contribution which the United Nations system makes in helping Member States promote entrepreneurship, including foreign direct investment, and encouraging the active participation of private enterprise, where appropriate,

1. Encourages the development of entrepreneurship in all countries, including those seeking to develop or revitalize their economies through free enterprise and market opportunities, and urges the international community, in particular the international financial institutions and the United Nations system, to support their efforts, as appropriate;

2. Agrees that entrepreneurship, especially in the context of a fair competitive economy, supportive government policies and an equitable and open international economic environment, contributes to a more efficient world economy and enhances the internationalization of trading markets and financial flows to the benefit of all;

3. Encourages Member States, in accordance with their national policy objectives, to enhance their institutional, legal and regulatory frameworks to ensure greater consistency with market approaches, to make their capital and credit markets more efficient, to foster the expertise and capabilities of the business community and to provide, *inter alia*, for sound private sector development and its positive benefits for employment opportunities and national wealth;

4. Calls upon Member States to facilitate, consistent with their national laws, the development of co-operation between domestic and foreign enterprises, particularly through contracting, business co-operation and joint ventures, which, *inter alia*, will facilitate market access and the transfer of technology;

5. Looks forward to the outcome of further deliberations of the Development Committee of the World Bank and the International Monetary Fund, the Interim Committee of the International Monetary Fund and the regional development banks on the issue of strengthening measures across the entire range of operations of the World Bank Group to promote entrepreneurship, including the mobilization of domestic and foreign private capital;

6. Requests the Secretary-General to incorporate in subsequent issues of the World Economic Survey a chapter regarding the role of entrepreneurship as a key element of growth and development and on measures being taken at the national and international levels to promote entrepreneurship, especially in countries seeking to develop or revitalize their economies through free enterprise, decentralized decision-making, market opportunities, structural adjustment and market-oriented reform, as well as suggestions on how the international economic community can support the development of entrepreneurship in the national economies;

7. Requests the Director-General for Development and International Economic Co-operation to include in his annual report on operational activities for development, submitted to the General Assembly through the Economic and Social Council, a section on the activities being undertaken by the United Nations system to promote entrepreneurship in economic development, notably in small and medium-sized enterprises, as well as proposals for enhancing the role of entrepre-

neurship in the development process, in particular in developing countries;

8. Decides to include in the provisional agenda of its forty-sixth session a sub-item entitled "Entrepreneurship" under the agenda item entitled "Development and international economic co-operation" and to include the sub-item in subsequent agendas on a biennial basis.

General Assembly resolution 45/188

21 December 1990 Meeting 71 138-1-0 (recorded vote)

Approved by Second Committee (A/45/848) by recorded vote (121-2-2), 11 December (meeting 54); 19-nation draft (A/C.2/45/L.27/Rev.2): agenda item 12.

Meeting numbers. GA 45th session: 2nd Committee 13-16, 32, 54; plenary 71.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cyprus, Czechoslovakia, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Romania, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Cuba.

Abstaining: None.

Eradication of poverty

In response to General Assembly resolution 44/212 [YUN 1988, p. 461], the Secretary-General submitted in October 1990 a progress report on international co-operation for the eradication of poverty in developing countries [A/45/398]. Although poverty issues were receiving increasing attention from policy makers in many developing countries, real progress had been scant due to the continuation of economic stagnation in a large number of those countries in 1989 and the first half of 1990, and a fall in per capita income that had adversely affected investment and resources for social programmes and reduced the chances for improvement among the poor. On the other hand, a higher growth rate in GDP in several of the populous countries of Asia suggested that the percentage of the poor in the total population continued to decrease in that region. The experience of developing countries in eradicating poverty was highly diversified because conditions and domestic policy mixes adopted were themselves highly variegated. There was no clear evidence that faster economic growth was always associated with poverty reduction and the adoption of effective policies designed to reduce poverty was essential. The report

examined policies and measures for reducing poverty as well as international economic conditions and co-operation policies that could have a major influence on efforts to eradicate poverty.

The report concluded that recent events did not suggest an improvement of the international economic environment and aid policies. Much remained to be done to strengthen international co-operation to eradicate poverty in developing countries.

A comprehensive report, based on information provided by regional commissions and other UN entities, would be submitted to the Assembly in 1991.

CDP action. The Committee for Development Planning (CDP) (New York, 30 April-4 May) [E/1990/27], in a policy conclusion on the eradication of poverty, said that the primary requirement for poverty eradication was sustained political commitment. Given that commitment, a development strategy was needed that was centred on poverty elimination, including a general improvement of women's social, economic, cultural and legal status. A well-conceived strategy should aim at accelerating growth and eliminating poverty simultaneously. Such a strategy should include measures for the redistribution of land; greater provision of agricultural services and rural infrastructure; greater investment in human resources development; removal of bias against the poor in expenditures on infrastructure; social and legal reforms to enhance the participation of women in economic and social institutions; removal of constraints on urban industry, especially small-scale enterprises; family planning programmes; and greater democracy and participation of the poor in local politics and in creating organizations supporting their cause.

Although the major responsibility for eliminating poverty rested with the developing countries, international co-operation could create a global environment conducive to accelerated and sustained growth. Developing countries needed expanding markets for their products in developed countries, greater progress towards solving the international debt problem, and additional bilateral ODA that was more focused on poverty alleviation. The International Monetary Fund, the World Bank and regional banks could contribute by setting conditions for lending that took into account the impact on poverty of the programmes which their lending was meant to support.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/213.

International co-operation for the eradication of poverty in the developing countries

The General Assembly,

Recalling its resolutions 43/195 of 20 December 1988 and 44/212 of 22 December 1989, Economic and Social Council resolution 1988/47 of 27 May 1988 and Commission on Human Rights resolution 1989/10 of 2 March 1989 concerning extreme poverty,

Recalling also the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries, contained in the annex to its resolution S-18/3 of 1 May 1990, and the International Development Strategy for the fourth United Nations Development Decade, contained in the annex to its resolution 43/199 of 21 December 1990, as well as the Paris Declaration adopted by the Second United Nations Conference on the Least Developed Countries on 14 September 1990,

Recognizing that a broad consensus is emerging on strategies to be pursued towards the achievement of the goal of the eradication of poverty,

Recognizing also the severity of poverty problems in developing countries,

Agrees that the eradication of poverty in the developing countries is an objective of the highest priority, and consequently urges the relevant organs, organizations and bodies of the United Nations system to formulate and implement forthwith, within their programmes and activities at all levels, necessary measures and actions to eradicate this distressing problem.

General Assembly resolution 45/213

21 December 1990 Meeting 71 Adopted without vote

Approved by Second Committee (A/45/852) without vote, 28 November (meeting 491; draft by Bolivia for Group of 77 (A/C.2/45/L.41); agenda item 82.

Meeting numbers. GA 45th session: 2nd Committee 31, 32, 43, 49; plenary 71.

On the same date, by decision 45/446, the Assembly took note of the Secretary-General's report on international co-operation for the eradication of poverty in developing countries.

Rural development

The ACC Task Force on Rural Development (eighteenth meeting, Rome, Italy, 2-4 May) [ACC/1990/PG/2] considered a progress report by the lead agency in rural development, the Food and Agriculture Organization of the United Nations, which included an overview of activities in certain areas of rural development undertaken by members of the Task Force in 1989. Also discussed were: people's participation in rural development; monitoring and evaluation; co-ordination and collaboration on rural development and agrarian reform activities and programmes for 1990-1991; the impact of national macro-economic policies on the rural poor; implementation of the Nairobi Forward-looking Strategies for the Advancement of Women for rural women (see PART THREE, Chapter XIII);

global consultation on agricultural extension; the report of the Working Group on Industrial Contribution to Rural Development (30 April, Rome); and the Task Force's programme of work and time-frame for 1990/1991.

By a 10 January note [A/45/76-E/1990/1], the Secretary-General submitted to the Economic and Social Council and the General Assembly a Joint Inspection Unit (JIU) report on the evaluation of rural development activities of the UN system in three African least developed countries (LDCs) (Burkina Faso, Burundi and the United Republic of Tanzania). By a 27 April note [A/45/76/Add.1-E/1990/12/Add.1], I, he transmitted the comments of ACC on the JIU report.

By decision 45/449 of 21 December, the General Assembly took note of the JIU report and of the ACC comments thereon.

Industrial development co-operation

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/196.

Industrial development co-operation and the diversification and modernization of productive activities in developing countries

The General Assembly,

Recalling the Lima Declaration and Plan of Action on Industrial Development and Co-operation and the New Delhi Declaration and Plan of Action on Industrialization of Developing Countries and International Co-operation for their Industrial Development,

Recalling its resolutions 35/66 of 5 December 1980, 36/182 of 17 December 1981, 37/212 of 20 December 1982 and 38/192 of 20 December 1983, as well as other relevant resolutions in the field of industrial development co-operation,

Recalling also its resolution 44/237 of 22 December 1989 on the Second Industrial Development Decade for Africa, by which it proclaimed the period 1991-2000 the Second Industrial Development Decade for Africa and proclaimed 20 November as Africa Industrialization Day, for the purpose of mobilizing the commitment of the international community to the industrialization of Africa,

Recalling further its resolutions 42/186 and 42/187 of 11 December 1987, 43/53 of 6 December 1988, 43/196 of 20 December 1988 and 44/228 and 44/229 of 22 December 1989, relating to environment and development, and reaffirming, *inter alia*, the need for assistance from developed countries and the appropriate organs and organizations of the United Nations system to developing countries in enhancing their capacity for identifying, analysing, monitoring, managing and preventing damage to the environment by industry in accordance with their national development plans, priorities and objectives,

Reaffirming the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries, contained in the annex to its resolution

S-18/3 of 1 May 1990, bearing in mind the International Development Strategy for the Fourth United Nations Development Decade and taking note of the Programme of Action for the Least Developed Countries for the 1990s, adopted by the Second United Nations Conference on the Least Developed Countries, held in Paris from 3 to 14 September 1990,

Concerned that, despite an increase in the overall industrial production of the developing countries, their share in world industrial production remains at a low level,

Convinced that the reactivation of economic growth and development of developing countries would be facilitated, *inter alia*, through their industrial development and the diversification and modernization of their productive activities,

Recognizing the necessity of properly assisting all developing countries at their different stages of industrialization, mainly through the development and strengthening of industrial infrastructures, the modernization of production capabilities and the improvement of training techniques,

Recognizing also the responsibility of developing countries for developing their industrial and technological capabilities, and stressing that their efforts should be adequately supported by the international community and that the transfer of technology, on appropriate terms, to developing countries and the training of national technical personnel are essential in this regard,

Recognizing further the importance of industrial development for strengthening science and technology and indigenous capacity-building in developing countries, including appropriate institutional infrastructure, such as research institutes, centres of standardization and metrology, and industrial and technological information centres,

Aware that, in selecting patterns of industrialization, the developing countries should take into account the need to generate employment and to incorporate new and emerging environmentally sound technologies,

Convinced that, in order to promote the industrial development of developing countries, their indigenous capabilities in such areas as entrepreneurship, management, technology, financing and marketing need to be built up or strengthened and that technical and financial assistance would need to be extended in support of the national efforts of the developing countries for this purpose,

Recognizing that any viable process of industrialization requires an adequately high and increasing level of demand, which can be substantially reinforced in respect of developing countries through trade liberalization and a sustained improvement in the access of developing countries' exports to the markets of both developed and developing countries,

Recognizing also that steady growth in agricultural productivity can be enhanced in particular through the application of industrial inputs and the mechanization of agriculture, which is possible only if a reasonable pace of industrialization is ensured,

Recognizing further that the promotion of agro-industries plays a key role in the industrialization of developing countries,

Convinced that industrial progress in developing countries can also be significantly enhanced through

co-operation among such countries at all levels and by integrating markets and setting up joint ventures and human resources development programmes for training and upgrading skills and through the integration of women, which should be among the objectives of policies and measures to promote industrialization in developing countries,

Aware that foreign direct investment in an appropriate domestic context can make an important contribution to industrialization in developing countries, not only by providing additional financial resources, but also as a means of providing access to modern and environmentally sound technologies, skills and markets,

Convinced that entrepreneurship should be encouraged at all levels and in all sectors for the setting up of industries and that there is a strong potential for the development of small and medium-sized industries that could contribute to the expansion of both urban and rural employment opportunities and eradicate poverty,

Reaffirming the role of the United Nations Industrial Development Organization as the co-ordinating organ in the United Nations system having primary responsibility for promoting and accelerating industrial development and the transfer of industrial technology to developing countries,

1. Invites developed countries to take fully into account the broad implications of their policy decisions on the international economy and in particular their effects on the economies of the developing countries, including the industrial development of those countries;

2. Recognizes that developing countries need to provide adequate support to their infant industries, when appropriate, in order to enable them to build up competitive industrial capacities;

3. Emphasizes the need for more effective international co-operation through all appropriate mechanisms, including training, workshops, seminars, fellowships and international conferences, in order to facilitate access and transfer to the developing countries of environmentally sound technologies, including new and emerging ones;

4. Requests the United Nations Industrial Development Organization and other international organizations to help developing countries evaluate and select industrial technologies suitable for their development;

5. Recognizes the need to support co-operation among developing countries in this regard, with a view to improving their capabilities in negotiating with technology suppliers;

6. Stresses the role of the United Nations Industrial Development Organization in assisting developing countries in the formulation of programmes and plans for industrialization in their countries, and recognizes the contribution of the special trust fund schemes launched by the United Nations Industrial Development Organization in developing alternatives to traditional assistance programmes;

7. Recognizes that there are significant opportunities for economic and technical co-operation among developing countries with regard to their industrialization, and, in this context, recommends that developed countries and international organizations support such co-operative ventures;

8. Also recognizes that in promoting the industrial development of developing countries special emphasis should be placed on an appropriate mix of the agricul-

tural, industrial and service sectors among small, medium-sized and large industries, depending upon the conditions obtaining in each developing country;

9. Requests the Secretary-General to report to the General Assembly at its forty-sixth session on ways and means of promoting the enhancement of United Nations activities with regard to the training of scientists, engineers and entrepreneurs from developing countries, with a view to promoting all t-elated sectors and disciplines supporting industrial development co-operation and the diversification and modernization of productive activities in developing countries;

10. Recommends that the Administrative Committee on Co-ordination examine ways and means of fostering United Nations system activities with regard to industrial development co-operation and the diversification and modernization of productive activities in developing countries and report thereon, through the Secretary-General, to the General Assembly at its forty-sixth session;

11. Recommends that the United Nations Industrial Development Organization, in close co-operation with the appropriate organs, organizations and bodies of the United Nations system, including the regional commissions, make recommendations to the General Assembly at its forty-sixth session, through the Economic and Social Council, with a view to strengthening effectively industrial development co-operation and the diversification and modernization of productive activities in developing countries;

12. Requests the Secretary-General to give priority in the medium-term plan to the issue of industrial development co-operation and the diversification and modernization of productive activities in developing countries;

13. Decides to include in the agenda of its forty-sixth session an item entitled "Industrial development co-operation and the diversification and modernization of productive activities in developing countries" and subsequently to include this item in the agenda on a biennial basis.

General Assembly resolution 45/196

21 December 1990 Meeting 71 Adopted without vote

Approved by Second Committee (A/45/849/Add.1), 11 December (meeting 54); draft by Bolivia for Group of 77 (A/C.2/45/L.42/Rev.1), based on informal consultations; agenda item 79.

Meeting numbers. GA 45th session: 2nd Committee 19-21, 42, 54; plenary 71.

South Commission report

By a 26 November letter [A/45/810 & Corr.1], Bolivia, on behalf of the Group of 77, transmitted to the General Assembly a document entitled "The Challenge to the South: An Overview and Summary of the South Commission Report". The South Commission started functioning in August as an independent body for a period of three years with its members serving in their personal capacities.

The Commission's secretariat was established in Geneva with assistance from the Government of Switzerland; former President of the United Republic of Tanzania Julius K. Nyerere was the Commission's Chairman. The Commission held

ten plenary meetings between October 1987 and October 1990 and established a number of expert and working groups to deal with certain issues in depth.

The terms of reference of the Commission, whose work was supported by financial contributions from developing countries, were: to analyse national development experience in the South and elaborate an integrated perspective and vision of the future; to analyse the global environment; to assess the role of South-South co-operation for collective self-reliance; and to assess the state of South-North relations.

The South Commission report contained sections on: the South and its tasks; the national dimension: self-reliant and people-centred development; North-South relations and the international system; and towards the twenty-first century. It stated that although three quarters of all humanity lived in developing countries or the South, they existed on the periphery of the developed countries of the North. Their people were poor, their economies weak and defenceless and they were powerless in the world arena. Most of the countries of the South faced an acute and continuing development crisis, which was mainly the outcome of adverse turns in the world economy. The challenge to the nations of the South was to mobilize and deploy their resources more effectively to energize development, draw strength from joint undertakings, exploit global opportunities and make the international system more responsive to their needs. The Commission proposed a six-point programme for immediate action to combat world poverty in the interest of sustainable development worldwide and the promotion of global peace and security.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/195.

Report of the South Commission

The General Assembly,

Taking note with appreciation of the report entitled *The Challenge to the South: The Report of the South Commission* and the overview and summary of the South Commission report, which are important contributions regarding the development process of the developing countries, assessing the achievements, analysing the failings and suggesting directions for reform,

1. Requests the Secretary-General, in consultation with the President of the Economic and Social Council, to convene, within existing resources, not excluding voluntary contributions, during the second regular session of 1991 of the Council, a meeting devoted to an informal exchange of views on the conclusions and recommendations contained in the report of the South Commission, in particular in its overview and summary;

2. Invites Governments and the organs, organizations and bodies of the United Nations system to sub-

mit their views on the conclusions and recommendations contained in the report of the South Commission, in particular in its overview and summary, for consideration at the aforementioned meeting of the Economic and Social Council;

3. Invites the President of the Economic and Social Council to report to the General Assembly at its forty-sixth session on the outcome of the informal exchange of views to be held during the second regular session of 1991 of the Council.

21 December 1990 General Assembly resolution 45/195 Meeting 71 Adopted without vote
Approved by Second Committee (A/45/849/Add.1), 10 December (meeting 53); draft by Chairman (A/C.2/45/L.80) following informal consultations on draft by Bolivia for Group of 77 and Canada and China (A/C.2/45/L.39); agenda item 79.
Meeting Numbers GA 45th session: 2nd Committee 19-21, 42, 53; plenary 71.

Economic co-operation among developing countries

During 1990, the United Nations continued to promote economic co-operation among developing countries (ECDC), mainly through UNCTAD. Technical co-operation among developing countries received support from UNDP (see next chapter).

UNCTAD action. On 12 October [A./G/IS (res. 385 (XXXVII))], the UNCTAD Trade and Development Board (TDB) called on the UNCLAD Secretary-General to enhance his support for ECDC by assisting developing countries and their groupings through technical assistance with the promotion of ECDC in general, and technical co-operation among developing countries and the expansion of intra-developing country trade in particular. UNDP and other funding institutions were invited to provide financial support to UNCTAD to carry out those projects. The UNCLAD Secretary-General was also called on to undertake an in-depth study on the main impediments and disincentives affecting the expansion of trade among developing countries and make recommendations for future consideration in TDB through the Committee on Economic Co-operation among Developing Countries.

Economic and social trends and policy

Economic surveys and trends

The World Economic Survey 1990: Current Trends and Policies in the World Economy [Sales: No. E.90.II.C.1] stated that global economic growth slowed down in 1989 after an unusual rapid expansion the previous year. World output grew by 3.1 per cent compared to 4.4 per cent in 1988. The slow-down

was widespread, affecting all major groups of countries, but was most pronounced in China and Eastern Europe. Although the pace of growth was also slower in 1989 in the developed market economies and most developing regions, it was better than anticipated. Some countries of Eastern Europe recorded negative growth, partly due to problems associated with the changes being introduced in their economic systems. The overall result for the developing countries disguised the fact that the slow-down was concentrated mostly in a few countries, predominantly in Asia. The sharp deceleration in China from its recent rapid rate of expansion accounted for a substantial part of the overall results. West Asia performed better than in 1988, while there were lesser improvements in Africa and Latin America. Although none of the developing regions increased output sufficiently to keep pace with the population growth, there were signs that the deterioration and stagnation that had characterized those regions for most of the 1980s might be ending. In 1989, there was widespread acceleration in the rate of increase in prices, and inflation became of great concern to policy-makers around the world, although the magnitude and tolerance of the problem varied widely.

In a note giving an update of the world economy at the end of 1990 [E/1991/INF/1], the Secretary-General said that the per capita output of the world had declined for the first time since 1982; overall global output had grown by only 1 per cent during the year. Although many Asian economies stayed on a steep growth path, slow-downs occurred in North America and Europe, Africa remained stagnant, Latin America was in decline, and the economies of Eastern Europe and the Soviet Union were in disarray. The crisis in the Persian Gulf and the United Nations embargo (see PART TWO, Chapter III) had an immediate impact on the region and on countries in Africa and Asia whose migrant labourers had been employed in Iraq and Kuwait. It also produced a shock that left no country untouched as the price of oil suddenly doubled and then moved nervously in response to the rumours of war. In Eastern Europe and the Soviet Union, the central planning systems were being dismantled and the arrangements for trade and payments among those countries under the Council for Mutual Assistance (CMEA) collapsed. However, new institutions and practices of market-based economic systems did not emerge immediately. The inevitable disruption of production and distribution and the problems of inflation and unemployment remained severe. The failure to conclude the Uruguay Round of multilateral

trade negotiations before the end of 1990 reinforced concerns about the formation of trading blocs, the trend towards bilateralism and the rule of economic power in international trade. The Secretary-General concluded that the system of international economic relations was in a process of fundamental transformation. The basic features of the international economic order that came into being after the Second World War had disappeared or eroded under the impact of the globalization of the world economy and the demise of central planning. However, the contours of a new system that could meet and reconcile the interests of all nations and promote international development remained unclear.

The Trade and Development Report, 1990 [Sales No. E.90.II.D.6] stated that the economic performance of developing countries continued to be governed by their capacity to secure command over foreign exchange and to foster investment through mobilizing external purchasing power and domestic resources. For many heavily indebted countries, the outward transfer of resources remained an important claim on both external purchasing power and domestic saving. For countries highly dependent on commodity exports, changes in the process of those exports largely accounted for changes in economic performance. For a small group of countries, the expansion of export earnings had been of such vigour that command over external purchasing power was no longer a constraint on the expansion of activity. It had now proved possible for those countries to rely more on domestic demand as an engine of growth and imports had risen sharply.

Main findings in global economic and social trends

In response to Economic and Social Council resolution 1986/51 [YUN 1986, p. 884] the Secretary-General submitted his second biennial report on the main research findings of the system in major global economic and social trends, policies and emerging issues [E/1990/81]. The report examined output, employment and trade, debt adjustment, growth and human resources development, population and human settlements, science and technology, environment and development, and social and political aspects of development.

The Secretary-General noted that the economic and social research findings of the UN system continued to generate a comprehensive view of the world intended to be of use in shaping the agenda for international action in virtually all economic and social areas. However, much information and data were missing, out of date, or otherwise inadequate.

The broadest conclusion to which the findings pointed was that of growing interdependence in the world system. Recent changes in the economic and political systems of several countries, especially in Eastern Europe, suggested that such interdependence would increase further in the 1990s, accompanied by increased emphasis on participation by all people in the activities and benefits of development and on other aspects of human rights. Environmental issues also had implications for international co-operation.

By decision 1990/266 of 26 July, the Council took note of the Secretary-General's report.

Forecasting of world economic developments

In response to Economic and Social Council resolution 1989/85 [YUN 1989, p. 293], the Secretary-General submitted a June 1990 report [E/1990/80 & Corr.1] containing proposals to improve the work of the United Nations in the early identification, analysis and forecasting of world economic developments. The report, which reviewed the role of the United Nations and presented proposals to improve existing analytical and forecasting activities on a co-ordinated basis and to strengthen the flow of information for such activities, both within the United Nations and between the United Nations and national research units, had earlier been reviewed by the ACC Task Force on Long-Term Development Objectives (Geneva, 26-29 March) [ACC/1990/8].

It was proposed that: all organizations and bodies engaged in analysing and forecasting world development should participate in the work of the ACC Task Force on Long-Term Development Objectives; agencies and units of the UN Secretariat should contribute to the work of the Committee for Development Planning, especially in working groups taking up themes in which they had specific competence; all agencies and units engaged in analysing, identifying and modelling developments in the world economy should participate actively in the work of the Expert Group on the World Economic Outlook (Project LINK); in the Technical working groups of the ACC Sub-Committee on Statistical Activities and the ACC Task Force on Long-Term Development Objectives, additional emphasis should be given to strengthening co-operation and linkages in the areas of statistical data base systems, data base transfer mechanisms, the harmonization of analytical tools and economic models and the improvement of information systems used for economic analysis and research purposes; agencies should increase efforts to improve existing mechanisms for disseminating socio-economic forecasts and projections in a comprehensive and readily accessible form; in order to improve the overall consistency and coherence of analytical

and forecasting activities, standards and guidelines for the transfer of information among organizations and bodies should be elaborated by the Technical Working Group on Statistical Data Bases of the ACC Sub-Committee on Statistical Activities; UN organizations and bodies should make their analytical frameworks and forecasting models more accessible to interested users through the use of more advanced communication facilities, better designed user interfaces, improved documentation, and special training in the use of those analytical tools; agencies should establish closer relationships with other UN-affiliated research centres, as well as with national research institutions engaged in the study of emerging economic and social developments; staff members engaged in the analysis and forecasting of economic and social developments should be invited to provide substantive support to the work of the UN Department of Technical Co-operation for Development and to the activities of the regional commissions that were devoted to developing national policy models; and organizations and bodies should intensify their efforts at long-term global modelling as a matter of priority and should attempt to establish means for the international community to explore alternative paths for world economic, environmental and social development.

Annexed to the report was an overview of the activities of the main intergovernmental and inter-agency bodies concerned with co-ordinating and providing inputs into early identification, analysis and monitoring of activities.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 24 July, the Economic and Social Council adopted resolution 1990/52.

Role of the United Nations in the early identification, analysis and forecasting of world economic developments

The Economic and Social Council,

Recalling its resolutions 1988/75 of 29 July 1988 and 1989/85 of 26 July 1989,

Acknowledging that comprehensive analysis, modelling and forecasting of a wide range of global, regional, national and sectoral developments in the world economy is an important element in strengthening the capability of international organizations and national authorities for adequately addressing emerging problems,

Aware of the need for improvement, as appropriate, on a co-ordinated basis at both the international and national levels of the means and mechanisms for the systematic compilation, analysis and regular exchange of information relevant to the identification of emerging major economic trends which could have an impact on the short-term and longer-term prospects of world socio-economic development,

1. Commends the Secretary-General for the survey of activities to improve the work of the United Nations on

the early identification, analysis and forecasting of world economic developments:

2. Agrees that, in order to improve analytical and forecasting activities on a co-ordinated basis, United Nations bodies and organizations, within available resources, should:

(a) Interact more closely by sharing common analytical data bases and on-line access to one another's modelling environments through the use of advanced communication facilities, appropriately designed user interfaces, improved documentation and, if appropriate, special training in the use of those analytical tools;

(b) Adjust their existing modelling frameworks to incorporate the impact of future change, thus enabling the international community to explore possible long-term trends and options for world socio-economic developments;

(c) Utilize to the fullest extent possible the capacities of the United Nations University and its World Institute for Development Economics Research and the United Nations research institutes engaged in the study of emerging economic and social developments;

3. Requests the Secretary-General, in consultation with the Administrative Committee on Co-ordination, to designate the Task Force on Long-term Development Objectives of the Administrative Committee on Co-ordination as the focal point for the mutual exchange among agencies of assessments of prospective developments in the economic and social fields in order to improve existing mechanisms for disseminating socio-economic forecasts and projections in a comprehensive and readily accessible form;

4. Requests the Secretary-General to submit periodically to the Economic and Social Council brief information on emerging trends and problems in the world economy as a part of his note on the state of the world economy, and to continue to analyse emerging economic and social issues and problems of global significance in periodic reports, including the world economic surveys and the regional surveys and on the overall socio-economic perspective to the year 2000.

Economic and Social Council resolution 1990/52

24 July 1990 Meeting 34 Adopted without vote

Draft by Vice-President (E/1990/L.45) based on informal consultations on draft by USSR (E/1990/L.36); agenda item 2.

Meeting numbers, ESC 30, 34.

By decision 1990/266 of 26 July, the Council took note of the Secretary-General's report on proposals to improve the work of the United Nations in the early identification, analysis and forecasting of world economic developments.

Development planning and public administration

Development planning

At its twenty-sixth session (New York, 30 April-4 May 1990), the Committee for Development Planning (CDP) [E/1990/27] analysed the

world economy at the beginning of the 1990s. It also discussed regional and multilateral trading arrangements (see PARTTHREE, Chapter IV) and international action to eradicate poverty (see above). The Committee also carried out an evaluation of its own work and recommended the addition of Liberia to the list of the least developed countries (see below).

CDP stated that the prospects for development and alleviation of poverty in the short and medium term remained bleak for most developing countries even though per capita GDP growth was expected to continue at a modest pace in the developed market economies. That bleak picture was primarily the result of the assumption of unchanged policies. To improve the situation at the international level, co-ordinated policy measures could reduce the level of interest rates and accelerate a resolution of the international debt problem, and a successful conclusion to the Uruguay Round of multilateral trade negotiations (see PART THREE, Chapter IV) could lead to a more open trading system. There was considerable scope, especially in the middle-income developing countries, for effective economic policies that would encourage entrepreneurship, increase domestic investment and expand exports. The dismal prospect for Africa in the medium term presented a challenge for African Governments and for the developed market economies, which needed to improve the volume and quality of their aid.

Addressing the question of emerging trading blocs and the multilateral trading system, CDP concluded that the maintenance of an open global trading framework was of utmost importance to all nations, but particularly to developing countries, especially to the smaller and less developed among them and to the centrally planned economies seeking to enter the world market system. All countries had an interest in ensuring that regional trade arrangements were part of the global trend towards openness and trade liberalization, since global welfare would be increased more through non-discriminatory than discriminatory reductions in protectionism. Further multilateralization was essential and, because of the changes in their relative economic weights in the world economy, many more developed market, developing and formerly centrally planned economies had major responsibilities in that regard than in the past. All countries should intensify their efforts to achieve a successful conclusion to the Uruguay Round. However, with regard to proposals for strengthening regional trading arrangements among developing countries, a careful analysis of actual and potential costs and benefits to those within a bloc and those

not included should be undertaken by countries considering joining such arrangements. Concerning private direct foreign investment, CDP stated that if the host country environment was open and oriented towards world market prices, the benefits of such investments were likely to exceed the costs by a substantial margin; in a protected environment the costs might well exceed the benefits.

The Economic and Social Council, by decision 1990/266 of 26 July, took note of CDP's report on its twenty-sixth session.

Public administration

The Economic and Social Council, by decision 1990/287 of 9 November, decided that the Tenth Meeting of Experts on the United Nations Programme in Public Administration and Finance, scheduled for 30 January to 8 February 1991, would be held in September 1991, with the exact dates and venue to be decided at the Council's 1991 organizational session.

Developing countries

Least developed countries

The special problems of the officially designated LDCs were considered in several United Nations forums during 1990. Following the General Assembly's addition of Liberia in December, the number of countries on the United Nations list of LDCs rose to 43: Afghanistan, Bangladesh, Benin, Bhutan, Botswana, Burkina Faso, Burundi, Cape Verde, Central African Republic, Chad, Comoros, Democratic Yemen, Djibouti, Equatorial Guinea, Ethiopia, Gambia, Guinea, Guinea-Bissau, Haiti, Kiribati, Lao People's Democratic Republic, Lesotho, Liberia, Malawi, Maldives, Mali, Mauritania, Mozambique, Myanmar, Nepal, Niger, Rwanda, Samoa, Sao Tome and Principe, Sierra Leone, Somalia, Sudan, Togo, Tuvalu, Uganda, United Republic of Tanzania, Vanuatu, Yemen.

Identification of LDCs

By decision 1990/206 of 9 February, the Economic and Social Council requested CDP to examine the eligibility of Liberia for inclusion in the list of LDCs and to submit its recommendation to the Council in July.

At its 1990 session [E/1990/27], CDP concluded that Liberia met existing criteria based on current procedures for their application and could be included in the list.

CDP reiterated its reluctance to apply the existing criteria (per capita GDP, the share of manufacturing in GDP and the rate of adult literacy), which it had deemed inadequate for some time. The Committee reviewed progress on proposals for a new set of criteria and requested the Secretariat to continue collecting the data necessary to complete its evaluation, which it would undertake at its 1991 session.

The Second United Nations Conference on the Least Developed Countries (Paris, France, 3-14 September) [A/CONF.147/18] (see below) considered that Namibia should be given special consideration in support of its economic and social development and invited the General Assembly to consider including Namibia in the list of LDCs.

Concerning the criteria for designating LDCs, the Conference recommended that CDP avail itself of the expertise of the UNCTAD secretariat to complete its review, which should introduce a dynamic element into the application of the criteria.

ECONOMIC AND SOCIAL COUNCIL ACTION

By decision 1990/261 of 19 July, the Economic and Social Council endorsed the CDP conclusion and recommendation regarding Liberia's inclusion in the list of LDCs and recommended that the General Assembly approve that inclusion. The Secretary-General was requested to take measures for Liberia's participation in the Second United Nations Conference on the Least Developed Countries.

GENERAL ASSEMBLY ACTION

By decision 45/437 of 21 December, the General Assembly included Liberia in the list of LDCs.

On the same date, the Assembly adopted resolution 45/198.

Inclusion of Namibia in the list of least developed countries

The General Assembly,

Taking note of the resolution adopted by the Second United Nations Conference on the Least Developed Countries, held in Paris from 3 to 14 September 1990, in which the Conference recommended that Namibia should be given special consideration in support of its economic and social development and invited the General Assembly to consider, in accordance with established procedures, the question of the inclusion of Namibia in the list of least developed countries,

Taking note also of the Declaration of the Heads of State and Government of the Least Developed Countries, issued at the end of their meeting in New York on 1 October 1990, in which, inter alia, the General Assembly was invited to consider the matter,

1. Requests the Committee for Development Planning at its twenty-seventh session to consider the question of the inclusion of Namibia in the list of least de-

veloped countries, to report on its findings to the Economic and Social Council for consideration at its second regular session of 1991 and to report on the matter to the General Assembly at its forty-sixth session;

2. Decides to give Namibia special consideration in support of its economic and social development, in accordance with the resolution on economic assistance and least developed country status for Namibia adopted at the Second United Nations Conference of the Least Developed Countries;

3. Encourages all members of the international community and all organizations of the United Nations system to provide all possible support to the fledgling economic and social structures of the new nation of Namibia and to its development aspirations.

General Assembly resolution 45/198

21 December 1990 Meeting 71 Adopted without vote

Approved by Second Committee (A/45/849/Add.1), 10 December (meeting 53); draft by Bolivia for Group of 77 (A/C.2/45/L.54/Rev.1), based on informal consultations; agenda item 79.

Meeting numbers. GA 45th session: 2nd Committee 19-21, 49, 53; plenary 71.

Second UN Conference on LDCs

Pursuant to 1987 General Assembly resolution 42/177 [YUN 1987, p. 392], the Second United Nations Conference on the Least Developed Countries took place in Paris from 3 to 14 September [A/CONF.147/18]. The first UN Conference on LDCs was held in 1981 [YUN 1981, p. 406]. The Conference, known as the Paris Conference, was attended by 150 countries as well as by the Pan African Congress of Azania, representatives of United Nations offices and bodies and specialized and related agencies, and intergovernmental and non-governmental organizations. Having considered national and international policies and measures for accelerating the development process in LDCs during the 1990s, the Conference finalized and adopted the Paris Declaration and Programme of Action of the Second United Nations Conference on the Least Developed Countries.

In his inaugural address to the Conference, the President of France, François Mitterand, said that the international community had gained a better understanding of the main characteristic of LDCs: their extreme vulnerability. There was also a convergence of views on the policies to be followed. Agreement should be reached on a contract of solidarity between LDCs and donor countries and adequate financial resources must be made available to them; the Conference should affirm the objective of 0.15 per cent of GNP for OM, to be reached within five years.

The Secretary-General, in his opening statement, said that LDCs were facing severe problems due to structural handicaps, which comprised poorly diversified economies, fragile natural environments, and geographical situations ham-

pering trade activities. However, the dismal record of the 1980s which had produced increased indebtedness, a decline in public and private finance, a drop in the price of raw materials, inflationary pressures and natural calamities, was not due solely to LDCs' structural weaknesses, but was also attributable to the fact that the responsibilities undertaken at the 1981 Conference had not been fully implemented. The draft programme of action that the current Conference had before it pointed to the necessity for greater participation of LDCs to ensure the full and efficient mobilization of their human and financial resources.

The Conference was preceded by the meeting of the Intergovernmental Group on the Least Developed Countries acting as the Preparatory Committee for the Conference (Geneva, 26 March-6 April) [A/CONF.147/2], which formulated and transmitted to the Conference a draft programme of action, together with a provisional agenda and rules of procedure and recommendations for the organization of the Conference's work.

Among other documents before the Conference were the declaration by the Ministers of the Least Developed Countries adopted at a meeting on 10-12 February in Dhaka, Bangladesh [A/CONF.417/PC/6 & Add.1]; proposals by France to assist LDCs [A/CONF.147/PC/7 & Corr.1]; elements for a programme of action for the 1990s for LDCs, prepared by the UNCTAD secretariat [A/CONF.147/PC/5]; the report 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 (Geneva, 22-31 May) [A/CONF.147/PC/2]; and contributions from United Nations organizations and other international and regional organizations. Individual LDCs also submitted country presentations to the Conference.

On 3 September, the Conference established two sessional committees to consider various sections of the draft programme of action. On 14 September, the Conference adopted the texts submitted by the Chairmen of the sessional committees and included them in the Programme of Action. On the same date, the Conference adopted its draft report containing the Paris Declaration and a Programme of Action for the Least Developed Countries for the 1990s.

The Conference also adopted resolutions on economic assistance and LDC status for Namibia and on the criteria for designating the least developed among the developing countries.

Paris Declaration and Programme of Action

In the Paris Declaration [A/CONF.147/18], the participants in the Second United Nations Con-

ference on the Least Developed Countries stated that the Programme of Action to revitalize the development of those countries demonstrated their unanimous determination to promote an ambitious development policy and that its success rested on the effectiveness of national policies, a favourable international economic climate and a strengthened partnership based on mutual commitments. They defined five priority areas in the Programme: to conduct a macro-economic policy, taking account of market signals and aimed at accelerating long-term growth and development, showing concern for the most vulnerable groups of the population; to develop human resources; to reverse the trend towards environmental degradation, to manage the environment with a view to the effective and durable utilization of natural resources and to reinforce action to deal with disasters; to promote an integrated rural development policy; and to develop a diversified productive sector based on private initiative, efficient public enterprises, regional co-operation, increased access to the international market and international action in the field of commodities. To help achieve those priorities, participants agreed on the need to reinforce the efforts of LDCs with external support measures, recognized the need to increase ODA substantially, and expressed their determination to implement measures in the context of the international debt strategy to ensure that the activities to revitalize growth in LDCs were fully effective, and to contribute to the improvement of the international economic climate and the integration of LDCs into the international trading system. To monitor the implementation of their commitments, they agreed on a system of national, regional and global follow-up.

The Programme of Action outlined a number of principles that were intended to constitute the basis for action for LDCs, their development partners, including international organizations, financial institutions and development funds, to help a fundamental growth-oriented transformation of their economies. Those principles dealt with the need for a shared responsibility and strengthened partnership for the growth and development of LDCs; the fact that LDCs had the primary responsibility for formulating and implementing policies and priorities for their growth and development; the requirement for adequate external support from LDCs' development partners; and the need for the commitments undertaken to be measurable and sufficiently transparent to enable monitoring and assessment of the Programme of Action. The global framework identified the following broad areas in which LDCs, their development partners and international organizations needed to take urgent and

concrete action: macro-economic policy; financing growth and development; external indebtedness of LDCs; external trade; and strengthening economic and technical co-operation between LDCs and other developing countries. As to sectoral policies and measures, the Programme identified two main areas: mobilizing and developing human capacities in LDCs; and development, particularly expansion and modernization of the economic base.

Target areas under mobilizing and developing human capacities in LDCs included: the improvement of institutional capabilities; the role of public enterprises and of the LDC private-enterprise sector; the full participation of women in the development process; the role of NGOs; and the strengthening of human capital in the population, education and training and health and sanitation sectors. Concerning the development, expansion and modernization of the economic base, the Programme of Action addressed rural development, modernization of agricultural production and food security; the development of the industrial, service, scientific and technological base; infrastructure; and environmental and disaster mitigation, preparedness and prevention. It also made proposals for coping with the problems of land-locked and island developing countries.

In a section on arrangements for implementation, follow-up and monitoring and review, the Programme recommended that UNCTAD should continue to serve as the focal point for the review and appraisal of the implementation of the Programme of Action and the follow-up at the global level and to provide support at the regional level. The UNCTAD Intergovernmental Group on the Least Developed Countries should conduct a comprehensive mid-term review and report to the General Assembly on progress in the implementation of the Programme of Action and on new measures. At the end of the 1990s, the Assembly might consider a third conference to make a comprehensive appraisal of the implementation of the Programme of Action and to decide on subsequent action. Each session of the UNCTAD Trade and Development Board should review implementation progress, and sectoral reviews should be undertaken at regular intervals. The Secretary-General should ensure the full mobilization and co-ordination of all organs, organizations and bodies of the United Nations system for the implementation and follow-up of the Programme of Action. LDC focal points should be established in each United Nations agency and strengthened where they already existed. UNCTAD's Special Programme for LDCs should be provided with sufficient capacity and re-

sources to implement its mandate for the Programme on a timely basis and the Secretary-General should make proposals to that end. The UNCTAD Secretary-General should continue to expand technical assistance activities for LDCs, in consultation with the UNDP Administrator and other concerned organizations and agencies.

Preparations for the Conference

The Conference was preceded by a comprehensive preparatory process, in which Governments, from both LDCs and other Member States, took an active part. At the regional level, the following meetings were held in 1990: the Intergovernmental Meeting of the Economic Commission for Asia and the Pacific LDCs in Preparation for the United Nations Conference on LDCs (Bangkok, Thailand, 19-23 February) [A/CONF.147/PC/3/Add.10]; the ninth Meeting of the Intergovernmental Committee of Experts of African LDCs (Tripoli, Libyan Arab Jamahiriya, 3-5 May) preparatory to the tenth meeting of the Conference of Ministers of African LDCs (Tripoli, 14-15 May); and the Ministerial Meeting of LDCs (Dhaka, Bangladesh, 10-12 February) [A/CONF.147/PC/6 & Add.1], which adopted a statement on the draft programme of action and proposals for a programme of action. Other preparatory meetings included the High-level Experts' Meeting on the Role of Women in the Development of LDCs (Niamey, Niger, 29-31 January) [UNCLDC II/5], and the Symposium on Trade, Technical and Economic Co-operation between LDCs and the Countries of Eastern Europe (Moscow, 28 February-2 March).

Other preparatory meetings had taken place in 1989 [YUN 1989, p. 296].

UNDP action. In response to a 1989 request [YUN 1989, p. 296], the UNDP Administrator submitted a report to the Governing Council's special session (20-23 February 1990) on its participation in the preparations for the Second United Nations Conference on LDCs [DP/1990/6 & ADD.1]. The report also reviewed the Special Measures Fund for LDCs, which was administered by UNDP.

By a 23 February decision [E/1990/29 (res. 90/2)], the Governing Council requested UNDP to co-operate with UNCTAD and other agencies in assisting LDCs in the analytical aspects of their preparation for the Conference to enable them to assess progress made in implementing the Substantial New Programme of Action for LDCs [YUN 1981, p. 406] and to identify problems to be addressed in the 1990s. It also requested UNDP to assist LDCs' efforts towards economic recovery and development with appropriate programmes and resources; the Administrator was asked to submit proposals to the Council's thirty-seventh (1990)

session with a view to making a significant contribution to the Conference. The Council requested UNDP, using resources of the Special Measures Fund, to compensate for the shortfall in funding the preparation of the Conference and to ensure the full participation of LDC delegations to the Conference, including high-level missions of LDC Governments aimed at enhancing international support in favour of LDCs. Noting with regret that the Special Measures Fund for LDCs had not accomplished its original mandate, the Council asked the Administrator to redefine that mandate in the light of the outcome of the Conference and to submit in 1991 specific proposals aimed at mobilizing contributions.

In response to the Council's February request, the Administrator submitted a May report [DP/1990/89] on UNDP's participation in the preparations for the Conference. It contained UNDP's views of the priority needs of LDCs and proposals for UNDP programmes and resources for LDCs in the 1990s.

By a 22 June decision [E/1990/29 (res. 90/51)], the Council requested the Administrator to submit to the Conference proposals on ways to support and strengthen the development process of LDCs in the 1990s and report in 1991 on UNDP's role in the follow-up and implementation of the Programme of Action for LDCs for the 1990s to be adopted by the Conference.

ACC action. At its first regular session of 1990 (Vienna, 2-4 May) [ACC/1990/DEC/1-14 (dec.1990/1)], the Administrative Committee on Co-ordination (ACC) stated that the international community should seize the opportunity provided by the Conference and agree on a realistic and effective programme of action for the next decade that could reverse the present trend of deteriorating living standards, lay the foundation for international co-operation for accelerated development and alleviate poverty in LDCs.

ACC agreed that the organs, organizations and bodies of the United Nations system should actively participate in the Conference, bring its results to the attention of their governing bodies and make arrangements for follow-up action.

GENERAL ASSEMBLY ACTION

At its eighteenth special session, the General Assembly, by decision S-18/23 of 1 May, deferred consideration of a draft resolution [A/S-18/AC.1/L.3/Rev.1] entitled "Second United Nations Conference on the Least Developed Countries" to a meeting of its forty-fourth resumed session to be convened on 17 May.

The Assembly, having considered the text, adopted resolution 44/241 on 17 May.

Second United Nations Conference on the Least Developed Countries

The General Assembly,

Recalling its resolution 42/177 of 11 December 1987, by which it decided to convene the Second United Nations Conference on the Least Developed Countries in 1990, and all other relevant resolutions,

1. Decides that the Second United Nations Conference on the Least Developed Countries, to be held in Paris from 3 to 14 September 1990, should be preceded by a two-day meeting for consultations among senior officials on 30 and 31 August 1990;

2. Expresses its deep appreciation to the Government of France for its generous offer to host the Conference;

3. Notes with appreciation the decisions of the Governments of Bangladesh, Finland, Nepal, the Netherlands, the Niger and the Union of Soviet Socialist Republics to host preparatory meetings for the Conference;

4. Requests the Secretary-General to invite the following to the Conference:

(a) All States Members of the United Nations and members of the specialized agencies;

(b) Representatives of organizations that have received a standing invitation from the General Assembly to participate, in the capacity of observers, in the sessions and the work of all international conferences convened under its auspices to participate in the Conference in that capacity, in accordance with Assembly resolutions 3237(XXIX) of 22 November 1974 and 43/177 of 15 December 1988;

(c) Representatives of the national liberation movements recognized by the Organization of African Unity in its region to participate in the Conference in the capacity of observers, in accordance with General Assembly resolution 3280(XXIX) of 10 December 1974;

(d) All executive heads of the specialized agencies and the International Atomic Energy Agency, as well as other organs of the United Nations;

(e) Inter governmental organizations in consultative status with the United Nations Conference on Trade and Development, which should be represented by observers at the Conference;

(f) Non-governmental organizations in consultative status with the United Nations Conference on Trade and Development and the Economic and Social Council, which should be represented by observers at the Conference;

5. Welcomes decision 88/30 of 1 July 1988 of the Governing Council of the United Nations Development Programme to provide assistance, through the Special Measures Fund for the Least Developed Countries, to finance the expenses of representatives of least developed countries to enable them to participate in the preparatory process of the Conference and in the Conference itself, and requests the Secretary-General to ensure the participation of representatives of least developed countries in the Conference and the two-day meeting for consultations by financing from the above-mentioned fund the travel expenses of three representatives from each least developed country.

General Assembly resolution 44/241

17 May 1990 Meeting 93 Adopted without vote

Draft by Bolivia (A/44/L.65); agenda item 82.

Meeting numbers. GA 44th session: plenary 91-93.

Implementation of the Programme of Action

By a 2 October letter [A/c.2/45/5], Bangladesh transmitted to the Secretary-General a Declaration adopted by the Heads of State and Government of LDCs, at their first meeting (New York, 1 October) [A/c.2/45/5], expressing their conviction that the international community, particularly developed partners of LDCs, would fully implement the international support measures identified in the Programme of Action to complement the efforts of LDCs. They appealed to the international community to enhance its contribution to the development of the economies of LDCs in the form of an enhanced flow of external resources for development, including foreign direct investment, effective and comprehensive debt relief, greater market access and new initiatives to compensate for the shortfall in the export earnings of LDCs due to commodity price fluctuations. The Heads of State and Government urged the Secretary-General to mobilize all resources and undertake measures, in collaboration with relevant organs, bodies and specialized agencies of the United Nations system, to enable the system to live up to its challenge of meeting the Programme of Action's goals and objectives. UNCTAD's Special Programme on LDCs should be strengthened and upgraded to enable it to discharge its mandate as the focal point for global review and monitoring of the implementation of the Programme of Action. The Heads of State and Government urged multilateral financial institutions, regional banks and other development funds to help LDCs, taking into account their special needs.

Report of the Secretary-General. In response to 1989 General Assembly resolution 44/220 [YUN 1989, p. 296], the Secretary-General submitted a November report [A/45/695] on the Second United Nations Conference on LDCs. The report discussed the outcome of the Conference and described its preparatory process. The Secretary-General stated that the Conference was an occasion to draw world attention to and bring into political focus the problems of the weakest and poorest members of the international community. The Paris Declaration and the Programme of Action reflected a strong commitment of the international community to arrest and reverse the deterioration in the socio-economic situation in LDCs and to revitalize their growth and development, based on the principle of shared responsibility and strengthened partnership. It could be seen as making a qualitative step forward beyond the Substantial New Programme of Action for the 1980s for LDCs, adopted by the first Conference in 1981 [YUN 1981, p. 406].

The recognition of effective follow-up and monitoring as key to the successful implementation of the Programme of Action was one of its significant features. Effective mechanisms to implement the Programme must be an immediate result of the Conference. Moreover, linkages between different levels of follow-up must secure that the global context was borne in mind in planning and undertaking action at the national level and provide flexible responses to changes in the international economic environment.

The report went on to set out the main features of the new Programme of Action.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/206.

Implementation of the Programme of Action for the Least Developed Countries for the 1990s

The General Assembly,

Recalling its resolution 42/177 of 11 December 1987, in which it decided to convene the Second United Nations Conference on the Least Developed Countries, as well as its resolutions 43/186 of 20 December 1988 and 44/220 of 22 December 1989,

Deeply concerned at the continuing deterioration in the socio-economic situation of the least developed countries as a whole,

Reaffirming the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries, contained in the annex to its resolution S-18/3 of 1 May 1990, in which it was stated, *inter alia*, that it would be essential to stem the increasing marginalization of the least developed countries and to reactivate their growth and development through comprehensive national action and international support measures,

Affirming the International Development Strategy for the Fourth United Nations Development Decade, contained in the annex to its resolution 45/199 of 21 December 1990, in which Member States stressed, *inter alia*, the need for full implementation of the Programme of Action for the Least Developed Countries for the 1990s, adopted by the Second United Nations Conference on the Least Developed Countries, held in Paris from 3 to 14 September 1990,

Recalling that the Prime objective of the Programme of Action is to arrest the further deterioration in the socio-economic situation of those countries, to reactivate and accelerate their growth and development and, in the process, to set them on the path of sustained growth and development,

Reaffirming the basic principles outlined in the Programme of Action as the basis for action by the least developed countries and their development partners, including international organizations, financial institutions and development funds, to promote fundamental, growth-oriented transformation of the economies of those countries,

Recalling the solemn commitment of the international community, as contained in the Paris Declaration, adopted by the Second United Nations Confer-

ence on the Least Developed Countries, to implement the Programme of Action throughout the 1990s.

Stressing that successful implementation of the Programme of Action will depend on shared responsibility and strengthened partnership for the growth and development of the least developed countries,

1. Takes note of the report of the Secretary-General on the outcome of the Second United Nations Conference on the Least Developed Countries;

2. Endorses the Paris Declaration and the Programme of Action for the Least Developed Countries for the 1990s, adopted by the Second United Nations Conference on the Least Developed Countries;

3. Expresses its appreciation to the Government and the people of France for acting as host to the Second United Nations Conference on the Least Developed Countries, as well as for their gracious hospitality, excellent arrangements and important contribution to the outcome of the Conference;

4. Calls upon all Governments, international and multilateral organizations, financial institutions and development funds, the organs, organizations and programmes of the United Nations system and all other organizations concerned to take immediate, concrete and adequate steps to implement the Programme of Action;

5. Reaffirms that the least developed countries have the primary responsibility for the formulation and effective implementation of national policies and priorities for their growth and development;

6. Strongly urges all donor-countries to implement fully and expeditiously their commitments in all areas, as set out in the Programme of Action, so as to provide adequate external support to the least developed countries;

7. Decides that regular review and monitoring of the progress in the implementation of the Programme of Action at the national, regional and global levels should be undertaken as envisaged in the Programme and, to that end, decides also that:

(a) The Intergovernmental Group on the Least Developed Countries of the United Nations Conference on Trade and Development shall meet in 1995 to carry out the mid-term review of the situation of those countries, report to the General Assembly on progress made in the implementation of the Programme of Action and consider new measures as necessary;

(b) The Trade and Development Board shall consider, during each of its annual spring sessions, the review of progress in the implementation of the Programme of Action;

(c) Towards the end of the 1990s, the General Assembly shall consider holding a third United Nations conference on the least developed countries to make a comprehensive appraisal of the implementation of the Programme of Action and to decide on subsequent action;

(d) The organizations of the United Nations system shall undertake sectoral appraisals at regular intervals;

8. Notes that mechanisms such as United Nations Development Programme round tables and World Bank consultative groups will continue to constitute the backbone of the country review process and, in that context, recommends that:

(a) The country review groups should be organized on a more systematic basis and at regular intervals and include all donors concerned;

(b) Least developed countries that do not have regular country review groups should consider adopting a country review process;

(c) Development partners should assist in strengthening the capacity of the Governments of the least developed countries to ensure the leadership role of those Governments in the country review process;

(d) Necessary links should be established between the follow-up at the national, regional and global levels;

9. Decides that the Conference, as part of its ongoing work, shall continue to serve as the focal point for the review and appraisal of the implementation of the Programme of Action and its follow-up at the global level, and shall continue to provide support at the national and regional levels, in co-operation with other concerned organs, organizations and agencies of the United Nations system;

10. Decides, in this regard, to strengthen the Special Programme for the Least Developed Countries of the United Nations Conference on Trade and Development and to provide that Programme with sufficient resources to enable the Conference to discharge effectively its mandate concerning the implementation of the Programme of Action for the Least Developed Countries for the 1990s on a timely basis and provide the secretariat services specified in the report of the Secretary-General;

11. Invites the governing bodies of the organizations, agencies and programmes of the United Nations system to take the necessary and appropriate measures for effective implementation and follow-up of the Programme of Action within their respective spheres of competence and according to their mandates;

12. Invites the preparatory bodies for all major forthcoming meetings and conferences of the United Nations system to take into account the outcome of the Second United Nations Conference on the Least Developed Countries;

13. Requests the Secretary-General, in conformity with paragraph 142 of the Programme of Action, to ensure the full mobilization and co-ordination of all organs, organizations and bodies of the United Nations system in the implementation and follow-up of the Programme of Action, in close collaboration with the Director-General for Development and International Economic Co-operation, the Secretary-General of the United Nations Conference on Trade and Development, the secretariats of the regional commissions and the lead agencies for the aid groups;

14. Also requests the Secretary-General, bearing in mind the role of the Director-General for Development and International Economic Co-operation in the United Nations development system and his mandate concerning the implementation of the Programme of Action, to provide the office of the Director-General with the necessary support for activities related to the least developed countries;

15. Calls upon all organs, organizations and programmes of the United Nations system to establish focal points for the least developed countries, where they do not already exist, and to strengthen the existing

ones in order to involve them actively in the implementation tasks throughout the 1990s;

16. Invites all Governments, the United Nations Conference on Trade and Development and other organs, organizations and bodies of the United Nations system to assist the least developed countries in undertaking consultations among themselves on matters of common interest in the context of the implementation of the Programme of Action;

17. Urges all Governments, international and multi-lateral organizations, regional economic integration organizations and relevant non-governmental organizations to continue to pay special attention to the problems of the least developed countries and, in this regard, welcomes the initiative of the Government of Japan to hold a seminar, in collaboration with the United Nations Capital Development Fund, on the development problems of the least developed countries in the 1990s at Tokyo in May 1991;

18. Emphasizes the importance of economic and technical co-operation between the least developed countries and other developing countries and, in that regard, highly recommends mechanisms of economic and technical co-operation among developing countries to strengthen the development efforts of the least developed countries and urges the development partners to assist in such activities;

19. Calls upon the inter-national community to assist the landlocked and island least developed countries in coping with their special problems, in line with the relevant recommendations contained in the Programme of Action;

20. Requests the Secretary-General to submit to the General Assembly at its forty-sixth session a report on the implementation of the present resolution and also to report, on a continuing basis, on the implementation of the provisions of the Programme of Action.

General Assembly resolution 45/206

21 December 1990 Meeting 71 Adopted without vote

Approved by Second Committee (A/45/849/Add.4) without vote, 11 December (meeting 54); draft by Vice-Chairman (A/C.2/45/L.96) based on informal consultations on draft by Bolivia for Group of 77 (A/C.2/45/L.57); agenda item 79 (c).

Financial implications: 5th Committee. A/45/872; S-G, A/C.2/45/L.81 & Add.1, A/C.5/45/69.

Meeting numbers. GA 45th session: 2nd Committee 19-21, 49, 54; 5th Committee 47; plenary 71.

Island developing countries

In accordance with 1988 General Assembly resolution 43/189 [YUN 1988, p. 330], the Meeting of Governmental Experts of Island Developing Countries and Donor Countries and Organizations was held in New York from 25 to 29 June 1990 [A/CONF.147/5] to review the problems of island developing countries and to propose appropriate action.

The Meeting of Experts was preceded by the Preparatory Meeting of Island Developing Countries of the Caribbean (Castries, Saint Lucia, 28-30 March) [A/45/299], which identified elements of island developing countries' problems requiring special attention. The Meeting of Experts had before it an UNCTAD secretariat note

[TD/B/AC.46/2] on problems of island developing countries and proposals for concrete action: issues for consideration! contributions of international and intergovernmental organizations [TD/B/AC.46/3 & Adds. 1-4] and other background documents.

The Meeting adopted "Challenges and Opportunities: A strategic framework", which stated that island developing countries suffered handicaps because of their smallness; remoteness; geographical dispersion; vulnerability to natural disasters; the fragility of their ecosystems; constraints on transport and communications; great distances from market centres; a limited internal market; lack of natural resources; weak indigenous technological capacity; the problem of obtaining fresh water supplies; heavy dependence on imports and a small number of commodities; depletion of non-renewable resources; migration; particularly of personnel with high-level skills; shortage of administrative personnel and heavy financial burdens. The strategy for addressing their vulnerabilities should be based on enhanced economic management at the national, regional and international levels. Planning mechanisms should be strengthened and donors should take full account of the particular constraints of each country. Comprehensive development plans for assisting each island developing country should be based upon an integrated approach to development, including human resource development, infrastructure needs, resource exploitation and diversification of the productive base. The long-term costs and benefits of each activity should be assessed and environmental concerns taken into account in development activities. Additional national, bilateral or multilateral resources should be applied to areas where those countries enjoyed a comparative advantage. Island developing countries should improve institutions dealing with production and marketing and receive assistance in identifying and attracting domestic and foreign investment and markets for products and services. Activities which might improve the investment climate and trade should be identified and pursued. Special market arrangements could play a helpful role, but such schemes must take into account the special needs of island developing countries. Programmes to enhance capabilities in environmental impact assessment and measures to foster the rehabilitation of areas damaged by past resource exploitation should be promoted and supported. Special attention should be accorded to disaster preparedness and management and policies adopted to mitigate the impact of future disasters. Regional co-operation should be intensified and donor coun-

tries and organizations should remain responsive to the needs of island developing countries, including providing concessional assistance over a longer time-frame, flexible interim assistance programmes and simplifying conditions of official development assistance and assistance procedures. The donor community should also support the efforts of island developing countries to address their constraints. UNCTAD should convene periodic meetings of governmental experts, donors and organizations to review developments in respect of island developing countries; the next meeting should be held within the next four years.

The Programme of Action for LDCs for the 1990s [A/CONF.147/18], adopted by the Second United Nations Conference on LDCs (see above), contained a section on coping with the special problems of certain groups of LDCs. It stated that Governments of island developing countries would have to promote sectors such as fisheries and services to generate income and develop their internal and external transport links to improve access to world markets. Donors should provide greater local recurrent costs support for development projects and programmes and the international community should assist island developing countries to finance infrastructure projects.

Implementation of action for island developing countries

In response to 1988 General Assembly resolution 43/189 [YUN 1988, p. 330], the Secretary-General submitted a September 1990 report [A/45/453 & Add.1] on progress in the implementation of specific action related to the particular needs and problems of island developing countries, in which he drew attention to the meeting of governmental experts (see above). He also informed the Assembly of relevant action taken by the UNCTAD Trade and Development Board (see below).

UNCTAD action. The UNCTAD Trade and Development Board, at the first part of its thirty-seventh session (1-12 and 17 October) [TD/B/1277/Vol. II], considered the report of the Meeting of Governmental Experts of Island Developing Countries and Donor Countries and Organizations. Delegations welcomed the report but stated that additional human and financial resources were necessary to address the problems of island developing countries and to undertake the studies requested in the report of the meeting. The report would serve also as the basis for follow-up action. The proposal for the UNCTAD secretariat to be the focal point for specific action was reiterated. It was also proposed that the prob-

lem of sea-level rise associated with climate change be added to the problems listed in the report and that priority be given to studies on: a periodic review of socio-economic performance of island developing countries; indicators of social and economic progress taking into account the level of GNP and factors that related to the high vulnerability of those countries; and policies and measures to mitigate the impact of natural disasters.

On 12 October, the Board took note of the report of the meeting of governmental experts on island developing countries and decided to transmit the comments made thereon to the Assembly [A/45/453/Add.1].

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/202 without vote.

Specific measures in favour of island developing countries

The General Assembly,

Recalling the requests for specific action in favour of island developing countries contained in its resolutions 41/163 of 5 December 1986 and 43/189 of 20 December 1988 and in resolution 98(IV) of 31 May 1976, 111 (V) of 3 June 1979 and 138(VI) of 2 July 1983 of the United Nations Conference on Trade and Development, as well as decision 86/33 of 27 June 1986 of the Governing Council of the United Nations Development Programme on the special needs of island developing countries,

Recognizing that, in addition to the general problems of development, many island developing countries experience specific problems arising from the interplay of such factors as their smallness, remoteness, geographical dispersion, vulnerability to natural disasters, the fragility of their ecosystems, constraints on transport and communications, great distances from market centres, a highly limited internal market, lack of natural resources, weak indigenous technological capacity, the acute problem of obtaining fresh water supplies, heavy dependence on imports and a small number of commodities, depletion of non-renewable resources, migration, particularly of personnel with high-level skills, shortages of administrative personnel and heavy financial burdens,

Recognizing also that many of these factors occur concurrently in many island developing countries, resulting in socio-economic vulnerability and dependence, particularly in those countries which are small and/or geographically dispersed,

Noting that many island developing countries are also least developed countries and, in that context, taking note of the relevant provisions contained in the Programme of Action for the Least Developed Countries for the 1990s, adopted by the Second United Nations Conference on the Least Developed Countries, held in Paris from 3 to 14 September 1990,

Recognizing that many of the problems facing island developing countries require a strengthened partnership between the countries concerned and other members of the international community,

Concerned about the adverse effects on island developing countries of sea-level rise resulting from climate change,

Taking note of the report of the Meeting of Governmental Experts of Island Developing Countries and Donor Countries and Organizations, held in New York from 25 to 29 June 1990,

1. Reaffirms its resolution 43/189 and other relevant resolutions of the General Assembly and the United Nations Conference on Trade and Development, and calls for their immediate and effective implementation;

2. Expresses its appreciation to States and to organizations and bodies within and outside the United Nations system that have responded to the special needs of island developing countries;

3. Expresses its appreciation to the Secretary-General for convening the Meeting of Governmental Experts of Island Developing Countries and Donor Countries and Organizations, as called for in paragraph 11 of resolution 43/189;

4. Takes note of the text entitled "Challenges and opportunities: A strategic framework", which was adopted unanimously by the Meeting of Governmental Experts of Island Developing Countries and Donor Countries and Organizations;

5. Welcomes the efforts made by island developing countries to adopt policies that address their specific problems, including efforts to promote regional co-operation and integration, and calls upon those countries to pursue additional measures, in accordance with their national objectives, policies and priorities, to make their economies less vulnerable to the adverse consequences of their specific situations;

6. Calls upon the island developing countries to continue to adopt suitable development policies designed to overcome their specific vulnerabilities, in particular through the promotion of an integrated approach to their development process in such areas as development of human resources, expansion of physical and institutional infrastructure, exploitation of resources and diversification of the production base;

7. Also calls upon island developing countries to adopt measures aimed at protecting and rehabilitating their fragile environment and ecosystems;

8. Urges the island developing countries to promote regional co-operation arrangements in such areas as disaster prevention, inter-island transport feeder services and security;

9. Appeals to the international community:

(a) To maintain and, if possible, increase the level of concessional financial and technical assistance provided to island developing countries;

(b) To maximize access of island developing countries to concessional financial and technical assistance by taking into account the specific development needs and problems facing those countries;

(c) To consider reviewing the mechanisms of existing procedures used in providing concessional resources to island developing countries, taking into account their situations and development potential;

(d) To ensure that assistance conforms to the national and, as appropriate, regional priorities of island developing countries;

(e) To provide support to island developing countries over a mutually agreed and, where appropriate,

longer time-frame to enable them to achieve economic growth and development;

(f) To continue to ensure that a concerted effort is made to assist the island developing countries, at their request, in improving their institutional and administrative capacities and in satisfying their overall needs with regard to the development of human resources;

(g) To consider improving existing arrangements for assisting island developing countries in addressing the adverse effects on their export earnings;

10. Recommends that the relevant organizations of the United Nations system take adequate measures to respond positively to the particular needs of island developing countries and report on such measures, as appropriate;

11. Urges the United Nations Conference on Trade and Development to strengthen its role as the focal point for specific action at the global level in favour of island developing countries and to act as a catalyst in this regard, *inter alia*, by organizing and facilitating the cross-regional interchange of information and experience in full co-operation with regional and sub-regional organizations, both within and outside the United Nations system, as appropriate;

12. Requests the Secretary-General of the United Nations Conference on Trade and Development to continue to carry out activities to identify specific problems and recommend specific measures for island developing countries, taking into account the work already done on this issue within the inter-agency framework called for in paragraph 10 of resolution 43/189, in particular in areas such as the applicability of current socio-economic indicators to island developing countries, transport and the impact of natural disasters;

13. Also requests the Secretary-General of the United Nations Conference on Trade and Development to pro-

vide, from existing or from extra budgetary resources, technical advisory services to the island developing countries in the following areas:

(a) Periodic review of their socio-economic performance;

(b) Assessment and exploitation of marine potential;

(c) Development of inter-island transport services;

(d) Development of the statistical socio-economic data base to improve planning capacities;

14. Further requests the Secretary-General of the United Nations Conference on Trade and Development to consider the convening of periodic meetings of governmental experts and donor countries and organizations in order to facilitate a review of developments in respect of island developing countries;

15. Requests the Secretary-General of the United Nations Conference on Trade and Development to monitor, in co-operation with the appropriate international organizations, especially the relevant regional institutions, the progress made in the implementation of measures taken at the national and international levels;

16. Requests the Secretary-General to report to the General Assembly at its forty-seventh session on the implementation of the present resolution.

21 December 1990 General Assembly resolution 45/202 Meeting 71 Adopted without vote

Approved by Second Committee (A/45/849/Add.3) without vote, 11 December (meeting 54): draft by Bolivia for Group of 77 (A/C.2/45/L.56/Rev.1); agenda item 79 (b).

Meeting numbers. GA 45th session: 2nd Committee 19-21, 49, 54; plenary 71.

Chapter II

Operational activities for development

In 1990, organizations of the United Nations system continued their work to advance the development of the world's nations, providing a total of \$8.5 billion in grants (\$4.7 billion) and concessional loans (\$3.8 billion). These figures represented a 16 per cent increase against a net decline in 1989.

The United Nations Development Programme (UNDP)-the central funding body of the United Nations for technical assistance-celebrated the fortieth anniversary of its establishment on United Nations Day-24 October. During its anniversary year, the Programme clarified its mandate and priorities for the new decade and adopted a new funding strategy to increase voluntary contributions and improve programme quality. It also launched the first Human Development Report. UNDP spent a total of \$1 billion on field programme activities in 1990 and approved 1,256 new projects with a value of \$850 million. Regionally, the largest proportion of field programme expenditures went to Africa (36 per cent), followed by Asia and the Pacific (34 per cent).

At the Pledging Conference for Development Activities in November, some \$1.6 billion was pledged for 1991 to UN funds and programmes concerned with development and related assistance. Of the total, some \$906 million was for UNDP.

During the year, the Economic and Social Council and the General Assembly reviewed progress in implementing the Assembly's 1989 comprehensive triennial policy review of operational activities for development, including mobilization of financial resources. The UNDP Governing Council took a number of decisions in preparation for the fifth programming cycle (1992-1996), including the resources to be made available, their allocation, and other related issues.

The United Nations Department of Technical Co-operation for Development had 997 projects under execution in 1990 with a total delivery of \$181.6 million. The natural resources and energy sector, which included work in minerals, energy, water and infrastructure, remained the largest programme, with \$70.7 million in expenditures.

The United Nations Capital Development Fund continued to provide small-scale capital as-

sistance to the least developed countries to stimulate income-generating activities and help people to meet basic needs. In 1990, commitments to new projects, along with grant increases to those under way, totalled \$78.1 million.

General aspects

The Director-General for Development and International Economic Co-operation (DIEC), in his 1990 annual report [A/45/273-E/1990/85 & Corr.1] on operational activities for development, discussed issues related to General Assembly resolution 44/211 [YUN 1989, p. 302] on the comprehensive triennial policy review of operational activities for development of the UN system, including mobilization of financial resources, progress in implementing the resolution and national programme frameworks and integrated operational response by the UN system. The Director-General said that resolution 44/211 was a landmark in many respects, departing from a protracted pattern of iterating the desirable and calling for prompt implementation of adjustments and improvements under a three-year schedule on a system-wide basis. It concentrated on the country level and decentralization at that level was seen as strengthening national development capacities and enabling Governments to assume responsibility for execution of system-funded programmes and projects.

Commenting on the initial responses of the UN system to implementation of the resolution, the Director-General stated that the overall picture was very positive and promising. The number of references to aspects of provisions on which organizations were already working was a good reflection of the UN system's recent increased responsiveness to evidence and expression of need for change and re-adjustment. He believed that all partner organizations and agencies of the UN system would agree on the need for collaboration to refine the three-year schedule of implementation, so that a wider, timed range of actions on the resolution could be incorporated in it and effectively monitored.

As an appendix to his report, the Director-General set out an initial three-year schedule for system-wide implementation of the new approach outlined in resolution 44/211. He sought additional guidance from Member States on a number of matters relating to the new approach, including common understanding of concepts and terms, training of UN system staff, training of personnel of developing countries, information systems at the country level, development information flows, the regional dimension and food aid. In each case, the Director-General made recommendations for the attention of Member States, which included: proposed system-wide consultations on concept understandings; the possibility of establishing a staff college network for training and reorientation for the UN development system; the establishment of task forces on the training of developing countries' personnel and on common country-level information systems; carrying out a study of a UN system capacity for global provisions of information on development models, techniques and experience; and the need for steps to bring about the greater integration of food aid with the other assistance provided by the UN system.

In five addenda to his report, the Director-General provided: information on the representation of developing countries at the executive management and other central decision-making levels of secretariat structures in the area of operational activities for development [A/45/273/Add.1-E/1990/85/Add.1]; the text of a study on the integrated operational response of the UN system at the country level to national programme frameworks of recipient Governments and appraisal mechanisms aimed at transferring responsibility for resource management effectively to the recipient countries [A/45/273/Add.2-E/1990/85/Add.2]; the texts of inter-agency agreements to facilitate adjustments and improvements called for in Assembly resolution 44/211 [A/45/273/Add.3-E/1990/85/Add.3]; statistical data for 1989 [A/45/273/Add.4-E/1990/85/Add.4]; and, in accordance with Economic and Social Council resolution 1990/82 (see below), the Director-General's preliminary three-year schedule for implementing Assembly resolution 44/211 (see below) [A/45/273/Add.5-E/1990/85/Add.5].

ACC action. At its first regular session of 1990 (Vienna, Austria, 2-4 May [ACC/1990/DEC/1-14 (dec.1990/3)]), the Administrative Committee on Co-ordination (ACC) recognized that various provisions of resolution 44/211 would require consideration by governing bodies of specialized agencies and UN funds, which would inform the Director-General of the conclusions reached and further actions taken or envisaged for inclusion

in his annual report to the Economic and Social Council on the resolution's implementation. Changes and improvements outlined in the resolution would require extensive attention within and between the organizations concerned, and collaborative action on their part. ACC undertook to address their implementation in the 1990-1992 period.

Economic and Social Council action. On 9 February (decision 1990/201), the Economic and Social Council, pursuant to decision 1989/186 [YUN 1989, p. 301], decided to conduct its annual policy review of operational activities for development for 1990 and to focus on ways to ensure the implementation of Assembly resolution 44/211, including the proposed three-year schedule for implementation by the UN system.

On 27 July 1990, the Economic and Social Council, having considered the Director-General's report on the operational activities of the UN system [A/45/273-E/1990/85 & Corr.1 & Add.1-4], adopted resolution 1990/82.

Operational activities for development

The Economic and Social Council,

1. Takes note of the note by the Secretary-General on the operational activities of the United Nations system, the report of the Executive Board of the United Nations Children's Fund, the extract from the report of the Governing Council of the United Nations Development Programme on its organizational meeting for 1990, its special session and its thirty-seventh session, the report of the Executive Director of the United Nations Population Fund on the implications for population programmes of the Amsterdam Declaration and on efforts to develop further the analysis of resource requirements for international population assistance and the fifteenth annual report of the Committee on Food Aid Policies and Programmes, and decides to transmit them to the General Assembly at its forty-fifth session for its consideration;

2. Requests the Director-General for Development and International Economic Co-operation to submit to the General Assembly at its forty-fifth session a precise and comprehensive schedule for the implementation of all the provisions of Assembly resolution 44/211 of 22 December 1989 that require action by the United Nations system, concentrating on those activities that in his view require priority attention.

Economic and Social Council resolution 1990/82

27 July 1990 Meeting 37 Adopted without vote

Approved by Third Committee (E/1990/115) without vote, 24 July (meeting 17); 3-nation draft (E/1990/C.3/L.20), orally revised; agenda item 9.

Sponsors: Canada, Netherlands, United Kingdom.

In response to the Council's request, the DICE Director-General submitted to the General Assembly in October a revised implementation schedule of resolution 44/211 [A/45/273/Add.5-E/1990/85/Add.5]. He noted that, in 1990, the UN system was largely in a preparatory phase for implementation. It was also a year of major transi-

tion for UNDP as it made preparations for its fifth programming cycle (1992-1996) and the elaboration of successor agency support costs arrangements (see below). Nevertheless, organizations were preparing detailed plans for decentralization. Decisions had been taken on the use of national capacities and for the acceleration of national execution. Individual organizations and inter-agency mechanisms were addressing the issues of more coherent and sustainable programming and there had been a Joint Consultative Group on Policy instruction calling for the harmonization of programme cycles. System-wide agreements on enhancing the role of the resident co-ordinator and on more substantive collaboration among country teams of the system had been issued. In addition, new staff training programmes had been developed. In 1991, the responses of governing bodies to resolution 44/211 would be translated into implementation plans and 1990 action plans not needing governing body decisions would begin to be implemented. Also in 1991, the new programme for orientation of country teams would begin a series of workshops. The third year of the schedule (1992) should see decisive actions either fully under way or being initiated across the full range of resolution 44/211. The launching of UNDP's fifth programming cycle in 1992 would bring into play many features of the resolution in a wide range of the operational activities of the system.

In his conclusion, the Director-General stated that as part of the information to be provided to the Assembly, and in order to facilitate monitoring of progress in key areas, appropriate benchmarks would be utilized, covering such topics as the degree of decentralization and delegation of authority, the extent of national execution, the range and scope of improved programming approaches, the number of shared and common premises, and the number of steps taken by governing bodies to give effect to the Assembly resolution.

GENERAL ASSEMBLY ACTION

The General Assembly, by decision 45/449 of 21 December, took note of the DIEC Director-General's report on operational activities for development.

By decision 45/448 of the same date, the Assembly transmitted to its forty-sixth (1991) session for consideration a draft resolution on operational activities for development of the UN system [A/C.2/45/L.75], which had been submitted to the Second (Economic and Financial) Committee by Bolivia on behalf of the Group of 77 developing countries.

By that draft, the Assembly, among other things, would have requested the Director-General, in co-operation with the executive heads of the organizations of the UN system, to institute greater country focus in their activities. It would also have requested the UN development system, particularly the funding agencies, to continue to show maximum flexibility to recipient countries facing financial difficulties in meeting their counterpart financial contributions for ongoing projects.

Financing of operational activities

Expenditures

In his report providing statistical data on UN operational activities in 1990 [A/46/206/Add.4-E/1991/93/Add.4], the DIEC Director-General stated that of the \$62.1 billion in official development assistance in 1990, some \$8.5 billion in grants and concessional loans was provided to developing countries through the UN system.

Expenditures on operational activities through the UN system totalled \$7.7 billion in 1990. The total comprised: development grants, \$3.8 billion; concessional loans, \$3.8 billion; non-concessional loans, -\$0.8 billion; and grant-financed refugee, humanitarian, special economic and disaster relief activities, \$0.9 billion. About half of all concessional development assistance, including grants, was provided to the least developed countries (LDCs); about a third to countries where the gross national product (GNP) per capita was \$250 or below; and three quarters to those countries where GNP per capita did not exceed \$500. Net transfers of the International Development Association (IDA) amounted to \$3.7 billion, representing over a half of total concessional assistance to individual countries.

Total grant assistance in support of development activities, which totalled \$3.8 billion in 1990, was distributed as follows: UNDP and UNDP-administered funds, \$1,134 million; the World Food Programme (WFP), \$956 million; the United Nations Children's Fund (UNICEF), \$584 million; and the United Nations Population Fund (UNFPA), \$180 million. Extra budgetary assistance, including agency trust funds and government "self-supporting" funds, totalled \$686 million and regular budget assistance amounted to \$234 million. UNDP continued to play a central funding and co-ordinating role for development grant assistance within the UN system. Twenty-four organizations of the UN system were executing agencies for UNDP in 1990. Five of those agencies, plus Governments and UNDP, delivered at least \$67 million of UNDP main programme re-

sources during the year. UNDP and UNDP-administered funds financed 42 per cent of the technical co-operation expenditure of 23 organizations of the UN system in 1990, excluding UNDP itself.

Contributions

In 1990, contributions from Governments and other sources for operational activities of the UN system totalled \$8,538.5 million, compared to \$8,535.8 million in 1989. Contributions to UN funds and programmes (UNDP and its trust funds, UNFPA, UNICEF, WFP and others) totalled \$3,430.8 million, compared to \$3,144.9 million in 1989. Contributions for operational activities of specialized agencies totalled \$4,252.2 million, compared to \$3,928.2 million in 1989. Contributions to the World Bank Group (the International Bank for Reconstruction and Development), IDA and the International Finance Corporation) and the International Fund for Agricultural Development (IFAD) totalled \$4,286.3 million, compared to \$4,607.6 million in 1989.

UN Pledging Conference for Development Activities

The 1990 Pledging Conference for Development Activities was held in New York from 1 to 2 November [A/CONF.154/1 & Corr.1,2] to receive government pledges for 1991 to UN funds and programmes concerned with development and related assistance.

In a note to the General Assembly [A/CONF.154/2], the Secretary-General listed contributions pledged or paid as at 30 June 1991 to UN funds and programmes at the 1990 pledging conference, totalling some \$1.6 billion, of which some \$906 million was for UNDP.

In response to General Assembly resolution 44/208 [YUN 1989, p. 307], the Secretary-General submitted a May 1990 report [A/45/281-E/1990/66 & Corr.1] containing proposals for future administrative arrangements for the Pledging Conference. They included the limitation of the Conference to one day in November; greater use of written pledges, to be communicated to the Secretary-General three weeks before the Conference; and limiting statements by participants to five minutes. The adoption and signing of the Final Act of the Conference would be replaced by adoption of a Conference report, thus dispensing with the process of signing a Final Act.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 27 July, the Economic and Social Council adopted resolution 1990/80.

Future administrative arrangements for the United Nations Pledging Conference for Development Activities

The Economic and Social Council,

Reaffirming the importance of the United Nations Pledging Conference for Development Activities,

Taking note of the report of the Secretary-General on future administrative arrangements for the Conference,

1. Recommends to the General Assembly that the United Nations Pledging Conference for Development Activities remain the principal forum for Member States and others to pledge their contributions to United Nations operational activities for development, that it continue to be convened early in November and that its basic format remain unchanged;

2. Recommend further if possible commencing in 1990, that:

(a) The Conference be limited to one day and continue to be opened by the Secretary-General;

(b) Greater use be made of written pledges, delegations being given an opportunity to make pledges in writing before the Conference takes place, these pledges to be announced at the Conference in the President's opening statement;

(c) As a general rule, statements by participants in the Conference be limited to five minutes each;

(d) A speakers' list be established for Member States and others wishing to pledge, the only other statements to be an opening and closing statement by the President of the Conference, should he or she wish, and short closing statements by executive heads of United Nations programmes and funds or their representatives;

(e) The adoption and signing of the Final Act of the Conference be replaced by the adoption of a report of the Conference.

Economic and Social Council resolution 1990/80 27 July 1990 Meeting 37 Adopted without vote

Approved by Third Committee (E/1990/115), 24 July (meeting 17); draft by United Kingdom (E/1990/C.3/L.18), orally revised; agenda item 9.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/215.

United Nations Pledging Conference for Development Activities

The General Assembly,

Reaffirming the importance of the United Nations Pledging Conference for Development Activities.

Taking note of the report of the Secretary-General on future administrative arrangements for the Conference,

Recalling its resolution 44/208 of 22 December 1989 and taking note of Economic and Social Council resolution 1990/80 of 27 July 1990,

1. Decides that the United Nations Pledging Conference for Development Activities should remain the principal opportunity for Member States and others to pledge their contributions to United Nations development activities, that it shall continue to be convened early in November and that its basic format should remain unchanged;

2. Decides also that:

(a) The Conference shall be limited to two working sessions;

(b) The Conference shall continue to be opened by the Secretary-General;

(c) Greater use should be made of written pledges and that delegations should be given an opportunity to make pledges in writing before the Conference takes place and to have them circulated during the Conference;

(d) As a general rule, statements by participants in the Conference shall be limited to five minutes each;

(e) A speakers' list shall be established for Member States and others wishing to speak; the only other statements will be an opening and closing statement by the President of the Conference, should he or she wish, and short closing statements by executive heads of the United Nations programmes and funds or their representatives;

(f) Delegations which are not in a position to make a definitive pledge should make known their pledges as soon as possible;

(g) The adoption and signing of the Final Act of the Conference shall be replaced by the adoption of a procedural report of the Conference;

3. Urges Member States to consider increasing their financial contributions to United Nations development activities.

General Assembly resolution 45/215

21 December 1990 Meeting 71 Adopted without vote

Approved by Second Committee (A/45/854) without vote, 28 November (meeting 49); draft by Vice-Chairman (A/C.2/45/L.53), based on informal consultations on draft by United Kingdom (A/C.2/45/L.32), and orally revised; agenda item 84.

Meeting numbers. GA 45th session: 2nd Committee 33-36, 38, 42, 49; plenary 71.

Inter-agency co-operation

The operational activities of the UN system, including the role and functioning of the development system in the 1990s, was discussed at two sessions of ACC's Consultative Committee on Substantive Questions (CCSQ) (Operational Activities).

At its first session (Geneva, 2-5 April) [Acc/1990/7], the Committee made recommendations to ACC with regard to enhancing the role and effectiveness of the resident co-ordinator system and agreed that their spirit and content, which constituted guidelines, would be incorporated by each organization into the terms of reference of their respective field representatives.

CCSQ also forwarded to ACC its views and recommendations on the implementation of General Assembly resolution 44/211 (see above) and on the question of UNDP successor arrangements for support costs (see below).

At its second session (New York, 2-4 October) [ACC/1990/14], CCSQ forwarded to ACC its views on giving operational effect to goals and strategies of the UN development system in the 1990s. It also drew to ACC's attention its further recommendations on enhancing the role and effective-

ness of the resident co-ordinator system, and its views on local and recurrent costs.

Technical co-operation through UNDP

In his annual report for 1990 [DP/1991/10 & Add.1-4], the UNDP Administrator observed that 1990 was significant for the Programme as it celebrated its fortieth anniversary and saw an important affirmation and clarification of its mandate and priorities. The year also marked the beginning of a new decade and a new sense of urgency in the international community, driven by the awareness of the magnitude and complexity of the social, economic and environmental challenges facing the world. The Administrator said that there was reason to believe that, with the thawing of the Cold War, the 1990s would witness a shift from ideological conflict and the threat of military annihilation towards a global effort to bring about peace, social justice and a sustainable world ecology.

The Administrator noted an important June Governing Council decision [E/1990/29(dec.90/34)], which affirmed and clarified UNDP's mandate and priorities and put UNDP in the forefront of thinking on technical co-operation. Consequently, the Programme's efforts were to be focused on six areas for promoting human development for the attainment of self-reliance in developing countries, through building and strengthening national capacity: poverty eradication and grass-roots participation in development; environmental problems and natural resource management; management development; technical co-operation among developing countries (TCDC); transfer and adaptation of technology for development; and women in development. The challenge was to put into practice the UNDP mandate in the context of the Fourth International Development Strategy (see previous chapter).

The launching by UNDP in 1990 of the first Human Development Report had reasserted UNDP's guiding principle that human beings were at the heart of the development process. The Report attempted to measure progress by a human development index (HDI) rather than by per capita GNP. Although human development had always been a main aim of UNDP, it had been placed under sharper focus and, in addition to economic growth, it would include access to education, health, employment, shelter, nutrition and human rights and a special emphasis on women.

Over the four decades of UNDP's existence, a number of countries had moved closer to the goal of self-reliance through acquisition and absorption of skills and technologies, often with UNDP assistance. In recent years, UNDP had embarked on a number of initiatives directed to promoting the private and informal sectors with the aim of enabling them to play their rightful role in development and contribute to the strengthening of national capacity. Support to governments included entrepreneurship development and the design of supportive policies and institutional and regulatory frameworks that encouraged the growth of small and medium-sized enterprises. It also included the increase of financial flows through investment promotion and capital market development, as well as the provision of other technical support services.

UNDP, with the World Bank and the United Nations Environment Programme (UNEP), was a partner in the Global Environment Facility (GEF), established in 1990, which aimed to raise more than \$1 billion over the first three years (see PART THREE, Chapter VIII). The issues to be addressed by GEF were global warming, biodiversity losses, international water pollution and ozone depletion.

UNDP had received a growing number of requests for assistance in helping governments to co-ordinate external co-operation. The round-table mechanism and national technical co-operation assessments and programmes (NATCAPS) had been found effective for that purpose. In 1990, 5 round-table meetings were held and 12 sectoral follow-up meetings were organized. NATCAPS were under way or planned in some 30 countries, mostly in Africa and increasingly in Latin America and the Caribbean.

In 1990, UNDP's estimated income was \$1.2 billion, of which \$1 billion came from voluntary contributions. Other major sources included cost-sharing contributions from recipient Governments (\$169.2 million); trust funds established by the Administrator (\$27.8 million); contributions to local office costs (\$17 million); the Special Measures Fund for the Least Developed Countries (SMF/LDCs) (\$12.8 million); Government cash counterpart contributions (\$8 million); and extra budgetary activities (\$2.6 million). In addition, UNDP administered eight funds during 1990 which received contributions of \$90 million, bringing UNDP total income for 1990 to \$1,329.8 million. The eight funds UNDP administered were: the United Nations Capital Development Fund (UNCDF); the United Nations Revolving Fund for Natural Resources Exploration (UNRFNRE); the United Nations Fund for Science and Technology for Development

(UNFSTD); the United Nations Sudano-Sahelian Office (UNSO); the United Nations Volunteers (UNV); the United Nations Development Fund for Women (UNIFEM); the UNDP Energy Account; and the UNDP Study Programme.

Based on the results of the United Nations Pledging Conference held in November (see above), it appeared that five countries had raised their contributions from the previous year—Finland, the Netherlands, Norway, Sweden and Switzerland. The developing countries that had pledged more than \$1 million to UNDP were China, Colombia, Cuba, India, Indonesia, Pakistan, the Republic of Korea, Saudi Arabia, Sri Lanka and Thailand.

In 1990, expenditures from UNDP core resources totalled some \$1.4 billion, with \$1 billion spent on field programmes. About half of that amount was spent on project personnel, 20 per cent on equipment, 15 per cent for subcontracts, 13 per cent for training and the remainder for miscellaneous expenses such as maintenance and operation costs.

The largest share of field programme expenditures came from indicative planning figure (IPF) resources—81 per cent in 1990. Cost-sharing contributions made up 13 per cent, Special Programme Resources (SPR) about 3 per cent, SMF/LDCs 2 per cent and Special Industrial Services 1 per cent.

Regionally, 36 per cent of field programme expenditures were spent in Africa, 34 per cent in Asia and the Pacific, 15 per cent in Latin America and the Caribbean, 10 per cent in the Arab States and Europe, and 5 per cent by UNDP's global and inter regional programmes. In terms of sectoral distribution, 22 per cent was allocated to general development issues; 19 per cent to agriculture, forestry and fisheries; 12 per cent to industry; 11 per cent to natural resources; and 8 per cent to transport and communications.

A total of 1,256 new projects were approved during 1990, with a value of \$850 million, compared to \$589.6 million in 1989. Of the \$850 million, \$160 million represented cost-sharing from Governments and third-party donors. The three sectors receiving the largest funding shares were: general development issues, policies and planning (28 per cent); agriculture, forestry and fisheries (13 per cent); and industry (11 per cent). UNDP also helped to attract more than \$14 billion in follow-up investments from other donors in 1990, up from \$9 billion in 1989; that was used mainly for capital works and infrastructural improvement.

Annual report for 1989

By a 23 February decision [E/1990/29(dec.90/8)], the Governing Council postponed consideration of the annex to its 1989 decision [YUN 1989, p. 310] on the annual report of the Administrator to the thirty-seventh (May/June 1990) session and to consider the matter together with the annual report of the Administrator for 1989.

In a 22 June decision [dec.90/52], the Council took note of the annual report of the Administrator for 1989 [DP/1990/17 & Add.1-7].

Fortieth anniversary of multilateral technical co-operation

On 23 February, UNDP's Assistant Administrator and Director of the Bureau for Special Activities told the special session of the Governing Council that three main events had been scheduled to celebrate the fortieth anniversary of multilateral technical co-operation for development within the UN system: the plan to commemorate the anniversary on United Nations Day, 24 October; launching in May of the Human Development Report; and a celebration within the framework of the June session of the Governing Council in Geneva. The suggestions of resident representatives on ways to commemorate the anniversary in recipient countries were under consideration and the participation of donor countries was welcomed. He recommended that the Council request Governments to plan appropriate celebrations in their countries on 24 October. Consideration was also being given to the sponsoring by the United Nations of various initiatives.

The Governing Council, by a 23 February decision [dec.90/7], took note of the Assistant Administrator's statement and those of UNDP member States.

UNDP Governing Council

In 1990, the UNDP Governing Council held its organizational meeting from 20 to 23 February and a special session from 20 to 23 February, both in New York. The Council's thirty-seventh session took place from 28 May to 23 June in Geneva [E/1990/29]. At the organizational meeting, the Council adopted decisions on its schedule of meetings in 1990 and other organizational matters, including allocation of items to its Committees [E/1990/29 (dec. 90/1)]. At the special session to consider pending issues, the Council adopted 10 decisions. Those not covered in this chapter dealt with: preparations for the Second United Nations Conference on the Least Developed Countries (see PART THREE, Chapter I); and the role of UNDP in combating the acquired immunodeficiency syndrome (AIDS) (see PART THREE, Chap-

ter XI). In procedural action, the special session, by a 23 February decision [dec. 90/11, took note of the report of the President on the work of the Committee of the Whole [DP/1990/L.7] and, by another decision of the same date [dec. 90/10], decided to review the preparation of documentation within the informal consultations for further improving the working methods of the Governing Council.

During the thirty-seventh session, the Governing Council adopted 43 decisions. Those not covered in this chapter dealt with: human development (see PART THREE, Chapter XII); women in development (see PART THREE, Chapter XIII); UNDP's role in combating the human immunodeficiency virus (HIV) and AIDS (see PART THREE, Chapter XI); environment (see PART THREE, Chapter VIII); refugees, displaced persons and returnees (see PART THREE, Chapter XV); UNDP's role in the implementation of the United Nations Programme of Action for African Economic Recovery and Development (see PART THREE, Chapter III); the African Transport and Communications Decade (see PART TWO, Chapter V); the Special Plan of Economic Co-operation for Central America (see PART THREE, Chapter III); Namibia (see PART FOUR, Chapter III); science and technology (see PART THREE, Chapter VII); natural resources exploration (see PART THREE, Chapter VI); the Sudano-Sahelian Office (see PART THREE, Chapter VIII); and UNFPA (see PART THREE, Chapter IX).

On 28 May, the Governing Council approved the agenda and organization of work for its thirty-seventh session [dec. 90/12]. On 23 June, the Council agreed on the schedule of its future sessions and those of its subsidiary bodies [dec. 90/53] and approved the provisional agenda for its thirty-eighth (1991) session [dec. 90/54].

Governing Council working methods

Pursuant to a 1989 Governing Council decision [YUN 1989, p. 312], the Council President submitted his report [DP/1990/82 & Add.1] on the outcome of informal consultations held on 13 February on the working methods of the Council. The consultations dealt with the overall functioning of the Council and resulted in a number of proposals concerning the duration and number of meetings, matters related to the agenda, decisions and documentation.

By a 23 June decision [dec. 90/23], the Council merged the Committee of the Whole and its Working Group into a Standing Committee for Programme Matters to deal with the programme aspects of UNDP activities. The Standing Committee would report to the Council plenary and prepare decisions for plenary adoption. The

mechanism would be reviewed in 1997. The Standing Committee would meet during and between sessions of the Council and, in consultation with host Governments, would organize regular field visits to look into and report on specific aspects of UNDP's field programme. The Council requested the Administrator to examine and submit proposals to reduce the number and length of documents and to biennialize or even triennialize specific items and the high-level debate of the Council. He was also asked to indicate in his reports to the Council any actions proposed, including their financial and administrative implications. The Council further decided to keep to a minimum preambular paragraphs in its decisions.

In accordance with the Council's decision, the Administrator held informal consultations with Council members on 2 November on the reduction of documentation and the biennialization of items on the Council's agenda.

UNDP operational activities

Policy review

Funding strategy

In response to a 1989 Governing Council request [YUN 1989, p. 311], the Administrator, in a May 1990 report [DP/1990/20], proposed elements for a UNDP funding strategy. The purpose of such a strategy would be to assist in determining: the comparative advantages and strengths of UNDP in acting as intermediary between donors and recipient countries in meeting certain technical co-operation needs; the quantitative and qualitative dimensions of the resource needs to be met and the related desirable and realistic funding levels and growth rates; and the prospects for mobilizing the required amount and type of resources.

The Administrator recommended measures for regularly assessing the prospective demand for UNDP resources; highlighted the importance of a UNDP development profile in the 1990s; and set forth principles for determining needed increases in core programme resources. He further suggested that, in order to maintain existing programme levels, core resources during the fifth programming cycle (1992-1996) should be increased by at least 10 per cent and proposed principles to guide the mobilization and programming of non-core resources within the context of expanded country programmes to ensure that their additionality supported Governmental policies and expenditure priorities.

The Administrator said three development challenges directly related to the overall UNDP

objective of human development were emerging as top priorities on the development agenda for the 1990s: strategies for poverty alleviation and investment in people; more efficient economic management; and combining economic growth, human development concerns, and the objectives of natural resource management into an integrated concept of longer-term sustainable development. UNDP intended to equip itself to assist Governments to respond to the challenges that attainment of those three objectives posed.

The Governing Council also had before it a report of the Advisory Committee on Administrative and Budgetary Questions (ACABQ) [DP/1989/56] concerning the importance of maintaining an appropriate balance between core and non-core resources.

By a 22 June decision [dec. 90/14], the Governing Council requested the Administrator, with a view to increasing voluntary contributions, to improve programme quality and effectiveness, including improved management, by taking the following steps: concentrate resources in areas where UNDP could maximize its advantages compared to other development co-operation programmes so as to improve programme focus and quality and reduce administrative costs; increase integration into the country programming process of resources available from funds under the Administrator's authority; streamline UNDP operations through the merger of trust funds, services and programmes to simplify administration and provide a clearer focus to the programme; and strengthen monitoring and evaluation mechanisms to ensure that evaluation results had retroactive effects on ongoing programmes and improved future programming. The Administrator was asked to report to the Council in 1991 on the implementation of the decision.

Also before the Council was a note by its President [DP/1990/19] on the outcome of informal consultations of an ad hoc group on the role of UNDP in the 1990s. The Group, which held its first meeting on 12 February, was established in response to a 1989 Council decision [YUN 1989, p. 312]. It discussed issues relating to general resource levels, central funding and core and non-core funding and other issues. The informal consultations were considered to be a useful exercise, permitting delegations to exchange views on matters affecting the future funding of UNDP. The Group agreed to hold further informal consultations on the subject.

Country and Inter country programmes

The Administrator submitted to the Governing Council's special session in February an overview of mid-term reviews of country and inter-

country programmes carried out in the first half of 1989 [DP/1990/12]. During the period, 22 reviews were completed and the rest were scheduled to be completed by early 1990. Addenda to the report contained mid-term reviews of Algeria, Bangladesh, Bhutan, Brazil, Madagascar and Zambia and of the inter country programme for Europe [DP/1990/12/Add.1-7].

By a 23 February decision [dec. 90/6], the Governing Council took note of the mid-term reviews of country and regional programmes under the fourth programming cycle (1987-1991).

The Administrator submitted a further overview of mid-term reviews to the Council at its May/June session [DP/1990/38]. Addenda to the report contained an evaluation of the mid-term review process and the mid-term reviews of Egypt, Ghana, Myanmar, Viet Nam, Zaire, the multi-island programme for the Organization of Eastern Caribbean States, the regional programme for Africa, and inter regional and global programmes [DP/1990/38/Add.1-10].

In his evaluation of the process [DP/1990/38/Add.1], the Administrator said that the guidelines for mid-term reviews needed to be improved and revised ones were being developed.

In a 20 June decision [dec. 90/33], the Governing Council stated that it considered the mid-term review process to be a useful management tool for guiding the fourth cycle (1987-1991) and planning fifth cycle (1992-1996) programmes. It requested UNDP to increase efforts to ensure the involvement of those UN agencies executing UNDP projects and asked the Administrator to complete the series of mid-term reviews for consideration at its next session. It also requested the Administrator to include in his report on programme implementation of selected country programmes information on steps taken and those intended to be taken to follow up on the recommendations of the country and regional mid-term reviews. He was urged to consider the recommendations of the evaluations of the mid-term review process, including an issues paper preceding each exercise and a substantive overview paper to be submitted to the Council. The Council also approved country programmes for Fiji, India and Tonga and took note of the extension of programmes for Argentina, Indonesia, Kuwait and Venezuela.

Country programmes by region

Africa

More than 30 African countries had initiated structural adjustment programmes in recent years and continued to implement reforms, including the liberalization of external trade, de-

valuation of overvalued currencies, tight fiscal and monetary policies and a reduction in the size of the public sector. Economic growth in sub-Saharan Africa slowed to roughly 3 per cent in 1990, compared with the approximate 3.25 per cent growth in gross domestic product (GDP) in 1989. The sharp increase in crude oil prices was a contributing factor to the slow-down, said the UNDP Administrator in his annual report for 1990 [DP/1991/10/Add.1]. However, the performance of African economies in 1990 varied from country to country, with Botswana, Ghana, Madagascar and Mauritius registering positive growth rates of 5 per cent, while domestic conflict and drought resulted in economic decline and food shortages for Angola, Ethiopia, Liberia and Mozambique.

In 1990, UNDP laid the groundwork for launching two new initiatives: the National Long-Term Perspective Studies for follow-up initiatives to structural adjustment programmes; and the African Capacity Building Initiative, which would establish a core of African experts to help manage the development process in the region. UNDP was also helping Governments participating in the Social Dimensions of Adjustment projects to reduce the hardships resulting from structural adjustment and was working with the World Bank, the African Development Bank and the Carter Center, through Project Africa, to develop long-term strategies for food security and to mobilize vital international resources. Programmes were under way in eight countries, with UNDP playing a major role in Uganda and the United Republic of Tanzania.

Together with UNEP, UNDP was assessing the impact of development on the environment in several countries. In Zimbabwe, preparations were being made for the first Sustainable Network for Development Project in the region, the purpose of which was to help the Government to incorporate environmental concerns into long-term development plans. In the face of the rapid spread of the AIDS pandemic in Africa, UNDP, in collaboration with the World Health Organization (WHO), had launched 23 AIDS-related projects, some of which were providing institutional support and others assistance in prevention and control programmes.

Environmental disasters and famine continued to affect a large number of people on the African continent. In 1990, an estimated 4 million refugees placed increasing pressure on the already strained resources of host Governments such as Burundi, Ethiopia, Malawi, Mozambique, Uganda, the United Republic of Tanzania, Zaire, Zambia and Zimbabwe. UNDP continued to identify and implement projects designed to assist

both the displaced populations and host countries. It approved \$4.3 million for the establishment of an emergency unit in Angola and the emergency unit in Mozambique continued to play an important co-ordinating role.

In a report on the implementation of selected country programmes [DP/1991/21], the Administrator stated that a number of initiatives were launched in the Africa region in 1990 that mirrored the priorities established with the six programming themes mandated by the Governing Council in its June 1990 decision on the fifth programming cycle (see below). Highlights of UNDP's programme in 1990 included the launching of a regional project entitled Support to Development Planning in Africa, which aimed to make development planning an effective instrument for growth; implementation in 26 countries of NATCAPS, 11 of which were planned to provide the centrepiece to forthcoming country programming exercises; UNDP-organized round-table meetings in Chad and the Gambia and follow-up sectoral meetings in eight countries; and implementation of management development programmes. Twenty country programmes and the programme for national liberation movements were subject to mid-term review in 1990, thus completing the cycle of such reviews. A number of recommendations were made for the remainder of the fourth programming cycle (1987-1991) based on the findings of the reviews. Nine steering committee meetings, 23 tripartite reviews and 30 in-depth evaluations were undertaken to ensure that the objectives of the fourth regional programme for Africa were fulfilled and that sufficient facts on the impact of the programme were available at the end of the cycle. A separate thematic evaluation of regional programme assistance to intergovernmental organizations was carried out from September to November and a comprehensive evaluation of the fourth regional programme as a whole was also organized in November-December, the results and recommendations of which provided an important input into the preparations for the fifth cycle regional programme.

Three Regional Programme Officers were appointed in Abidjan, Côte d'Ivoire; Libreville, Gabon; and Lusaka, Zambia. Country programming exercises for the fifth programming cycle were conducted in almost all countries.

By a 20 June decision [dec. 90/28], the Governing Council, having considered the Administrator's report on assistance to national liberation movements [DP/1990/29], requested him to complete the transfer of those projects for which Namibians were the sole beneficiaries, as an integral part of the country programme for Namibia, and

to continue projects benefiting African National Congress (ANC) and Pan Africanist Congress of Azania (PAC) members. He was also asked to report in 1991 on trends, developments and the effectiveness of assistance, including proposals for a fifth cycle indicative planning figure for national liberation movements recognized by the Organization of African Unity.

Asia and the Pacific

The downturn of economic performance in Asia and the Pacific, which began in 1989, persisted in 1990, with growth dropping to 5.4 per cent, largely due to declining exports earnings and cut-backs in worker remittances as a result of the situation between Iraq and Kuwait (see PART TWO, Chapter III), said the Administrator in his annual report for 1990 [DP/1991/10/Add.1].

Over 2,000 country and regional projects were being implemented in Asia and the Pacific. Of the estimated \$303 million in project expenditures, 20 per cent was directed to the industrial sector. Agriculture, forestry and fisheries accounted for 18 per cent, natural resources for 15 per cent and development planning for 13 per cent. A shift in programme emphasis to human development was expected to result in a rise in expenditures in the social sectors, which so far accounted for 11 per cent. Efforts to promote national execution were reflected in the rise in expenditures for nationally executed projects, which rose to \$26 million in 1990 from \$19 million in 1987. To boost national execution, training was provided to government staff in several countries, including China, Indonesia and Myanmar. UNDP field offices were also conducting studies to identify technical and management needs at the national level.

Several initiatives were taken to formulate human development strategies, including missions to Bangladesh, India, Indonesia, Pakistan and Viet Nam. New initiatives were also taken to address issues concerning women, particularly in Bangladesh and India. The spread of AIDS had become an urgent priority in some countries. All UNDP field offices conducted national workshops to increase awareness of the disastrous consequences of AIDS. Resident representatives consulted with Governments on the formulation of immediate and long-term plans to address AIDS-related problems and how UNDP could assist in their implementation.

The Management Development Programme (MDP) assisted Governments in the region to move from centrally planned to market-oriented economies. Large-scale projects to improve management capabilities were approved for Laos, Mongolia, Myanmar, Papua New Guinea and

Viet Nam. Of 200 projects in the region that directly or indirectly involved private sector development, 20 per cent promoted entrepreneurship. A project in Laos, conducted in collaboration with the World Bank, was helping the Government to privatize public enterprises, develop new economic and business legislation and promote foreign investment.

In his report on the implementation of selected country programmes [DP/1991/21], the Administrator stated that country programmes in Asia and the Pacific continued to emphasize programmes and projects that promoted environmental sustainability and sound development. The Asian Ministerial Conference on the Environment (Bangkok, Thailand, October 10-16) endorsed the key role of UNDP as co-ordinator and implementor of environmental follow-up activity in the region. Several new UNDP initiatives were endorsed by the Conference, including assistance to Governments on the preparation of national strategies for the United Nations Conference on Environment and Development, to be held in 1992 (see PART THREE, Chapter VIII). Efforts continued to maximize the benefits of the inter country programme, which was directed towards human development, the management of sustainable environment and natural resources, and economic reform. In preparation for the fifth programming cycle, a regional symposium on co-operation in Asia and the Pacific, held in Honolulu, United States, identified the special needs of subregions and recommended programme responses. UNDP continued to organize round-table meetings for LDCs and for those countries without mechanisms for donor consultation. Meetings were convened for the Cook Islands, Fiji and Western Samoa.

Mid-term reviews of eight country programmes were conducted in 1990. They revealed that the programmes generally remained relevant to the overall priorities of governments and that most of the areas of focus specified in Governing Council decision 90/34 on the fifth programming cycle (see below) were already being addressed at the country level. Common implementation problems identified by the reviews included lengthy project formulation and start up, delays in the recruitment of experts and inadequate counterpart staff and funding.

Arab States and Europe

In 1990, the situation between Iraq and Kuwait (see PART TWO, Chapter III) inflicted economic and social hardship on the Arab States, particularly Egypt, Jordan, Turkey and newly unified Yemen, as a result of lost revenues from trade, tourism and worker remittances and the problem

of reintegrating hundreds of thousands of returnees. The Sudan braced for impending famine, while fighting in Somalia continued to cause grave concern, said the Administrator in his annual report covering 1990 [DP/1991/10/Add.1]. Those events affected regional co-operation and programme implementation. However, a more positive picture emerged in Lebanon, where Greater Beirut was brought under the authority of the central Government and there was hope for reconstruction and development following 15 years of civil strife. In addition, there were moves in North Africa to reinforce integration within the Arab Maghreb Union through an economic common market. In Eastern Europe, assistance focused on the transition from centrally planned to market economies.

In 1990, the Arab and European programmes supported major new initiatives in key areas, including the environment, women in development and the private sector. Many projects continued to forge strong links between the Arab and European regions. Programme delivery was adversely affected by the emergency situation prevailing in many countries as a result of the situation between Iraq and Kuwait. Nevertheless, it was estimated that IPF expenditures, which totalled \$91 million, had increased by some 15 per cent over 1989.

UNDP addressed environmental concerns in many of the regional projects for the Arab States and Europe. Environmental activities ranged from small national to major regional projects, including a \$295,000 project in Tunisia, and a \$15 million Mediterranean Environmental Technical Assistance Programme to assist countries to strengthen national capacity in environmental management, prepare innovative projects and develop policies in the areas of water resources and waste-water management, marine oil pollution, solid and hazardous waste and coastal zone management. UNDP also proposed the creation of a centre for the environment and development for the Arab Region and Europe to ensure that environmental concerns were integrated into development efforts. The Centre would concentrate initially on management of freshwater resources and the utilization of land resources.

In the area of women in development, UNDP organized a major regional conference (Cairo, Egypt, 20-23 May) to identify obstacles to Arab women's full integration in development. In order to address some of the areas of concern highlighted by the conference, UNDP was formulating an operational programme and had organized a workshop for field-office women-in-development focal points.

Eastern Europe was a major focus of activity in 1990, especially with regard to private sector development. UNDP co-sponsored a regional privatization conference in Yugoslavia in November, which brought together leaders of privatization agencies from Bulgaria, Czechoslovakia, Hungary, Poland, Romania and Yugoslavia.

UNDP fielded a high-level mission to the newly unified Yemen in June to discuss the implications of unification for development priorities. A subsequent mission in July assessed the country's development needs and a unified UNDP field office to address those needs was opened in Sana'a.

Many Arab countries faced emergency situations caused by drought, famine and conflict. As one of the front-line countries in the Persian Gulf crisis, Jordan had to cope with some 700,000 people who passed through the country on their way home from Iraq and Kuwait, and received assistance from the UN system in that regard. UNDP managed a United States Agency for International Development-financed project for the economic integration of Bulgarian ethnic Turks who arrived in Turkey as refugees in 1989.

In his note on implementation of selected country programmes [DP/1991/21], the Administrator stated that, during 1990, UNDP conducted nine Arab and European country programme mid-term reviews, a number of which recommended that resources focus increasingly on the environment, human development and specific issues such as export promotion and employment relating to economic adjustment programmes. The mid-term review for the fourth regional programme for Arab States was held in October. The participants at the review welcomed the role played by the regional programme in breaking new development ground in the areas of technology, environment and women in development, and in pushing ahead with national implementation.

Programme delivery was affected by internal emergency situations, the Persian Gulf crisis and the evolving economic and political structures within Central and Eastern Europe. Nevertheless, there was an estimated IPF expenditure of \$91 million in 1990, an increase of some 15 per cent over 1989.

Latin America and the Caribbean

The structural adjustment programmes adopted by most countries in the region had harsh social consequences and often contributed to economic and social regression. There was, however, room for cautious optimism as the region could look forward to improved prospects and a resumption of growth as long as it maintained the pace of policy reforms and harnessed

its resources more effectively. However, more stable terms of trade and an increase in net financial transfers were essential if the countries were to achieve sustained economic growth, said the Administrator in his annual report for 1990 [DP/1991/10/Add.1]. The key to a strategy for durable recovery was investment in human resources development. In that context, the renewal of the democratic process in the region was clearly associated with increased expectations of a more decent life. The main areas of focus for the fifth programming cycle (1992-1996) included environment, poverty, public sector management, women in development, transfer of technology and technical co-operation among developing countries.

UNDP undertook a number of environmental initiatives at the regional and national levels. The Amazonian Botanical Research Programme established a network to share information on existing plant species; another programme assisted Brazil in implementing a World Bank loan for improving management of national parks, biological reserves and ecological stations. UNDP approved a new project for Peru to assist in the design of a tropical forest plan. Poverty continued to receive priority in various country programmes. A group of 17 projects in Colombia supported the national strategy for the alleviation of poverty. One of the projects, the National Plan for Rehabilitation, helped to mobilize over \$1.1 billion in donor funding and investments to improve conditions in the poorest areas of the country. In Bolivia, an emergency fund brought new jobs and improvements in health and education, and similar efforts were under way in El Salvador, Guatemala, Haiti, Honduras, Nicaragua and Panama. UNDP also supported structural adjustment programmes being implemented in the region by the World Bank and the International Monetary Fund, paying special attention to efforts to mitigate the adverse social consequences of those programmes, especially in Guyana and Jamaica. UNDP initiated a series of projects addressing public sector and social concerns in Guyana, while in Jamaica it supported negotiations between the Government and the World Bank, which led to the first loan to be used exclusively for the social sector. Similar initiatives were under way in Ecuador and Paraguay.

In his report on the implementation of selected country programmes [DP/1991/21], the Administrator stated that the democratic governments of the region had assigned high priority to the issue of human development, including political freedom and guaranteed human rights. With UNDP support, Paraguay had established a Centre for Human Rights and Colom-

bia was co-ordinating activities with international organizations in preparing educational and promotion activities in human rights. In Haiti, UNDP's role was critical in helping to promote the widest possible participation in the 1990 elections, as well as in attracting resources from bilateral donors.

In the area of public sector management, UNDP undertook several initiatives, one being the Management Development Programme, which supported 19 Governments in building the capacity to address issues of state restructuring, decentralization and policy management. In the Eastern Caribbean, UNDP was closely involved with the process of economic co-operation and political unity. The first Management Development Programme mission in support of public sector management requirements of a regional political grouping was launched in co-operation with the Organization of Eastern Caribbean States. In the area of technology transfer, the fourth country programme for Cuba supported the creation and development of the national capacity to undertake applied research, while in Chile a concentrated effort to support the establishment of a technological capacity focused on the private sector. In Mexico, a project on technology transfer to the productive sector was aimed at strengthening the Centre for Technological Innovation at the National University of Mexico, enabling it to meet the technological demands of the productive sector. In Brazil, UNDP assisted the National Telecommunications Research and Development Centre in absorbing state-of-the-art telecommunications technology, developing and transferring it to the private sector to strengthen the domestic telecommunications industry. In Uruguay, a project for the development of basic services helped 80 Uruguayan scientists to resettle in their home country, prepared a data base of those willing to offer services through the Transfer of Knowledge Through Expatriate Nationals (TOKTEN) modality and created master's and doctoral degrees in science at the University of Montevideo.

UNDP resources for the region continued to decline, in particular for regional activities. That was likely to affect the continuation of activities in the fifth programming cycle and the development of new initiatives.

Global and inter regional programmes

The global programme supported research devoted mainly to agricultural and health problems, while the inter regional programme assisted such sectors as fisheries, water supply and sanitation, urban management, human resources and energy, stated the Administrator in

his annual report covering 1990 [DP/1991/10/Add.1]. Both programmes received support from bilateral donors and international organizations, as well as from UNDP core resources.

Resources were provided to projects carrying out research on trypanosomiasis, improving the production of food staples in semi-arid regions, integrated pest management, safe water and sanitation and tropical diseases.

UNDP also joined with UNICEF, WHO and the Rockefeller Foundation to form a consultative group on the Children's Vaccine Initiative and, through the WHO/UNDP Alliance to Combat AIDS, supported AIDS prevention and care programmes.

Other sectors receiving UNDP assistance included debt management, environmental protection, the quality of primary education and urban management.

Programme planning and management

Preparations for the fifth programming cycle

Preparations began in 1990 for UNDP's fifth programming cycle (1992-1996). At its special session in February, the Governing Council had before it a note by the Administrator [DP/1990/8] that provided a number of specific simulations, including four resource scenario options. The scenarios projected annual growth rates of voluntary resources of 6, 8, 10, and 12 per cent, using the voluntary contributions base for 1991 of \$980 million. Other assumptions underlying the four scenarios were: tentative fifth cycle allocations to Special Industrial Services and the sectoral support programme of \$15 million and \$25 million respectively; agency support costs of 13 per cent of programmable resources; a 5 per cent annual growth in core administrative and support costs; and the maintenance of the Operational Reserve at \$240 million. The Administrator also outlined proposals on how to deal with other specific fifth cycle issues not reflected in the simulations, including issues related to net contributor countries and the level of the fifth cycle resources to be allocated to SPR. The Administrator's note served as background information for the Governing Council's substantive debate on resource allocation policies and methodologies for the fifth cycle.

By a 23 February decision [dec.90/4], the Governing Council reaffirmed the need for priority allocation of its scarce grant resources to programmes and projects in low-income countries, particularly LDCs. It requested the Administrator to prepare a synopsis of the views and proposals

made during the debate on the issue, including comparable scenarios and detailed justifications for centrally managed resources, taking into consideration all the views expressed concerning the SPR and the question of net contributor status. He was asked to make recommendations and proposals thereon six weeks prior to the thirty-seventh (1990) session of the Council. The Council decided to convene informal consultations to further review issues pertaining to the fifth cycle, and requested the Administrator to include in the material for the Council meeting information on the availability and coverage of data on the factors that featured in the supplementary criteria, and factors such as GDP, GNP, output of manufacturing, availability of depletable and non-renewable resources, the latest data on economies in transition, external debt related to GNP, the relationship between debt-service payment and exports, net transfer of resources and any other appropriate indicators.

In response to that request, the Administrator submitted an April report [DP/1990/43] on resources available for the fifth programming cycle, the distribution of those resources, SPR and resources for other programmes. It also provided information on net contributor countries, administrative and programme support costs, the operational reserve, agency support costs and the issue of using special drawing rights (SDRs) and baskets of currencies as units of account. The report also showed the possible use of resources for the fifth cycle under six assumptions of growth in voluntary contributions with a base of \$1 billion in voluntary contributions for 1991. An addendum to the report [DP/1990/43/Add.1] provided scenarios for distributing resources to IPFs based on assumed 4, 6, 8, and 10 per cent rates of annual growth in contributions. In addition, a resource level based on 12 per cent annual growth of contributions was used to calculate country IPFs.

By a 23 June decision [dec. 90/34], the Governing Council maintained the five-year planning period for the fifth programming cycle (1992-1996) and scheduled a mid-term review in 1994 of the programme planning aspects for the cycle, and the resources available and financial management of the cycle. For the purposes of forward planning, an 8 per cent annual rate of growth of total voluntary contributions on the basis of \$1 billion in 1991 was assumed. The Council reaffirmed the exclusive responsibility of the recipient Government for formulating its national development plan, priorities or objectives and emphasized that the integration of UN system operational activities with national plans and objectives would enhance the impact and relevance of those activities. It also reaffirmed that

national plans and priorities constituted the only viable frame of reference for the national programming of UN system operational activities for development. It stressed that in order to attain self-reliance in the developing countries through national capacity-building and strengthening, UNDP should promote human development.

The Council decided that UNDP should focus on building and strengthening national capacity in the following areas: poverty eradication and grass-roots participation in development; environmental problems and natural resource management; management development; technical co-operation among developing countries; transfer and adaptation of technology 'for development'; and women in development. Priority should be given to programmes in those areas, including inter country IPFs, and SPR should be used to strengthen and supplement activities funded through country IPFs. The Administrator should report, beginning in 1993, on those arrangements.

The Council further decided that UNDP's allocation of resources, including the distribution of country and inter country IPFs for the fifth cycle, should be carried out after provision had been made for the Operational Reserve, the core budget, programme support activities, Special Industrial Services, sectoral support costs and agency support costs. The field programme would be divided as follows: 77 per cent for country IPFs; 16 per cent to inter country IPFs (12 per cent regional IPFs, 1.5 per cent inter regional IPFs, 2.5 per cent global IPFs); and 7 per cent to SPR, which would cover thematic activities. Provisions under the core budget would amount to \$1,158 million, representing anticipated 1991 expenditure with a 6 per cent annual inflation in each year of the cycle. Programme support activities would amount to \$98 million, representing expected expenditure levels in 1991, with a compounded 6 per cent annual inflation in each cycle year. Provisions under the successor arrangements for support costs would be: 10 per cent of country IPFs to finance support services by recipient Governments; 2 per cent of programmable resources to support technical services; 14 per cent of inter-country IPFs and SPR to meet the cost of technical and indicative support for those programmes; and the addition of a 13 per cent provision of the estimated cost of fourth programming cycle projects to be implemented during the fifth cycle.

The allocation for Special Industrial Services was set at \$15 million; sectoral support at \$30 million; and the Operational Reserve at 20 per cent of contributions or expenditures for each year,

whichever was higher, to be reviewed annually and during mid-term reviews. The methodology for the allocation of country IPFs would allow countries with per capita GNP of \$750 or less to receive 87 per cent of IPF resources and those above \$750, 13 per cent. The LDCs as a whole would receive 55 per cent of country IPFs.

Of the total amount of resources allocated to country IPFs, \$100 million would remain unallocated to meet the needs of future programme participants. In calculating individual country IPFs, the basic criteria of per capita GNP and population as well as the weight of the corresponding coefficients applied in the fourth cycle were retained, with a ratio of 75 to 25 between basic and supplementary criteria. Based on a points system, the following supplementary criteria were established: whether the country was an LDC; was a land-locked developing country; was an island developing country; was an economically disadvantaged country in southern Africa; suffered from acute ecological or geographical disabilities or was disaster-prone; was classified by the World Bank as a severely or moderately indebted low- or medium-income country; had continuing deterioration in its terms of trade; had a large per capita GNP decline; or had an economy in transition or required World Bank structural adjustment lending during the fourth cycle (1987-1991). The World Bank data on population and per capita GNP for 1989 would be used to calculate country IPFs and, where that was not possible, the best estimates available would be used. Regional IPFs would be established in proportion to total country IPFs for each region. A maximum of 15 supplementary points would be accorded to any one country and supplementary criteria limited to 50 per cent, except for LDCs where 100 per cent would apply.

IPFs for national liberation movements would be established at \$12 million, with ANC and PAC as beneficiaries. Multi-island co-operation IPFs were set at \$7 million, divided equally between the Caribbean and Pacific Islands. The fourth cycle IPF for the Czech and Slovak Federal Republic was set at \$1,656,000 and that country was included among those entitled to an IPF for the fifth cycle. The fifth cycle IPF for the Republic of Yemen was to be no less than the combined figures of Democratic Yemen and Yemen in the fourth cycle.

Countries with a 1989 GNP per capita of below \$750 and small island countries with a population of 2 million or less and a 1989 per capita GNP between \$750 and \$1,500 would have a supplement to their IPFs for the fifth cycle so that they would receive no less than 100 per cent of their IPFs for the fourth cycle. Countries with a 1989

GNP of between \$750 and \$1,500 and small island countries with a population of 2 million or less and a 1989 GNP between \$1,500 and \$3,000 would receive no less than 90 per cent of their fourth cycle IPFs, and countries with a GNP between \$1,500 and \$3,000 and small island countries of 2 million or less with a GNP between \$3,000 and \$4,200 would receive 80 per cent.

The Council decided to review the net contributor issue in 1991 and invited the Administrator, in anticipation of the sixth programming cycle, to submit proposals in 1991 for revising the weight coefficients for per capita GNP and population, taking into account increased weight for LDCs and lower-income countries in the per capita GNP weighting and reduced weight for higher populations. It also decided to review at its special session in February 1991 the specific amounts for SPR programmes and authorized the Administrator to increase IPFs on a proportional basis should resources permit and to decrease IPFs and SPR on a proportional basis should fifth cycle resource growth prove insufficient to meet established IPFs. The Administrator was called on to consult with UN agencies on introducing system-wide SDRs as the unit of account and to report to the Council in 1991 on the potential cost. Annexed to the decision were the fifth cycle allocations for SPR.

Promotion of national capacity

In response to a 1989 Governing Council request [YUN 1989, p. 319], the Administrator submitted an April report [DP/1990/22], in which he addressed the problems faced by recipient Governments in attracting and retaining qualified staff in their administrations. He analysed the difficulties faced by poorer countries in providing adequate civil service salaries, noting that developing countries, especially those in Africa and Latin America and the Caribbean, were facing serious crises in trying to maintain adequate salaries for their civil servants, resulting in the exodus of qualified nationals to the private sector or through emigration. Donors were increasingly paying incentives or salary supplements to government employees on an ad hoc basis as part of specific arrangements for project implementation. There was increasing pressure on UNDP to do the same and, although its policy in that regard was restrictive, exceptions were being made. The report concluded that the practice was detrimental to the Governments' own development efforts in the longer run, as it included weakened sustainability and the impossibility of building or strengthening institutions.

Three options were presented. The first was to maintain and strengthen existing UNDP policy of

special compensation to government project personnel for periods not exceeding six months except if the Government agreed explicitly to take over the payment at a definite date. The second option would allow UNDP, in exceptional cases, to provide payments for the duration of the project rather than for six months. Those more liberal rules would apply only to poorer countries and the incentives would preferably be "in-kind" benefits such as housing, training, travel and transport. The third option was a completely different approach to be applied concomitantly with either of the first two alternatives and sought to centralize any external payments to government staff through a government programme as part of administrative reform. That alternative was based on the involvement of other donors in its financing. It tackled the problem at a country or programme level rather than at the project level and would apply only to the poorer countries and only in conjunction with longer-term measures to reform public administration, especially civil service reform, thus providing more immediate, stop-gap measures intended to strengthen the reform process. Payment of local costs, including salary supplements to local employees, would be removed from the project level. Funds provided by various donors would be pooled and the conditions for providing them would be negotiated centrally with the Government. The Administrator considered that the third alternative deserved attention and support.

By a 22 June decision [dec. 90/161, the Governing Council took note of the Administrator's report and of views expressed during the debate on the subject. It decided that the existing UNDP policy of providing limited supplementary payments to project counterpart staff on an exceptional basis should be maintained. The Administrator was requested to support civil service reform programmes addressing, inter alia, the question of compensation for skilled personnel and, in exceptional circumstances, to assist countries undertaking reforms to establish centrally co-ordinated short-term incentive programmes, provided that such programmes were linked to plans and time-tables for implementing comprehensive government pay and benefit systems and were formulated and agreed upon within the framework of round-table conferences and Consultative Groups, or through equivalent country-level aid co-ordinating mechanisms.

Management Development Programme

In response to a 1989 Governing Council request [YUN 1989, p. 320], the Administrator submitted an April 1990 report [DP/1990/23] on the implementation of MDP, covering the period from

its establishment in 1988 [YUN 1988, p. 349] up to 1 February 1990. During that time, MDP, which aimed to strengthen management capacity and improve efficiency and effectiveness in the public sector, had received requests for support from more than 60 Governments. Reconnaissance and/or programming missions had been undertaken to 44 countries. Three other countries received planning missions under the Special Action Programme for Administration and Management and 16 country projects had been approved with a value of \$16.3 million. Including contributions from IPFs, the total value of the projects was \$23.1 million.

By a 22 June decision [dec. 90/17], the Governing Council urged UNDP to continue to strengthen the management capacity of developing countries through enhanced co-ordination of the network of consultants and to publish a methodological guide for the use of consultants. It requested the Administrator to evaluate the programme to see whether optimum use was being made of the capacity of UN agencies and whether a more focused approach would be appropriate. He was asked to submit the findings together with his report on the Programme to the Council's 1991 session.

In a later report [DP/1991/12], the Administrator stated that, by the end of 1990, more than 90 Governments had requested MDP support and programming had begun in 77 countries. Activities fully or partially financed from MDP funds had been approved in 32 countries. MDP funds committed by 31 December 1990 for programme development and project activities totalled \$29.6 million, with Latin America and Asia having the highest commitments against foreseen resources. The Programme also helped Governments to attract resources from other donors for their public sector management improvement programmes. Joint and parallel financing with MDP amounted to \$14.8 million at the end of the year.

MDP was evaluated in November and December 1990. Among the recommendations submitted were that the Programme should continue in the fifth programming cycle (1992-1996) and the guidelines established for it should be retained. The Programme's emphasis would be on countries whose leadership was committed to major reforms calling for substantial institutional capacity-building and it would specialize in themes such as the transition from centralized planning; decentralization; civil service reform, including issues of incentives; and government institutions for management improvement. That would give the programme greater focus and en-

hance its potential usefulness to developing countries.

Management services

In response to a 1988 Governing Council request [YUN 1988, p. 352], the Administrator submitted an April 1990 report [DP/1990/67], in which he reviewed experience gained in the provision of management services undertaken by UNDP. The report examined the status, growth and salient features of management services operations and presented guidelines for the provision of those services. The Administrator stated that use of management services continued to grow in 1988 and 1989. As at February 1990, 72 agreements were in effect funded by the development banks (excluding 57 IFAD-funded projects) and bilateral donors with a total budget of \$396 million. In his view, management services continued to be a cost-effective mechanism for delivery of development assistance and supported co-ordination at the field level.

The Administrator recommended that he continue to provide management and other services for programmes and projects funded from the resources of recipient countries and external sources. Those services should be carried out by the UNDP Office for Project Services (OPS). UNDP should continue to provide the services on the basis of the guidelines recommended, reporting to the Council biennially on the status of management services agreements, with an analysis of trends over the longer term.

By a 22 June decision [dec. 90/46], the Governing Council approved guidelines for the provision of management services whereby projects and programmes were to be in conformity with the development priorities of recipient countries and with UNDP's mandate, with due attention paid to impact and sustainability, and their costs should be borne by funding sources. In considering bilateral donor eligibility, the Administrator should be guided by previous Council decisions covering concerns such as a decline in the growth of voluntary contributions as well as the relationship between such contributions and management services and should ensure that bilaterally sponsored management services complemented the core programme. The Administrator was authorized to continue to extend management and other support services to recipient countries for programmes funded from domestic resources. He was asked to include, in his annual report on management services contained in his annual review of the financial situation, information on voluntary contributions and contributions to the management services activities of such donors. The Council urged the Administra-

tor to present, in his biennial report on the status of management services, a substantive overview of evaluations undertaken with regard to the developmental impact of bilaterally funded programmes and projects.

National execution

The Administrator, in response to a 1988 Governing Council decision [YUN 1988, p. 345], submitted a report on government execution of projects [DP/1990/33]. The report set out the policy framework within which national execution should take place, citing the legislative mandates contained in General Assembly resolution 44/211 [YUN 1989, p. 3021 and in a 1989 Council decision on UNDP's role in the 1990s [YUN 1989, p. 311], and made a number of recommendations regarding the future of national execution in relation to UNDP- assisted activities. The directions to be pursued included the pursuit of national execution as the "ultimate modality" for all UNDP-SUP-ported activities; strong reassertion of the Administrator's full accountability for funds entrusted to him; reaffirmation of the partnership principle, bearing in mind the need to redefine the participation of other parts of the UN system; the need to shift from a project to a programme approach; and increased decentralization and delegation of authority.

Defining national execution, the Administrator stated that Governments were responsible for the conduct of all UN-financed project and programme activities, including those implemented by UN specialized agencies or other organizations and institutions on their behalf, and were accountable to the Administrator for implementation and financial management. He underlined the distinction between "execution" and "implementation"; whereas the responsibility for execution was that of the Government, implementation utilized a broad range of national, international and multilateral institutions to achieve development goals. The Administrator proposed that all UNDP technical co-operation activities financed from country IPFs initiated on or after 1992 should be nationally executed.

In conclusion, the Administrator stated that the concept of national execution was a reaffirmation of the fundamental principle that development was a national process. It was not one among many modalities but provided the very framework in which UNDP- assisted activities were to be understood.

By a 22 June decision [dec. 90/21 1, the Governing Council took note of the proposed definition of national execution. It agreed that national execution entailed overall responsibility for the management of UNDP- assisted programmes and proj-

ects, and recognized that it did not necessarily imply having capacity for implementing all aspects of the project cycle. The Council also recognized the responsibility of the recipient Governments to determine the modality and manner of execution and implementation and that the fifth cycle commencement and introduction of successor arrangements for agency support costs-1 January 1992- provided an opportunity to pursue and accelerate the process of national execution. The Council requested the Administrator to submit in 1991 proposals for assisting recipient Governments to build up their programme management and administrative capacities, taking into account the need for: more programme-oriented mechanisms for the provision of technical co-operation; further decentralization of the technical and operational capacities of the UN system to the country level; closer co-operation among UN system field staff in supporting implementation of UNDP- assisted programmes and projects; simplification, harmonization and adaptation of rules, procedures and formats governing all aspects of the programming processes and project cycles; and maximum use of national institutions and firms, if available, within the recipient countries.

The Administrator was asked to take measures to maintain his accountability and continue to apply adequate accounting, reporting and auditing procedures to nationally executed projects. He was also asked to bring to the attention of Governments the importance of continued participation of the specialized agencies in programming, monitoring, evaluation and implementation of UNDP- supported projects and programmes. The Council approved, as a transitional measure for projects approved before 1 January 1992, the continued use of add-on funds and agreed to their being advanced to Governments against the anticipated delivery of nationally executed projects. The Administrator was asked to report in 1992 on progress made in implementing the decision.

Micro-capital grants

In response to a 1989 Governing Council request [YUN 1989, p. 312], the Administrator submitted an April 1990 report [DP/1990/21] on his proposal for the establishment of a special facility for micro-capital grants to poor groups, or Micro-fund. The facility would enable UNDP to provide small capital grants and loans at the micro-level (below \$200,000) to fill an important resource gap as a complement to its efforts to mobilize underutilized human potential-the poor. The report outlined the objectives, operating criteria and administrative and other arrangements of the proposed fund.

In a 22 June decision [dec. 90/15], the Governing Council endorsed the concept of micro-capital support in association with technical assistance programmes and authorized the Administrator to implement such support, as part of mainstream technical co-operation, by using existing mechanisms for supporting local grass-roots initiatives, such as UNV and UNCDF, provided that UNDP field offices were not involved in the direct management of those activities. He was authorized to seek co-financing at the local level and the involvement of the community and non-governmental organizations (NGOs). The Council requested the Administrator to report on progress in 1992.

Evaluation

In a March report [DP/1990/34 & Corr.1] on arrangements for the evaluation of UNDP, the Administrator summarized the results of the programme analysis undertaken by the Central Evaluation Office in the areas of environment and development, institutional development, and technical assistance modalities and steps taken to assist Governments to strengthen their capacity to monitor and evaluate their own development. He also reported on action taken by him to improve the programme through improved assessment of its quality and feedback of the results into programme and project identification and management. The Administrator provided information on his efforts to rationalize the management of resources devoted to, and the use made of, evaluation work at all levels in the system and to present proposals with regard to the organization of evaluation activities. He presented the proposed work plan for the UNDP Central Evaluation Office for 1990-1991.

In a 22 June decision [dec. 90/52], the Governing Council took note of the Administrator's report on evaluation.

Procurement

In response to a 1989 Governing Council request [YUN 1989, p. 319], the Administrator submitted a March 1990 report [DP/1990/28] on actions taken by the UN system to increase procurement from developing and underutilized major donor countries; to grant preferential treatment to suppliers from developing countries; to improve dissemination of advance information on business opportunities; and to provide improved statistical information on procurement and further actions planned. Among matters reported was the holding, for the first time, of the annual meeting of the Inter-Agency Procurement Working Group in a developing country (Tunisia, 7-11

May), reflecting the eagerness of the UN system to address the geographical imbalance in procurement by actively pursuing sources in the developing countries themselves. The Administrator stated that there was no doubt that all agencies had been sensitized to the need for increased procurement from developing countries, but significant changes in overall procurement might take time to emerge. It was a continuing process that called for an active role by the recipient countries themselves, along with UN efforts.

The Inter-Agency Procurement Services Office (IAPSO) had started to publish a new bulletin, *Procurement Update*, which was distributed monthly to all permanent missions of Member States, focal points in developing countries and the Technological Information Pilot System. It covered, among other things, project approvals, contract awards and procurement notices and had generated great interest. With regard to procurement from major donor countries, the Administrator stated that Canada, Denmark, Finland, the Netherlands, Norway and Sweden had been recognized as underutilized in the procurement of goods and services for UNDP-funded projects. With its move from Geneva to Copenhagen, Denmark, in 1989, IAPSO could play an increased role in finding supply sources on behalf of agencies in underutilized major donor countries, he said. The IAPSO catalogue on potential suppliers in the Netherlands was published in December 1989 and efforts were made to update catalogues for Canada, Denmark, Finland, Norway and Sweden. Seminars to create an awareness among the business community about the potential and nature of items procured by the UN system were organized by IAPSO in Denmark, Finland and Sweden.

The Administrator reported that several agencies had questioned the usefulness of the 15 per cent price preference to goods supplied from developing countries, since there was no real incentive for the recipient country to apply the measure. It was understandable that Governments might be reluctant to reduce their IPF allocations in that manner in situations of well-recognized resource constraints. However, the Administrator felt that there was mutual advantage to all recipient countries under the price preference arrangement and it should therefore be allowed to continue.

By a 20 June decision [dec. 90/27], the Governing Council urged all UN agencies to give preference to suppliers from developing countries and to continue to increase procurement from developing and underutilized major donor countries. UN agencies were urged to ensure that advance information on business opportunities was dis-

seminated systematically. The Council requested agencies to provide regularly to IAPSO statistical information on procurement, including international experts, consultants, national experts, fellowships and volunteers for the preparation of a comprehensive annual statistical report. It urged that an in-depth analysis be made of the working of the price preferential system for developing countries and invited the Administrator to make proposals and recommendations to the Council in 1991 for making the system more effective.

In 1989, the Secretary-General had submitted to the General Assembly a Joint Inspection Unit (JIU) report [A/44/646] on practices and procedures aimed at a more equitable geographical distribution of sources of procurement for technical co-operation projects, in which it was recommended that specific procurement targets be established for developing countries and underutilized major donor countries.

In October 1990, the Secretary-General transmitted to the Assembly the comments of ACC [A/45/648] on that report. ACC as a whole did not agree with the recommendation to establish specific procurement targets for both developing and underutilized major donor countries, since it would be difficult to set targets by agency, region or country. It would instead be preferable to set targets for the system as a whole. Better information on and greater availability of quality products that could compete on the open market might in due course enable the system to adopt country targets. However, ACC agreed with the JIU recommendation on the need for a joint strategy of UNDP and the executing agencies to alter attitudes of Governments and international project personnel.

NGO collaboration and grass-roots activities

In a January report [DP/1990/25], the Administrator described efforts to promote UNDP co-operation with NGOs and grass-roots organizations. The principal activities were: the Partners in Development Programme, which enabled UNDP field offices in 62 countries to provide direct support for NGO activities; the Regional Project to Strengthen Collaboration between NGOs, Governments and UNDP in Africa; programme support to the Asian and Pacific Development Centre; support for the establishment of national computerized data bases on NGOs by more than 40 field offices; and national Government/NGO consultations in Mauritania, the Philippines and Tunisia. New activities to strengthen NGOs included the Africa 2000 Network, a regional project to promote ecologically sustainable development; and the UNV Domestic Development Service, which extended its operations to 26

countries. Efforts were also made to promote and support the informal sector, increase participatory elements in IPF projects, and make greater use of NGO services in carrying out UNDP-sponsored projects.

By a 22 June decision [dec. 90/18], the Governing Council noted the implementation of the Africa 2000 Network and the Partners in Development Programme and the mechanisms for supporting micro-level initiatives by indigenous NGOs and through popular participation in local community activities. The Administrator was requested to expand NGO and grass-roots activities within UNDP programmes to other developing regions. Recognizing the particular contribution that such organizations could make, complementary to government efforts, in building national capacity in the areas of poverty alleviation, popular participation, sustainable human development and environment, the Council requested the Administrator to draw on their experiences to implement national strategies and to report to the Council in 1991.

Short-term advisory services

In response to a 1989 Governing Council request [YUN 1989, p. 320], the Administrator submitted a March 1990 report [DP/1990/58 & Corr.1] on the evaluation of the focal point for short-term advisory services (STAS) conducted in 1988. The evaluation team had concluded that the STAS focal point had fulfilled its objectives. The programme impact on beneficiary enterprises and organizations had been positive and support for the programme by Governments and the private sector was enthusiastic. The STAS delivery system was found to be adequate to handle its level of assignments but it would need to be modified and strengthened to accommodate the anticipated increase in activity. The evaluators identified several problem areas and suggested actions to address them, in particular: activating demand; reducing response time; bringing about a sustained awareness of STAS among potential beneficiaries; and reducing the high rate of cancellation or withdrawal of requests. The evaluators recommended expanded promotional efforts, including missions by industry specialists, the use of audio-visual materials and the holding of seminars; the creation of a computerized data base to accelerate the matching of needs with available expertise; greater emphasis on screening requests at the field level and increased use of volunteer specialists; closer working relationships with the specialized agencies and improved networking with similar UN technical assistance programmes; the preparation of a detailed five-year plan and strategy for STAS; and the conver-

sion of STAS to an operational programme of UNDP. The Administrator, in supporting the final recommendation, proposed that STAS become an operational part of UNDP from 1 July 1990, and that funding be provided at the current levels. To meet the expected increase in demand, UNDP proposed to cover the additional costs from programme resources.

In his report on revised estimates for the 1990-1991 biennium [DP/1990/65], the Administrator proposed STAS funding from programme resources for the period 1 July 1990 to 31 December 1991 in the amount of \$350,000.

In its report on the revised estimates for 1990-1991 [DP/1990/87], SCABQ stated that it was premature to act on the Administrator's recommendation to make STAS an operational part of UNDP, effective 1 July 1990.

The Governing Council took note [dec. 90/52] of the Administrator's note on the focal point for STAS and approved [dec. 90/45] his proposed revised estimates for the biennium.

Financing

In his review of the financial situation in 1990 [DP/1991/47 & Add.1], the Administrator stated that UNDP income in 1990 amounted to \$1,361.6 million with total expenditures of \$1,388.5 million, resulting in a net deficit of \$26.9 million. As a result of the deficit of main programme income over expenditure, there was a decrease in UNDP general resources from \$523.2 million at 31 December 1989 to \$472.2 million at 31 December 1990 (or \$448.2 million if accumulated non-convertible currencies were excluded). Total income was \$117.1 million more than projected, resulting primarily from increases in income for cost-sharing activities and miscellaneous income. The impact of exchange rates on the value of contributions was significant. The weakness of the value of the dollar resulted in the value of 1990 pledges increasing by 10.2 per cent, from \$980.8 million at 31 December 1989 to \$1,049.3 million at 31 December 1990.

Expenditures in 1990 (\$1,338.5 million) were \$6.6 million more than forecast and \$182.3 million more than in 1989. IPF expenditures exceeded projections by 4 per cent and at \$849.1 million, including IPF add-on expenditure, were 16.5 per cent higher than in 1989. Expenditures under SMF/LDCs amounted to \$17.3 million, 44 per cent more than in 1989. Cost-sharing expenditures increased substantially, by \$22.5 million over 1989 to \$130.4 million.

By a 22 June decision [dec. 90/44], the Governing Council took note of the Administrator's annual review of the financial situation in 1989

[YUN 1989, p. 321]. It requested the Administrator to continue to review the expenditure targets, taking into account actual contributions received, and to establish expenditure projections to ensure a smooth transition to the fifth programming cycle (1992-1996). The Council recognized that the timing of the implementation of a common system might require funding before it had had an opportunity to review the budgetary implications. Accordingly, it requested the Administrator to report to its 1991 special session on the status of the systems review project and the feasibility of developing a common system with the United Nations.

The Council authorized the Administrator to overcommit the Reserve for Field Accommodation by \$10 million, including existing commitments, while ensuring that funds disbursed did not exceed \$25 million at any time; to increase the funds available for the rehabilitation of existing houses to \$2.2 million; and to utilize, as a last resort, the Reserve for Field Accommodation to purchase office accommodation when such accommodation would be shared with other UN organizations in the field.

Budgets

Revised 1990-1991 budget

Revised budget estimates for UNDP core activities for the biennium 1990-1991 [DP/1990/65 & Corr. 2] amounted to \$434.7 million gross and \$404.7 million net, an increase of \$8.2 million (1.9 per cent) over the original appropriation approved in 1989. That increase incorporated \$6.2 million (1.4 per cent) from adjustments and \$5.3 million (1.2 per cent) from inflation, partly offset by a reduction of \$3.3 million (0.7 per cent) from currency release.

For UNDP as a whole, revised budget estimates for core and non-core activities totalled \$542.5 million gross and \$491.6 million net. With regard to non-core activities, the 6.5 per cent increase in estimates in gross terms (\$6.6 million) over original appropriations was attributable to a \$3.2 million (3.1 per cent) increase from volume, \$1.9 million (1.9 per cent) from cost adjustments, \$0.8 million (0.8 per cent) from inflation, and \$0.7 million (0.7 per cent) from currency adjustments.

ACABQ submitted a May report [DP/1990/87] containing its comments on the revised estimates.

By a 22 June decision [dec. 1990/45], the Governing Council approved revised appropriations of \$543.2 million gross to finance the 1990-1991 budget and resolved that income estimates of \$50.9 million be used to offset the gross appro-

priations, resulting in net appropriations of \$492.3 million.

In preparing the 1992-1993 budget estimates, the Administrator was requested to: take account of concerns regarding the high General Service to Professional ratio at headquarters, including UNV; address the question of savings through merging with UNDP the units of its trust funds and/or OPS, including technical, personnel, finance and evaluation services, and report to the Council in 1992; and address policies regarding the apportionment of administrative costs to the technical support budgets of the non-core units and the related budgetary estimates.

The Council approved the Administrator's proposals for revised appropriations of \$1.15 million in 1990 and \$1.25 million in 1991 to increase the staffing level of the National Execution Units of the Audit Division and of the Accounts Section. It also approved \$350,000 for short-term advisory resources under project support activities.

Audit reports

The Governing Council had before it the financial report and the audited financial statements of UNDP for the year ended 31 December 1988 [A/44/5/Add.1]; a note by the UNDP Administrator [DP/1990/76] containing his comments on the report; the audited accounts and audit reports of the executing agencies on their 1988 accounts relating to funds allocated to them by UNDP [DP/1990/69/Add.1]; a summary of the observations of the external auditors on those accounts [DP/1990/69]; and the views of ACABQ [A/44/543].

By a 22 June decision [dec. 90/481, the Governing Council noted with concern that the audit opinion on UNDP's 1988 accounts was qualified on several counts but recognized that it might remain qualified so long as audit confirmation of programme expenditure incurred by executing agencies had not been received by the Board of Auditors at the time the opinion on UNDP accounts was issued. The Administrator was requested to urge organizations executing projects or programmes to submit audit confirmation of programme expenditure on a timely basis. Concerned at the lack of adequate audit coverage of funds disbursed by Governments acting as executing agencies for UNDP, the Council urged the Administrator to continue efforts to rectify the situation.

The Council requested the Administrator to continue to review with executing agencies the procedures for recording unliquidated obligations and asked the Board of Auditors to provide information to enable the Council's Budgetary and Finance Committee to evaluate the materiality or significance of the underlying issues and to

submit, through ACABQ, in their biennial report to the General Assembly and the Council, the findings and recommendations on the first year of each biennium. The Board of Auditors was invited to issue a special report for the first year of each biennium through ACABQ, if in its opinion there were matters that needed to be brought to the attention of the Council and the Assembly.

Financial regulations

In response to a 1989 Governing Council request [YUN 1989, p. 326], the Administrator submitted proposed amendments [DP/1990/63] to UNDP Financial Regulations by which the audited financial statements would be submitted to the General Assembly and the Council biennially instead of annually. Also before the Council was a report of the Administrator [DP/1990/70] dealing with a proposed financial regulation defining readily usable currencies and with other matters on which consensus was not achieved at the Council's 1988 session [YUN 1988, p. 353].

ACABQ, in its comments [DP/1990/87] on the biennialization of the submission of audited financial statements, stated that while it had no objection to the proposal, it saw no reason, in intervening years, to report on substantive matters.

By a 22 June decision [dec. 90/49], the Governing Council approved amendments to the Financial Regulations as proposed by the Administrator by which he would submit audited financial statements biennially, beginning with the 1990-1991 biennium. Consideration of the other changes in the financial regulations would be considered by the Budgetary and Financial Committee at the Council's 1992 session.

In another decision of the same date [dec. 90/48], the Council requested the Administrator to determine whether UNDP's Financial Regulations needed to be amended and to report on the subject in 1991.

The General Assembly, in resolution 45/235 of 21 December, requested UNDP to intensify efforts to correct or improve the conditions that gave rise to the qualification of audit opinions of the Board of Auditors and to issue and implement comprehensive and specific guidelines to delineate programme expenditure, programme support and administrative expenditures. It approved the changes in the financial procedures of UNDP as recommended by the Governing Council.

UNDP - administered funds

Having considered reports of the Administrator on trust funds established by him in 1989 and a summary of information on funds established

since 1981 [YUN 1989, p. 324], the Governing Council adopted a 22 June decision [dec. 90/471, in which it urged the Administrator and the donor Governments concerned to ensure that funds were received in advance of trust fund activities in accordance with the provisions of the UNDP Financial Regulations and Rules.

Agency support costs

The Governing Council, at its February special session, had before it the report of the Expert Group on the study of successor arrangements for agency support costs and related issues [DP/1990/9 & Corr. 1]. The Expert Group was created in 1989 [YUN 1989, p. 325], in response to General Assembly resolution 42/196 [YUN 1987, p. 401], inviting the Governing Council, given that existing arrangements for project support costs expired in 1991, to begin consideration of successor arrangements. The Expert Group examined the changing patterns of development and their implications for the future; technical co-operation needs and the role and capacity of the UN system in meeting them; arrangements for programming technical co-operation and alternative execution modalities; the future tripartite relationship, including the roles of Governments, UNDP and the agencies; accountability in the tripartite system; and options for future support-cost arrangements.

The report stated that the existing support-cost arrangement, dating back to the beginning of technical co-operation activities of the UN system, generally envisaged support cost at 13 per cent of total project value and was a contribution from UNDP to the agencies as only a partial reimbursement, essentially covering administrative support costs for their role in the delivery of technical co-operation inputs. Under the flexibility provision, some agencies were provided with additional reimbursement up to a maximum of 22 per cent. Later, some costs for technical backstopping of projects were allowed to be charged to projects and some compensation was provided to agencies for purchasing power loss incurred as a result of the depreciation of the United States dollar. The major elements of support costs were defined system-wide as: programme planning and identification of projects; project preparation and appraisal; project implementation, including administration and technical backstopping; and evaluation.

The Group, while acknowledging some of the advantages of the existing arrangement, including the ease of administration, the predictability of income for agencies and limited administrative work-load for UNDP, did not recommend continuation of the formula since it did not provide

for reimbursement to agencies for involvement in phases of the project cycle other than project execution, and was not conducive to promoting national execution. In addition, agencies complained that they were not being compensated adequately and, although the system provided for the add-on mechanisms, it did not prove useful in strengthening government capability, nor was it sufficient to make an impact on IPF allocations. A major deficiency of the formula was its automaticity. Since it was a fixed ratio of project cost, the level of agency income depended on the level of delivery and prevented competition with organizations outside the UN system.

The Expert Group recommended three options for support-cost arrangements: sharing of support-cost in appropriate proportions by funding sources (UNDP or trust funds), agency regular budgets and project budgets; payment for support services at a standard cost, separated from programme implementation; and complete control of country programme by Governments.

In a report containing his suggestions for further action [DP/1990/11], the Administrator reiterated his proposal that the Council establish an intergovernmental working group to conduct a comprehensive review of the recommendations of the Expert Group, including their political and practical acceptability.

By a 12 February decision [dec. 90/51, the Governing Council requested its President to convene open-ended consultations to further analyse the Expert Group's report and to make recommendations to the Council at its June session. The Council's Bureau would enlist the services of 10 advisers from member countries to assist in the work of the consultations, which, the Council stressed, should be focused on the recommendations of the Expert Group, particularly the options recommended by it. The executive heads of all executing agencies were invited to submit written comments for the informal consultations.

In response to that decision, the President of the Governing Council, on 2 and 15 to 16 May, held open-ended consultations with UNDP members in New York on the recommendations contained in the report of the Expert Group.

Having considered the report of its President on those consultations [DP/1990/71 & Add.1], the Governing Council, by a 22 June decision [dec. 90/261, stated that the successor arrangement for UNDP should: continue to reflect the principles of tripartite partnership irrespective of execution modality; promote coherence and coordination in operational activities; facilitate the further assumption by Governments of the management of UN-financed programmes and re-

move impediments to and provide incentives for national execution; reinforce the accountability of the Administrator and of agencies providing support services; strengthen technical support capacities, while keeping to a minimum resources deployed for administrative and operational support; ensure cost-efficiency, enhanced quality, cost-transparency and effectiveness through greater openness and competitiveness in accessing and providing services; and continue the principle of cost-sharing between UNDP and agencies.

In the new arrangements, three main elements of programme and project support would be distinguished: technical support at the programme level, relating to non-project services; technical support at the project level; and administrative and operational support for projects.

The Governing Council decided that support cost arrangements for UNFPA should be tailored to its specific programme requirements and requested the Executive Director to make proposals in that regard for consideration by the Council in 1991. The new support-cost arrangement should be available to the Food and Agriculture Organization of the United Nations, the International Labour Organization, the United Nations Educational, Scientific and Cultural Organization, the United Nations Industrial Development Organization and the United Nations Department of Technical Co-operation for Development (DTCO). For the smaller technical agencies and those where UNDP-financed co-operation work was slight, it was recommended that the current 13 per cent formula would continue to apply. The Council decided not to make a general recommendation concerning the application of UNDP support cost reimbursement arrangements to other technical co-operation activities, such as agency trust funds. However, the Administrator was asked to submit proposals to the Council in 1991 on the application of the successor arrangements to services provided by OPS to core UNDP programmes. He was also asked to ascertain with each agency its capacity and readiness to provide the requisite services and to report to the Council on needs for the support of capacity that might emerge and make recommendations before the expiry of the existing arrangements.

The Council established, as of 1 January 1992, a facility to be known as Technical Services Support, to be managed by the Administrator, for support to technical services at the programme level, which would be used for supplementary financing of identified programme-level services from selected agencies of the UN system; 2 per cent of programmable resources would be set aside for such purposes in the fifth cycle. The Ad-

ministrator was requested to submit proposals for the use of those resources in the fifth cycle for two-year periods based on three-year forecasts, taking into account needs emerging from country programmes; regional and subregional requirements; the capacity and relevance of agencies in meeting those needs; and the desire of the Council to strengthen programme support at the country level. He was also requested to make proposals in 1991 on the most appropriate way of financing technical support at the project level. As a working hypothesis, the Governing Council decided to appropriate 2 per cent of programmable resources to finance services deemed to be best financed centrally. The Governing Council decided that, starting 1 January 1992, the financing for administrative and operational support of projects should be drawn from a sub-line within country IPFs to be created by transferring resources previously housed in the support cost line. Those resources might be used to finance support services from external agents, and resources saved by not having to compensate external agents would be available for use within the country programme. The Council affirmed the responsibility of the Administrator to approve execution and implementation arrangements for all UNDP-assisted projects and requested him to report in 1991 on measures to that effect and on the possible role of the arrangements for technical support at the project level. As a working hypothesis, the Council decided to appropriate 10 per cent of country IPFs for that purpose.

The Administrator was asked to present proposals in 1991 for the charging of administrative and operational support costs on regional, inter-regional and global projects and SPR. He was requested to update estimates of the actual costs involved and propose standard differential rates, including possible lump-sum payments for clusters of services related to administrative and operational support. In that regard, he should commission an independent survey of the cost of particular services of a cross-section of executing agencies to help establish their relative cost. The Council considered that the rate of compensation for administrative and operational support paid to agencies to which the new elements of the successor arrangements applied should not, on average, exceed 10 per cent of their project value. The Administrator was asked to make proposals in 1991 on the operation of a system of flexibility, taking account of inflation since 1982, the undesirable effect of sudden steps in computing rates and the budgetary capacities of the agencies involved. He was also asked to make proposals, without net cost over time, to provide for mecha-

nisms to afford a reasonable degree of protection from exchange rate movements, and for charging support costs on projects financed by UNDP trust funds or other funds. The Council recognized that the support cost arrangement should not be applied to NGOs and organizations outside the UN system. Also recognizing the need for transitional arrangements, the Council requested the Administrator to make proposals in that regard and to prepare a report on the feasibility benefits and costs of introducing a generally acceptable and uniform cost measurement system. It was decided that, as far as possible, the new arrangements should have a 10-year validity, but a review would take place at the time of the sixth cycle. The Administrator was asked to submit in 1991 a proposal for independent monitoring and evaluation of the new arrangements and to apprise Council members of progress made in implementing the successor arrangements.

ACC consideration. The question of successor support cost arrangements was discussed by ACC at both of its regular sessions in 1990. At its first regular session (Vienna, 2-4 May), ACC adopted a statement [ACC/1990/DEC/1-14 (dec. 1990/4)] indicating that the specialized agencies had serious reservations about the proposals being considered and stating that more time and analysis were needed before decisions were taken.

At its second regular session (New York, 22-23 October), ACC adopted a decision [ACC/1990/DEC/15-22 (dec. 1990/17)] in which it recognized that implementation of the UNDP Governing Council decision on successor arrangements would require full consultation within the UN system, taking into account the tripartite arrangement and the need to ensure maximum utilization of the technical capacities of all parts of the system, particularly at the country level. ACC noted that differences continued to exist between UNDP and concerned organizations with respect to the interpretation of some provisions of the decision and that consultations were taking place and would continue. It further noted that such consultations would include issues relating to technical services support, the transitional measures required and other issues and expressed the hope that results satisfactory to all concerned would emerge.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 26 July, the Economic and Social Council adopted resolution 1990/81.

Agency support costs

The Economic and Social Council,

Recalling the provisions related to successor arrangements for agency support costs contained in General

Assembly resolutions 42/196 of 11 December 1987, 43/199 of 20 December 1988 and 44/211 of 22 December 1989,

Taking note of the report of the Governing Council of the United Nations Development Programme on its organizational meeting for 1990, its special session and its thirty-seventh session,

Welcoming the constructive statements on agency support costs made by representatives of organizations of the United Nations system before the Third (Programme and Co-ordination) Committee at its 9th to 11th meetings, on 17 and 18 July 1990,

Endorses decision 90/26 concerning successor arrangements for agency support costs, adopted by the Governing Council of the United Nations Development Programme on 22 June 1990.

Economic and Social Council resolution 1990/81
27 July 1990 Meeting 37 Adopted without vote
Approved by Third Committee (E/1990/115), 24 July (meeting 17); draft
by Chairman (E/1990/C.3/L.19); agenda item 9.

Ex post facto report

Pursuant to a 1988 Governing Council request [YUN 1988, p. 352], the Administrator submitted in May his fourth ex post facto report on agency support costs [DP/1990/72], which presented information received from agencies for the 1988-1989 biennium and provided an analysis of the trend in agency support cost earnings and expenditure and agency technical co-operation project expenditure since 1982.

By a 22 June decision [dec. 90/50], the Governing Council asked the Administrator to discontinue submission of the ex post facto report on agency support costs. Taking into account the decision on successor support cost arrangements, he was to present in 1991 a draft of a report providing accurate information on actual support costs incurred, by source of funds.

Sectoral support

In response to a 1987 Governing Council request [YUN 1987, p. 421], the Administrator submitted a January 1990 report on sectoral support [DP/1990/73]. The Administrator reported that, although the Council had requested a review of the whole sectoral programme, he proposed that the detailed review be postponed until the 1991 session of the Council, citing, among other things, the changes in the management of the Senior Industrial Development Field Advisers (SIDFA) programme, which took effect in January 1990; the conduct of a feasibility study of a long-term financing scheme for the SIDFA programme in 1990; and the opportunity for the review to include the benefit of more than three years of experience with the new procedures for the management of the sectoral support programme to the smaller agencies.

With regard to financial resources for sectoral support, the Administrator stated that \$25 million was available to cover the programme until the end of 1991. A tentative allocation of \$30 million was proposed for the sectoral support programme in the fifth cycle (1992-1996).

By a 22 June decision [dec. 90/24], the Governing Council postponed the review of the sectoral support programme to its 1991 session and requested the Administrator to address, in his 1991 report to the Council, the possible complementarity of the sectoral support facility with the new support costs arrangements, including an eventual merger with the provisions for technical support services in the new support costs arrangements.

Mid-term review of resources

In a report to the Governing Council's special session in February [DP/1990/7 & *Corr.1*], the Administrator, in response to 1988 [YUN 1988, p. 349] and 1989 [YUN 1989, p. 324] requests, submitted a review of resources for the fourth programming cycle (1987-1991) and, in response to another 1989 request [YUN 1989, p. 324], submitted fourth cycle earmarkings for SPR. In 1988, the Governing Council had authorized increased resource allocations for the fourth cycle of \$676 million. In view of the uncertainties regarding the resource forecast on which those allocations were based, the Council had requested that the additional amounts be made available in staggered tranches of 50 per cent in 1988, 25 per cent in 1989 and 25 per cent in 1990. The release of the last 25 per cent was conditioned on the resource outlook for the balance of the cycle. The Administrator, based on a November 1989 forecast, proposed the deferment of any decision on the release of the final 25 per cent until after the 1991 pledging conference in November 1990, at which time fourth cycle IPFs would have been established. In addition, the Administrator, in order to avoid a significant reduction of the level of programming in 1992 and 1993, established IPF expenditure targets for the remainder of the fourth cycle at \$815 million for 1990 and \$825 million for 1991 to facilitate a smooth transition to the fifth programming cycle and avoid disruption in forward programming. The Administrator also requested approval of arrangements allowing the borrowing of IPF entitlements from the fifth cycle to allow certain countries to target for fourth cycle expenditure beyond their existing IPF entitlements.

With regard to the status of commitments against SPR, the Administrator made proposals for the most urgent additional funding needs and possible additional allocations and/or special programming arrangements to meet those

needs. He also informed the Council of SPR allocations made with regard to disaster relief to Democratic Yemen in 1989.

By a 23 February decision [dec. 90/3], the Governing Council authorized the release of the remaining 25 per cent of additional IPFs and SPR allocated in 1988 and requested the Administrator to inform it, at its thirty-seventh (1990) session, of the planned programme expenditure for 1990 through 1992. It authorized the Administrator to make arrangements allowing the borrowing of IPF entitlements from the fifth programming cycle (1992-1996) and requested him to provide information on the impact of that decision on the fifth cycle resource situation, particularly regarding the carry-over of IPF entitlements and the resource basis.

The Council increased the allocation for disaster relief activities of SPR in the fourth cycle by \$3 million and authorized the Administrator, without prejudice to the level of SPR for the fifth cycle, to overprogramme by 15 per cent the SPR earmarking for disaster relief and programme development. It took note of the Administrator's decision to allocate \$1,016,500 from SPR for a project aimed at restoring some 25 flood-damaged schools in Democratic Yemen and reaffirmed its request to him to consider providing additional assistance to that country from SPR beyond the authorized amount.

The Council requested the Administrator to propose at the thirty-seventh session a coherent policy to guide SPR and arrangements for planning and programming SPR activities, relating them to country programmes and intercountry activities of UNDP.

In response to that request, the Administrator, in his report on preparations for the fifth programming cycle [DP/1990/43 & Add.I], stated that the SPR component had become an increasingly valuable part of UNDP's total resources, amounting to \$189.5 million for the fourth cycle; he had proposed \$300 million in resources for SPR in the fifth cycle. SPR would have a major role in the search for appropriate technical co-operation responses to the increasing number of problems that called for joint, co-ordinated action in support of world development and in providing guidance on how to address the growing urgency of some of those issues, including the disparities in human development, capital investments and trade opportunities. Through SPR, UNDP should reinforce the roles that management, the private sector, NGOs and women could and should play in development. SPR funds would be used, among other things, to focus on four main technical co-operation concerns: developing methodologies and procedures for systematically assess-

ing technical co-operation needs; identifying new and better modalities for solving developmental problems of priority concern; facilitating the co-ordination of aid from different sources; and monitoring and evaluating the effectiveness and efficiency of assistance modalities and programming techniques.

SPR's second function was to meet unpredictable contingencies, including short-term and longer-term disaster relief and rehabilitation. Although needs were unpredictable, experience of many years provided a reasonable basis for estimating future requirements. In addition to disaster relief, many countries were turning increasingly to UNDP for assistance in implementing precautionary and disaster-management measures, including disaster-management training. Other areas, such as the Programme of Assistance to the Palestinian people, had also long been recognized as eligible for SPR assistance.

It was expected that many of the activities funded from SPR would eventually be incorporated in country and regional level programmes and activities.

The Administrator also submitted, in response to a 1989 Council request [YUN 1989, p. 324], an overview of the activities of the Project Development Facility (PDF) [DP/1990/35], which was funded from SPR. The first part of PDF operations, from the Facility's establishment in 1985 until modification of its operations in 1988, was known as PDF1. The modified Facility, from 1988 onwards, was known as PDF2. By December 1989, a total of 211 missions had been approved under PDF2, compared with 159 under PDF1. Of the PDF2 missions, 106 had been completed, 4 had been cancelled and the remaining 101 were either ongoing or awaiting clearances of documents or final payment. A total of 81 users took advantage of the Facility (76 countries, 4 regional programmes and the Central American Programme). The average duration of a mission was 19.2 days and 272 consultants were utilized.

The Administrator concluded that PDF had developed into an efficient mechanism for generating and improving pipeline projects. The bulk of its activities (81 per cent of the missions) had focused on the formulation or reformulation of projects. The decentralization of the administration to the bureau level had proved most effective and the allocation of funds at the regional level allowed enough flexibility to respond to specific country needs.

With regard to resources, the existing PDF allocation was expected to be exhausted by June 1990. Since the level of fifth cycle programming was likely to be above \$4.5 billion, the level of pipeline projects needed to sustain such a pro-

gramme would be substantial. The \$15 million requested for PDF2 for the fifth cycle should assist in the formulation of \$700-800 million worth of pipeline projects. Together with the preparatory assistance mechanism, that would assure a timely and effective build-up of the project pipeline for the fifth cycle.

Administrative questions

Senior management structure

In response to a 1989 Governing Council request [YUN 1989, p. 323], the Administrator included in his revised budget estimates for the 1990-1991 biennium [DP/1990/65 & Corr. 21 a comprehensive review of UNDP's senior management structure. The Administrator proposed a revised structure, in which the Bureau for Special Activities would be redesignated the Bureau for Resources and Special Activities and be headed by an Assistant Administrator. It would continue to cover special funds and activities under the Administrator, but would also include UNCDF, UNSO, UNV, UNFSTD, and UNRPNRE. The Assistant Administrator would also be responsible for providing focused support to the Administrator in the areas of resource mobilization and information. In addition, the Administrator proposed unification of the management of UNRPNRE and UNFSTD, which would enable savings in administrative costs. Other proposals included maintaining the OPS under its existing arrangement, headed by an Assistant Administrator; returning the Division for Global and Intraregional Programmes to the status of a separate division reporting directly to the Administrator; and shifting the responsibility for IAPSO.

The Administrator stated that in making the proposals he had focused on, a management structure that was most responsive to functional requirements. He acknowledged that he was not proposing any reductions in the number of Assistant Secretary-General and D-2 posts at headquarters in the core programme. He had also reviewed the functions of each of the D-2 posts and believed that a clear rationale existed for the level of the posts in relation to the functions performed.

ACABQ [DP/1990/87] said it was not clear to what extent the Governing Council's 1989 guidelines had been followed and regretted that the Administrator's review did not indicate whether they had been taken into account. Although ACABQ saw merit in combining the administrative structures of funds that had failed to achieve sufficient financial support, it recommended that the staffing of the consolidated units be kept under re-

view to ensure that the magnitude of the post reduction did not adversely affect the funds' ability to secure pledges of contributions and implement mandated activities. It urged the Administrator to pursue the possibility of integrating the management of smaller funds and said that it might be possible to consolidate some of the smaller core units having related functions.

The Advisory Committee questioned the Administrator's statement that it was not in the overall interests of the organization to propose reductions in the senior management of the UNDP core management at that time. It doubted that the Governing Council was in a position to act on the senior management question on the basis of the documentation provided and suggested that the Administrator should be requested to refine and further substantiate proposals in that regard and submit them for the Council's further consideration.

In a 22 June decision [dec. 90/45], the Governing Council expressed concern that the Administrators' proposed management structure did not constitute the comprehensive review requested in 1989. It welcomed the Administrator's intention to engage an independent external consulting firm to make substantive recommendations on UNDP's future senior management structure and to submit them with his comments to the thirty-eighth (1991) session of the Council. The Council set out the terms of reference for the external consulting firm and recommended that the Administrator hold informal consultations on the recommendations submitted. The Administrator was urged to reconsider the merits of transferring the responsibilities of the Division of Personnel to the Bureau of Finance and Administration and to inform the Council of his decision in the context of the 1992-1993 budget. It took note of the Administrator's decision to unfreeze the post of Assistant Secretary-General for the Bureau for Finance and Administration and decided to review the Assistant Secretary-General grade in 1991 in the light of the consultants' recommendations. The Council approved the unified management of UNRPNRE and UNFSTD.

Post classifications and other issues

The Administrator, in response to a 1989 Governing Council request [YUN 1989, p. 323], resubmitted, in his report on the revised budget estimates for 1990-1991 [DP/1990/65 & Corr.1,2], his proposals for reclassifying eight P-5 posts to the D-1 level and two General Service posts to the P-2 and P-3 levels and for the downgrading of two posts, one from P-4 to P-3 and the other from P-3 to P-2.

The Administrator also submitted budget estimates for UNIFEM for 1990-1991 in the amount of \$4.1 million and the results of a classification exercise for OPS.

In its 22 June decision on revised 1990-1991 budget estimates [dec. 90/45], the Governing Council approved the proposed reclassifications on the understanding that there would be no financial implications for the 1990-1991 budget for programme support and administrative services. The Administrator was asked to give consideration to the same principle for future reclassification proposals. The Council also approved the Administrator's proposals with respect to the 1990-1991 biennial budget of UNIFEM and the continuation of the Assistant Secretary-General grade for the Director of OPS and the classification of the post of Deputy Director of OPS at the D-2 level, both on a temporary basis on the understanding that they be reviewed in the context of the 1992-1993 budget. It also approved the other proposed reclassifications and the revised budget estimates for OPS and took note of the carry forward of \$2.5 million of the 1988-1989 support cost earnings of OPS for use in 1990-1991. The Administrator was requested to note that posts established in OPS at the D-1 level and above were subject to final approval by the Council.

Other technical co-operation

UN programmes

The United Nations continued to provide technical co-operation assistance for economic and social development, mainly through the Department of Technical Co-operation and Development (DTCD). In his annual report to the UNDP Governing Council on UN technical co-operation activities [DP/1991/41 & Add.1-3], the Secretary-General described the work of DTCD and of other parts of the Organization that were engaged in technical co-operation: regional commissions, the Centre for Human Rights, the United Nations Office at Vienna, the Office of Legal Affairs, the Centre for Human Settlements (Habitat), the United Nations Centre on Transnational Corporations, the United Nations Conference on Trade and Development (UNCTAD) and UNEP.

In 1990, the United Nations delivered a technical co-operation programme of \$277 million, compared with \$250 million in 1989, an increase of 11 per cent in project expenditures. Of the total, DTCD executed a programme of \$108.7 million. Projects financed by UNDP represented

\$119.3 million; those financed by UNFPA accounted for \$24.6 million; \$25.8 million was financed by trust funds; and \$11 million was expended under the United Nations Regular Programme of Technical Co-operation.

DTCD activities

In his annual report on UN technical co-operation activities [DP/1991/41] the Secretary-General said that the 1990 total delivery by DTCD had amounted to \$181 million in project expenditures against budgets of \$226 million. Expenditures increased by \$19 million over 1989 and accounted for 68 per cent of total expenditure, compared with 64 per cent in 1989. Earnings totalled \$22 million.

By sector, the distribution of project expenditures was as follows: natural resources and energy, \$70.7 million; development planning, \$32 million; statistics, \$28.7 million; public administration and finance, \$26.1 million; population, \$10.4 million; social development, \$5.1 million; the United Nations Education and Training Programme for Southern Africa, \$3.9 million; and others, \$3.8 million.

On a geographical basis, the DTCD-executed programme included expenditures of \$76.1 million for Africa; \$55.3 million for Asia and the Pacific; \$33.7 million for the Middle East, Mediterranean, Europe and interregional projects; and \$15.6 million for the Americas. The largest growth was in Asia, where the programme increased by \$9.1 million. Project delivery in Africa remained the largest, with 42 per cent of total delivery.

By component, DTCD delivery in 1990 included \$93.8 million for project personnel; \$40.2 million for equipment; \$26.8 million for training; \$10.3 million for subcontracted services; and \$9.6 million for miscellaneous expenses. The component that showed the largest growth was personnel, which rose by \$12.1 million.

During 1990, DTCD helped developing countries to cope with the challenges posed by difficult economic conditions, particularly in the areas of debt management, public sector investment programming, economic and financial management and the monitoring and management of structural adjustment programmes. Its main focus in development planning continued to be national capacity building. New methodological and operational approaches to planning and management were developed to help Governments programme the full range of financial and technical co-operation available. One such approach was the DTCD/Japan Initiative for Financing the Human, Institutional, Technical and Management Capacities of Developing

Countries in Development Planning (with a Special Focus on Africa),

Expenditures for fellowships and training amounted to \$27.9 million in 1990. A total of 4,453 training awards were implemented during the year, including fellowships, study tours, seminars and workshops, as compared with 4,045 in 1989. Fellows and participants from 148 countries were trained in 112 host countries. A large number of placements were made in the United States, the United Kingdom and the United Republic of Tanzania. Over half of the placements (2,301) were arranged in developing countries. DTCD continued to encourage the participation of women; in 1990, 772 awards were granted to women, compared with 835 in 1989.

By a 20 June decision [dec. 90/37], the UNDP Governing Council, taking note of the Secretary-General's report on the 1989 technical co-operation activities of the United Nations [DP/1990/56 & Add.1-3], urged DTCD and UNCTAD to continue to support LDCs in preparing background papers for the Second United Nations Conference on LDCs (see PART THREE, Chapter I) and to remain involved in the follow-up to the Conference at the global and country levels. It encouraged DTCD to increase its involvement in programmatic exercises organized by UNDP, such as round-table conferences and national technical co-operation and assessment programmes, and urged UNDP to ensure that full advantage was taken of the institutional capacity of DTCD. The Council further recommended that UNDP should take full advantage of the technical services of DTCD in areas of growing international concern, such as conservation and the environment, thereby facilitating the involvement of the Department in pilot activities and interorganizational mechanisms such as the pilot global environment facility. DTCD was urged to intensify its support to national/government execution, in particular the use of its development advisory services to assist in sectoral programme/project identification, formulation; monitoring and evaluation. The Council encouraged DTCD to expand training at national, regional and interregional levels in the process aspects of technical co-operation in order to enhance government capacity for project execution and implementation, and to pursue its proposals to establish or strengthen central management and implementation units within government offices. It was emphasized that the Department should maintain its ability to respond effectively to the needs of developing countries. The Council asked the Administrator to report in 1991 on efforts to establish a more effective division of labour and a more effective complementary relationship between UNDP and DTCD,

and to devise ways to eliminate duplicative administrative support activities and strengthen technical support activities.

United Nations Volunteers

By a 22 June decision [dec. 90/38], the Governing Council, having considered the Administrator's report on UNV for 1988-1989 [YUN 1989, p. 332], considered that the role of the volunteers as development agents should be explicitly recognized in the international development strategy for the Fourth United Nations Development Decade (see PART THREE, Chapter I). It requested the Administrator to make widely available the programme advisory note on the appropriate role of volunteers in development among organizations, agencies and institutions concerned with development co-operation and requested UNV to continue the annual consultative process with its full range of partners; the Administrator was asked to include a report on those meetings in his biennial report to the Governing Council on UNV. UNV was encouraged to undertake joint planning and programming of volunteer specialists assignments with UN agencies and bilateral volunteer-sending organizations. The Council decided that UNV should continue to support youth programmes, complementing the roles of UN specialized agencies in that area. The importance of the support provided by UNV specialists to the relief and rehabilitation activities undertaken by the Office of the United Nations High Commissioner for Refugees and other UN organizations for refugees, displaced persons and returnees was noted. In the light of the importance attached to UNV, the Council invited Governments to contribute generously to the Special Voluntary Fund and requested the Administrator to mobilize resources to place UNV Domestic Development Services activities on a more secure basis.

In a 22 June decision on the revised budget estimates for 1990-1991 [dec. 90/45], the Governing Council noted that the Administrator's revised estimates for UNV for the biennium [DP/1990/65 & Corr.2] amounted to \$5.9 million. It approved a total field budget for UNV of \$3.1 million, including an additional 20 UNV Programme Officers with an equal number of support staff and associated costs.

Technical co-operation among developing countries

In his annual report for 1990 [DP/1991/10/Add.1], the Administrator stated that the UNDP programme for TCDC supported numerous training seminars, regional and interregional meetings

and programming exercises during the year. UNDP also continued to develop the TCDC Information Referral System (INRES-South). Two training seminars (Baghdad, Iraq; Islamabad, Pakistan) promoted the advantages of applying TCDC concepts to development projects and to utilizing the INRES-South network.

TCDC programming exercises were supported in Ghana, India and Indonesia. The Indonesia exercise resulted in agreements for 216 bilateral TCDC projects while the India exercise, which focused solely on co-operatives, yielded 59 agreements. UNDP also supported four TCDC workshops on single sectors: two in India, one in Cuba and one in Yugoslavia.

In his report on UN technical co-operation activities [DP/1991/41], the Secretary-General stated that, in 1990, DTCD continued to include elements for TCDC in projects, to disseminate information on available capabilities and to stimulate institutional networking arrangements.

Promotion of TCDC was a strong element in seminars and workshops organized by DTCD and financed from the United Nations Regular Programme for Technical Co-operation. Among the projects with a TCDC approach was the on-the-job training of junior statisticians in other developing countries, which had trained over 130 participants from some 50 countries, with the assistance of over 30 developing country institutions.

The Department also strengthened its co-operation with regional centres of excellence, including the Latin American Energy Organization. A TCDC Multisectoral Programming Exercise and Bilateral Discussions Meeting (Jakarta, Indonesia, 30 July-3 August) was organized and hosted by Indonesia, in collaboration with the UNDP Special Unit for TCDC. DTCD assisted Governments in identifying capacity and needs and formulating requests in preparation for the meeting, and as a follow-up would assist with financial support.

As follow-up to the sixth meeting of the High-level Committee on the Review of TCDC held in 1989 [DP/1991/41 & Add.1-3], the meeting of the Group of Government Experts on the rules, regulations and procedures of the organization of the UN development system concerning TCDC was held in New York from 9 to 20 April 1990. The Administrator, in a May note [DP/1990/77], submitted the report of the meeting, which identified the impediments to TCDC faced by Governments and organizations of the UN system. These were mainly in the areas of awareness and information, attitudes, focal points, financing, and policies and procedures in the UN system.

The Group of Experts made a number of recommendations for action by Governments and

the UN system. Among the recommendations to Governments were that they should utilize TCDC in their national planning activities, particularly when programming their IPFs and other forms of support; undertake bilateral or multilateral TCDC planning exercises with one another to identify potential for TCDC projects; and increase technical missions for joint programming among potential partner countries to expand the scope of TCDC. A positive attitude to TCDC should be encouraged and Governments, in preparing their country programmes, should give due regard to TCDC modalities in programming implementation. A mechanism should be devised for the coverage of costs incurred by institutions from developing countries in implementing TCDC projects. Those developing countries that had not already done so should establish national focal points for TCDC and strengthen existing ones.

In addition, the Experts recommended that focal points should have a co-ordinating role of all sectors involved in TCDC. With regard to financing, the international community had a role in providing financial support to TCDC and, in the fifth programming cycle (1992-1996), there should be a substantial increase of the share of TCDC in UNDP expenditures for regional, interregional and global projects. Governments should enter into triangular arrangements involving two developing countries and a third financing partner with a view to increasing the flow and effectiveness of international co-operation available to developing countries. TCDC should constitute an important item on the agenda of the regular meetings of the governing bodies of organizations of the UN system and the definition and scope of TCDC should be reviewed and elucidated, taking into account the need to make a clear distinction between TCDC and the traditional mode of technical co-operation.

Organizations of the UN system were requested by the Group of Experts, among other things, to facilitate the fielding by developing countries of technical missions to other developing countries as a means of expanding the scope of TCDC and developing country experts should be included in preparatory missions to facilitate TCDC approaches for project implementation. UNDP should assist Governments of developing countries to establish or strengthen national focal points for TCDC and provide human and financial resources to those countries whose economic circumstances and institutional weaknesses made it difficult to give priority to TCDC. Organizations of the UN system should co-operate with Governments to increase substantially UNDP expenditures for TCDC modalities in regional, interregional and global projects of the fifth programming cycle and should simplify financial

procedures governing TCDC projects. In the areas of policies and procedures, UNDP should bring TCDC into the mainstream of its programme by placing responsibility for applying the TCDC modality in country programming on resident coordinators.

Similar responsibility should be assigned to the field representatives of the specialized agencies for projects supported from non-UNDP sources. The Group of Experts also outlined the roles to be played by organizations of the UN system in formulating and implementing projects, in compliance with decisions of their respective governing bodies in support of TCDC.

In a 20 June decision [dec. 90/43], the Governing Council invited organizations of the UN development system to submit their views on the findings and recommendations of the report of the Group of Experts to the High-level Committee on the Review of TCDC for consideration at its seventh session, which, it was recommended, should be held immediately before the thirty-eighth (1991) session of the Governing Council. The Council decided to review the report in 1991 in the light of the views of the organizations and of the High-level Committee.

UN Capital Development Fund

In his annual report for 1990 [DP/1991/10/Add.1], the Administrator said that UNCDF, which pro-

vided small-scale capital assistance to LDCs to stimulate income-generating activities and to help people meet basic needs, received contributions totalling \$39.7 million in 1990, an 8 per cent increase over 1989. The Fund's annual commitments exceeded \$70 million.

The Second United Nations Conference on LDCs (Paris, 3-14 September 1990) (see PART THREE, Chapter I) stated that UNCDF overall funding should be increased by 20 per cent during the 1990s. In his report on UNCDF for 1989-1990 [DP/1991/43], the Administrator proposed that the recommended 20 per cent rate of growth be adopted as a model for planning purposes.

Project approvals in 1990 totalled \$78.1 million, with the average size of projects increasing to \$2.5 million. Project expenditures were estimated at \$44 million from all sources, compared to \$49.1 million in 1989. The lower level of expenditure was due to natural disasters and political instability, which slowed field operations.

With its programme focused on poverty reduction, over 65 per cent of new commitments in 1990 were devoted to food production for low-income groups, as compared to 58 per cent in 1989. The 1990 sectoral breakdown of new project approvals was: productive activities (agriculture and industry), 58 per cent; economic infrastructure (transport and energy), 14.3 per cent; and basic needs (water supply and housing), 27.7 per cent.

Chapter III

Economic assistance, disasters and emergency relief

The United Nations continued in 1990 to provide special assistance to countries facing severe economic hardship, as well as those seriously affected by natural and man-made disasters. In December, the General Assembly requested the Secretary-General to determine means of facilitating the delivery of appropriate humanitarian assistance to victims of natural disasters and similar emergency situations. It expressed its appreciation to the Secretary-General for his continuing support for efforts to promote a new international humanitarian order and called on Governments, the United Nations system and intergovernmental and non-governmental organizations to further develop international co-operation in the humanitarian field.

The critical economic situation in Africa remained a major concern during 1990. The Assembly established an ad hoc committee of the whole to prepare the final review and appraisal of the implementation of the United Nations Programme of Action for African Economic Recovery and Development 1986-1990. It invited the international community to strengthen its support of Africa's efforts to diversify its commodity sector and to bring about sustained and sustainable growth and development, taking into account the African Charter for Popular Participation in Development and Transformation. The Assembly appealed for international assistance for Angola, Benin, the Central African Republic, Chad, Djibouti, Madagascar and of the front-line States and other neighbouring States that had suffered as a result of the apartheid policies of South Africa. Assistance for Ecuador, Lebanon, Vanuatu and Yemen was also requested.

The General Assembly in 1990 decided to extend the Special Plan of Economic Co-operation for Central America for an additional three years beginning in 1991.

The United Nations system, and the Office of the United Nations Disaster Relief Co-ordinator in particular, continued to provide assistance to countries stricken by natural disasters. The Assembly launched the International Decade for Natural Disaster Reduction. The Council called for relief operations and rehabilitation and re-

construction assistance after a cyclone swept through Samoa, American Samoa, Niue, Tokelau, Tonga, Tuvalu, and Wallis and Futuna in the South Pacific. The Assembly called for similar assistance to Iran following an earthquake that struck that country in June.

The Assembly asked the Secretary-General to consult with Haiti for the launching of a special programme of emergency assistance to that country. As a consequence of the conflict in Liberia, the Assembly appealed to the international community to provide Liberia with all necessary assistance for its economic and social rehabilitation.

The Assembly considered for the first time the consequences of the 1986 accident at the Chernobyl nuclear power plant in the Ukrainian SSR and invited the Secretary-General to address and mitigate the consequences of the accident and to formulate a programme for co-ordinating the activities of the organs, organizations and programmes of the United Nations.

Economic assistance

In 1990, the United Nations continued its programmes of economic assistance to countries with severe economic problems, some of which were in support of national reconstruction and rehabilitation in the aftermath of natural or man-made disasters. A wide range of adverse economic conditions, often exacerbated by devastating climatic conditions, had adversely affected development efforts in those countries.

Africa Recovery Programme

With the collaboration of several UN organizations, preparations were under way during the year for the final review of the implementation of the United Nations Programme of Action for African Economic Recovery and Development 1986-1990 (UNPAAERD).

The Niger, on behalf of the Group of African States and as its Chairman, requested the

Secretary-General on 29 August [A/45/232] to have an item entitled "Critical economic situation in Africa" placed on the agenda of the General Assembly's forty-fifth (1990) session, with the following sub-items: United Nations Programme of Action for African Economic Recovery and Development 1986-1990 (UNPAAERD); report of the Secretary-General's Expert Group on African Commodity Problems; and African Charter for Popular Participation in Development and Transformation.

The Niger explained that inclusion of the item would enable the Assembly to better prepare the practical modalities of the final review and assessment of UNPAAERD in 1991, which the Council of Ministers of the Organization of African Unity (OAU) had recommended should be carried out in the framework of an ad hoc plenary committee. Inclusion of the sub-item on the African Charter for Popular Participation-Africa's contribution for a better understanding of concerns relating to the constraints of the critical economic situation of the African continent would permit the necessary exchange of views on those constraints.

On the basis of the Secretary-General's addition of the item to the draft agenda of the Assembly's 1990 session [A/BUR/45/1/Add.I] the General Committee recommended it for inclusion as item 152, sub-items (a), (b) and (c), in the final agenda, which the Assembly adopted on 11 September by decision 45/402.

On 24 September [A/45/554], Botswana and the Netherlands transmitted to the Secretary-General the text of the concluding statement of the Maastricht Conference on Africa (Maastricht, Netherlands, 2-4 July), which pointed to the highlights of the Conference and follow-up actions, and an issues paper that had guided its deliberations. The Conference provided an opportunity for African and industrialized countries, as well as multilateral organizations, to address Africa's economic problems and to consider action to accelerate economic and social progress.

UNDP consideration. In response to a 1989 decision of the UNDP Governing Council [YUN 1989, p. 336], the UNDP Administrator submitted a 10 April 1990 report [DP/1990/30] on UNDP's role in the implementation of UNPAAERD. The report, which covered 1989, indicated UNDP resources at the disposal of sub-Saharan Africa for the fourth (1987-1991) programming cycle, including additional resources arrived at and overall allocation by priority. It described UNDP contributions to the enhancement of policy reform, planning and management of structural adjustment, and of the quality, co-ordination and modalities of technical co-operation. It detailed

UNDP's relationships with ECA, OAU, the African Development Bank (AfDB), the Bretton Woods institutions and African intergovernmental organizations in their implementation of UNPAAERD. In addition, the report noted that UNDP participated in all scheduled UNPAAERD meetings in 1989, including those of the UN Steering Committee and of its Inter-Agency Task Force on the final review of UNPAAERD, and that it had extended its financial support to the UNPAAERD secretariat to the end of 1990.

On 22 June [E/1990/29 (dec. 1990/29)] the UNDP Governing Council requested comparative analyses of the resources situation before and after UNPAAERD and of its statistical profile for the same period, as well as an analysis of the priority gaps in technical co-operation in Africa since UNPAAERD's inception. It invited the Administrator to organize a further series of subregional cluster meetings within the existing economic groupings, as well as regional meetings with the African Planning and Finance Ministers in 1991 to assist in the preparation of the final review and appraisal of UNPAAERD's implementation. It requested the Administrator to: contribute to those preparations, including UNDP's role in possible successor arrangements to UNPAAERD; assist African countries to identify specific needs, including training and programmes to build national capacities to enable them effectively to execute UN-funded programmes and projects in the fifth (1992-1996) programming cycle; and intensify efforts towards a greater use of African national expertise, technical co-operation facilities and subcontractors, and towards the purchase of equipment locally, subregionally and regionally.

The Governing Council further asked UNDP to intensify co-operation with African Governments and relevant organizations to improve regional economic co-operation and integration, and, in consultation with regional institutions and organizations and the United Nations Environment Programme, to assist African Governments to design national environmental plans in preparation for the 1992 United Nations Conference on Environment and Development. The Administrator was asked to ensure close co-ordination between the two regional bureaux concerned with the implementation of UNPAAERD and to report in 1991.

UNCTAD action. In a July report [TD/B/1265], the UNCTAD secretariat outlined its intergovernmental input in the 1991 final assessment of UNPAAERD by the General Assembly. The secretariat would submit two reports on the subject to the UNCTAD Trade and Development Board (TDB). One would be a progress report on UNCTAD's contribution to UNPAAERD in policy research and analysis, focusing on those areas of UNCTAD's

mandate of relevance to the implementation of UNPAAERD and covering technical assistance undertaken to underpin measures directed at helping African countries fulfil their commitments under UNPAAERD. A second report would assist the Board in preparing UNCTAD's input to the final review and appraisal and would take into account the issues of financial flows and external debt, commodities, trade, transport, technology, economic co-operation among developing countries, and the least developed, land-locked and island developing countries.

On 12 October [A/45/15], TDB took note of the UNCTAD secretariat report and of the comments made thereon.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 27 July, the Economic and Social Council adopted resolution 1990/75.

Final review and appraisal of the United Nations Programme of Action for African Economic Recovery and Development 1986-1990

The Economic and Social Council,

Recalling General Assembly resolution 43/27 of 18 November 1988, in which the Assembly decided that the final review and appraisal of the United Nations Programme of Action & African Economic Recovery and Development 1986-1990 should be conducted at its forty-sixth session,

Noting with appreciation the reports of the Economic Commission for Africa on the progress in the implementation of the Programme of Action and on the preparations for the final review and evaluation of the Programme of Action,

Also noting with appreciation the work of the United Nations Steering Committee and the United Nations Inter-Agency Task Force on the monitoring of the implementation of the Programme of Action,

Convinced that the final review and evaluation of the implementation of the Programme of Action by the General Assembly should be an occasion for an in-depth appraisal of the actions taken by all sides in the implementation of the Programme, as well as of the measures that are needed to sustain accelerated growth and development in Africa beyond 1991,

Convinced also of the need for States members of the Economic Commission for Africa to conduct a thorough assessment of the implementation of the Programme and that such an assessment should be as up-to-date as possible,

Concerned about the continuing deterioration in the economic and social conditions in Africa and the possibility of the continuation of such trends in the 1990s,

1. Recommends that mechanisms for the final review and appraisal of the implementation of the United Nations Programme of Action for African Economic Recovery and Development 1986-1990 be similar to those of the mid-term review of the Programme of Action and that for that purpose an ad hoc committee of the whole of the General Assembly be established to appraise the Programme of Action and propose measures for sustained development in Africa beyond 1991;

2. Decides that a special memorandum addressed to the proposed ad hoc committee of the whole of the General Assembly on the review and appraisal of the United Nations Programme of Action for African Economic Recovery and Development 1986-1990 should be prepared by the Conference of Ministers of the Economic Commission for Africa at its seventeenth meeting, in May 1991, and that the draft of the special memorandum should be considered at an intergovernmental expert group meeting to be convened immediately before the meeting of the Technical Preparatory Committee of the Whole and the Conference of Ministers;

3. Invites the Executive Secretary of the Commission to send special multisectoral missions to all States members of the Commission early in the fourth quarter of 1990 to collect up-to-date information on the implementation of the Programme of Action, on the basis of which the special memorandum would be prepared;

4. Requests the Secretary-General to make available to the secretariat of the Commission the financial resources required for such special missions on the review and appraisal of the implementation of the Programme of Action;

5. Urges member States and their development and planning machineries to participate actively in the preparation of the special memorandum.

Economic and Social Council resolution 1990/75

27 July 1990 Meeting 37 Adopted without vote

Approved by First Committee (E/1990/114) without vote, 23 July (meeting 10); draft by ECA Conference of Ministers submitted by Secretary-General (E/1990/84); agenda item 6.

Financial implications. S-G, E/1990/84/Add.4.

GENERAL ASSEMBLY ACTION

The General Assembly, in resolution 45/13 of 7 November on co-operation between the United Nations and OAU, called on the UN Secretary-General to strengthen co-operation with the OAU Secretary-General in the preparation of the final review of UNPAAERD in 1991 and to continue to invite OAU to participate in the meetings of the UN Steering Committee and its Inter-Agency Task Force and working groups on the final review of the implementation of UNPAAERD.

On 19 December, the Assembly adopted resolution 45/178 A.

Final review and appraisal of the implementation of the United Nations Programme of Action for African Economic Recovery and Development 1986-1990

The General Assembly,

Recalling its resolutions S-13/2 of 1 June 1986, the annex to which contains the United Nations Programme of Action for African Economic Recovery and Development 1986-1990, 42/163 of 8 December 1987, in which, inter alia, it decided to establish an Ad Hoc Committee of the Whole for the mid-term review and appraisal of the Programme of Action, and 43/27 of 18 November 1988 on the mid-term review and appraisal of the implementation of the Programme of Action,

Recalling also Economic and Social Council resolution 1990/75 of 27 July 1990 on the final review and appraisal of the Programme of Action,

Taking note of resolution CM/Res. 1287(LII) on the final review and appraisal of the Programme of Action, adopted by the Council of Ministers of the Organization of African Unity at its fifty-second ordinary session, held at Addis Ababa from 3 to 8 July 1990,

Recalling further its resolution 45/13 of 7 November 1990 on co-operation between the United Nations and the Organization of African Unity, in which the Assembly, *inter alia*, decided that the final review and appraisal of the Programme of Action should be prepared by an ad hoc committee of the whole of the General Assembly,

Convinced that the final review and appraisal of the implementation of the Programme of Action by the General Assembly should be an occasion for an in-depth assessment of the actions taken in the implementation of the Programme, as well as the measures that are needed to sustain accelerated growth and development in Africa beyond 1991,

1. Decides to establish an ad hoc committee of the whole of the forty-fifth session of the General Assembly for the purpose of preparing, for the forty-sixth session, the final review and appraisal of the implementation of the United Nations Programme of Action for African Economic Recovery and Development 1986-1990;

2. Decides also that the Ad Hoc Committee of the Whole should meet for ten working days in September 1991 before the forty-sixth session of the General Assembly and that its Bureau should be constituted at the highest possible level and be composed of a Chairman, three Vice-Chairmen and a Rapporteur;

3. Decides further that the Ad Hoc Committee of the Whole, in carrying out its mandate, should submit its findings to the General Assembly and propose concrete measures and recommendations for sustained and sustainable growth and development in Africa beyond 1991;

4. Urges Member States, organs and bodies of the United Nations system to be represented at the highest possible level and participate actively in the work of the Ad Hoc Committee of the Whole;

5. Requests the Secretary-General to continue ensuring close co-operation and co-ordination with the Secretary-General of the Organization of African Unity concerning the contributions of various relevant organs, bodies and organizations of the United Nations system, including the Economic Commission for Africa, the United Nations Development Programme, the Food and Agriculture Organization of the United Nations, the United Nations Industrial Development Organization, the United Nations Conference on Trade and Development and the United Nations Children's Fund, in the context of the report of the Secretary-General, for the preparation of the final review and appraisal of the implementation of the Programme of Action;

6. Decides to call an organizational session not exceeding two working days of the Ad Hoc Committee of the Whole in April 1991 to adopt the arrangements for its work;

7. Calls upon the relevant United Nations agencies and organizations, including the United Nations Development Programme, to continue to provide adequate resources and the assistance required for the full

implementation of projects and programmes undertaken in the framework of the Programme of Action;

8. Requests the Secretary-General to submit to the Ad Hoc Committee of the Whole his report on the implementation of the Programme of Action;

9. Also requests the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

General Assembly resolution 45/178 A

19 December 1990 Meeting 70 Adopted without vote

Z-nation draft (A/45/L.20/Rev.1); agenda item 152 (a).

Sponsors: Tunisia. Uganda.

Financial implications. 5th Committee, A/45/816; S-G, A/C.5/45/56.

Meeting numbers. GA 45th session: 5th committee 39; plenary 45, 46, 70.

African commodity problems

The Secretary-General, responding to Assembly resolution 43/27 [YUN 1988, p. 365] on the mid-term review and appraisal of the implementation of UNPAAERD, transmitted in October the report of the Expert Group on African Commodity Problems [A/45/581]. The Group had been established in March 1989 by the Secretary-General at the request of OAU, as endorsed by the Assembly in resolution 43/27. Composed of 15 experts acting in their personal capacities (a sixteenth member withdrew after one meeting), the Group was to assess the nature and causes of Africa's commodity problems-their commodity export dependence, competitiveness and related domestic and international policies-bearing in mind commodities of export interest to African countries; and to recommend national, regional and international measures that could contribute to overcoming the problems identified.

The Group held four meetings, in Geneva, Addis Ababa (Ethiopia), London and Oslo (Norway), for substantive discussions and to draft its report. It held a fifth meeting in Geneva to adopt the report, organized in two chapters: chapter I gave a general background and presented the problems; chapter II made proposals for action by national Governments, at a regional level and by the international community. Annexes to the report included statistical tables and a bibliography of expert studies commissioned by the Group, along with other studies on which it had drawn.

The report noted that Africa's dependence on export commodities was greater than that of any other region. The commodity sector was critical to the total income of national economies, as it provided close to half the national income for a few oil- and non-oil-producing countries and 90 to 100 per cent of export income for most African countries. Central to the economic crisis facing Africa was that sector's failure, as reflected in low productivity and uncompetitive production.

Among the reasons for that failure were ill-advised government policies, unenlightened administration and organization, the serious lack of agricultural scientists and extension officers, poor knowledge of international markets, the lack of investment in transport and other infrastructure essential to effective production, and an economic policy framework that offered overseas investors few incentives.

The report argued that, while many proposals for resolving that crisis had been advanced and acted upon, a clear focus on commodity strategy had often been absent. It thus proposed such a strategy, built around a change in attitude, organizational reform and resource mobilization. The report set forth recommendations aimed at a comprehensive, mutually reinforcing policy package, with emphasis on the following strategic objectives: increased reliance on African food crops and attainment of food security at the household, national and regional levels; diversification to enlarge the export base and capture more value added; increased export earnings from primary and processed commodities; development of intra-African co-operation and trade; more effective co-operation between commodity producers and consumers; and a halt to desertification and a reversal of environmental degradation.

To achieve those objectives, national policies had to address a number of critical commodity issues. They included improvement of transport and storage facilities; more effective agricultural research and extension services; better rural education and greater emphasis on agricultural education in colleges and universities; improvement of packaging and quality control, better knowledge of overseas markets and vigorous promotion; adequate banking and credit facilities; reliance on market-based pricing policies; development of environmentally sound farming practices; movement away from monoculture; greater private-sector involvement; encouragement of direct foreign investment and joint ventures; efficient exploitation of forestry, fisheries and mineral resources; establishment of reasonable rules for the operation of foreign corporations; diversification at all levels; and producer co-operation.

In support of the commodity strategy, policy changes by the international community would be required to allow for more significant additional financial resources, more open markets for African exports of primary and manufactured products, a closer correspondence of technical and other assistance to African needs, and increased support for producer/consumer co-operation. A follow-up mechanism must be created, involving the following key agencies: the

World Bank, AfDB, the International Monetary Fund (IMF), the United Nations Conference on Trade and Development (UNCTAD), the Economic Commission for Africa (ECA), the Food and Agriculture Organization of the United Nations (FAO) and the United Nations Industrial Development Organization (UNIDO). The United Nations Development Programme (UNDP) would be responsible for co-ordination and monitoring.

On 3 October, Sierra Leone, on behalf of the African Group, submitted a document [A/45/591] setting out Africa's common position on the Expert Group's report. The document noted that the report failed adequately to cover the guidelines in the Group's terms of reference, particularly in its assessment of the nature and causes of the African commodity problems; recent trends in export commodity prices and earnings and their impact on recovery and development; interlinkages among export earnings, debt and resource flows; and trends in long-term supply and demand and prospects for commodities of export interest. An important aspect of the nature and causes of the African commodity problems overlooked by the Group related to the functioning of the commodity exchanges and its negative impact on commodity prices. Also noted was the report's failure to assess the impact of synthetics and other substitutes on commodities of export interest to Africa, as well as the consequences of technological revolution on the pattern of world industrial production and commodity markets, especially the negative trends in world demand and prices for commodities. The Group's report seemed to place the African commodity problem within the framework of ongoing structural adjustment programmes supported by IMF and the World Bank and to advocate increased production and export of traditional commodities at the expense of a strong package of diversification measures.

The document outlined specific proposals for action in the areas of diversification, export earnings, price instability and deteriorating terms of trade, access to markets, trade co-operation and economic integration-which the Group's report had not covered. In place of the Group's recommended follow-up mechanism-deemed inadequate in terms of the institutions to be involved and its emphasis on international-level action-the document proposed a detailed mechanism to operate at the national, regional and international levels, the last level to be carried out by a high-level inter-agency task force to be established by the Secretary-General and to include OAU, ECA and AfDB. It further proposed that the issue of African commodities be inscribed on the

agenda of every General Assembly regular session.

In a note of 15 November [A/45/581/Add.1] on the Group's report, the Secretary-General stated that the Assembly would further consider the question of African commodity problems in 1991 in the context of the final review and appraisal of UNPAAERD. He would take into account the views of Governments, intergovernmental bodies and international agencies on the topic in preparing his final report to the Assembly.

GENERAL ASSEMBLY ACTION

On 19 December, the General Assembly adopted resolution 45/178 B.

Report on Africa's commodity problems:
towards a solution

The General Assembly,

Recalling resolution AHG/Res.177(XXIV) adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its twenty-fourth ordinary session, held at Addis Ababa from 25 to 28 May 1988, which requested the Secretary-General of the United Nations to establish a high-level expert group to examine the problems of African commodities in the context of the implementation of the United Nations Programme of Action for African Economic Recovery and Development 1986-1990,

Recalling also its resolutions S-13/2 of 1 June 1986, the annex to which contains the United Nations Programme of Action for African Economic Recovery and Development 1986-1990, 43/27 of 18 November 1988 on the mid-term review and appraisal of the implementation of the Programme of Action, and 43/12 of 25 October 1988 and 44/17 of 1 November 1989 on co-operation between the United Nations and the Organization of African Unity,

Aware of the predominantly important role that commodities play in the African economies and the importance of horizontal and vertical diversification, market promotion activities and exports,

Taking note with appreciation of the establishment of the United Nations Secretary-General's Expert Group on African Commodity Problems,

1. Takes note with interest of the report of the Secretary-General's Expert Group on African Commodity Problems and of Africa's common position on that report;

2. Takes note also of the note by the Secretary-General on the critical economic situation in Africa;

3. Requests the Secretary-General, in consultation with the Organization of African Unity and other interested Governments, multilateral financial institutions and regional development funds, to include in his report to the General Assembly at its forty-sixth session, through the Ad Hoc Committee of the Whole for the final review and appraisal of the United Nations Programme of Action for African Economic Recovery and Development 1986-1990, proposals on how to support Africa's efforts at diversification, including the means of mobilizing sufficient resources on favourable terms from the international community and measures

to enhance domestic and foreign investment and enterprise;

4. Also requests the Secretary-General to include in his report a study on how diversification in Africa can be implemented at national, subregional and regional levels with the support of the international community, taking into account the report of the Expert Group and Africa's common position on that report, and invites the international community, including regional development banks, to take the issue of diversification into account as an important element in Africa's economic development;

5. Invites the international community, including the African Development Bank, to strengthen its support of Africa's efforts to diversify its commodity sector, bearing in mind the relevant operational mechanisms;

6. Further requests the Secretary-General to accord Africa's commodity programmes appropriate priority in the United Nations medium-term plan for the period 1992-1997;

7. Decides to include in the provisional agenda of its forty-sixth session a sub-item entitled "Africa's commodity problems" under the item entitled 'Critical economic situation in Africa';

8. Requests the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

General Assembly resolution 45/178 B

19 December 1990 Meeting 70 Adopted without vote

2-nation draft (A/45/L.21/Rev.1); agenda item 152 (b).

sponsors: Tunisia, Uganda.

Financial implications. 5th Committee, A/45/816; S-G, A/C.5/45/56.

Meeting numbers. GA 45th session: 5th Committee 39; plenary 45, 46, 70.

African Charter for popular participation in development

At the request of the twenty-fifth session of ECA and the sixteenth meeting of the ECA Conference of Ministers responsible for Economic Planning and Development (Tripoli, Libyan Arab Jamahiriya, 19 May), the United Republic of Tanzania, on 6 July, submitted to the Secretary-General the African Charter for Popular Participation in Development and Transformation [A/45/427]. That document had been elaborated and adopted at the International Conference on Popular Participation in the Recovery and Development Process in Africa (Arusha, United Republic of Tanzania, 12-16 February).

GENERAL ASSEMBLY ACTION

On 19 December, the General Assembly adopted resolution 45/178 C.

African Charter for Popular Participation
in Development and Transformation

The General Assembly,

Recalling its resolutions S-13/2 of 1 June 1986 on the critical economic situation in Africa, the annex to which contains the United Nations Programme of Action for African Economic Recovery and Development

1986-1990, 43/12 of 25 October 1988, 43/27 of 18 November 1988 on the mid-term review and appraisal of the Programme of Action and 44/24 of 17 November 1989 on the African Alternative Framework to Structural Adjustment Programmes for Socio-Economic Recovery and Transformation, which, inter alia, called for popular participation in the activities for growth and development,

Noting with interest the concepts contained in the African Charter for Popular Participation in Development and Transformation, the importance of which has been recognized in international conferences,

1. Takes note with appreciation of the African Charter for Popular Participation in Development and Transformation;

2. Commends the collective commitment of African peoples and Governments to promote economic recovery and development in Africa through, inter alia, popular participation for development and transformation;

3. Calls upon the international community to increase support to Africa's efforts in bringing about sustained and sustainable growth and development, taking into account, inter alia, the objectives of the African Charter for Popular Participation in Development and Transformation.

General Assembly resolution 45/178 C

19 December 1990 Meeting 70 Adopted without vote

2-nation draft (A/45/L.22/Rev.1); agenda item 152 (c).

Sponsors: Tunisia, Uganda.

Meeting numbers. GA 45th session: plenary 45, 46, 70.

Angola

In response to General Assembly resolution 44/168 [YUN 1989, p. 338], calling for consultation with the Angolan Government in order to determine the level of assistance required for Angola's economic rehabilitation, the Secretary-General reported on 9 October [A/45/551] that the Under-Secretary-General for Special Political Questions, Regional Co-operation, Decolonization and Trusteeship had held consultations with the Angolan President in Windhoek, Namibia, on 21 March, and later in New York with the Permanent Representative of Angola to the United Nations; and that he had also visited Angola from 11 to 15 August.

The Secretary-General stated that UNDP had agreed to the Government's request of 4 April that it assist with the preparation of a donors' round table to be held in 1991, in place of a previously proposed donors' conference to seek support for a three-year transitional plan for Angola. As agreed by Angola's Vice-Minister of Planning, AfDB, Portugal and UNDP on 25 June, UNDP would assume the lead role in the preparation of the round table and would finance a project, to be executed by the Secretariat's Department of Technical Co-operation for Development, that would include preparation of

a macro-economic planning framework, a public investment plan and a private-sector strategy; a complementary project would be formulated to cover the preparations and logistical requirements; and UNDP would transmit the project documents to the Government for circulation to AfDB, the World Bank and Portugal, from which additional inputs might be sought.

The Secretary-General noted that UNDP, following its mid-term review in February of its second (1987-1991) country programme for Angola, added \$5,227,000 to the originally approved indicative planning figure of \$22,825,000 for that programme, raising the total to \$28,052,000. The World Bank indicated the possibility of loans and credits for a number of projects in priority areas identified in the UNDP/World Bank Economic Review, as well as other agreed or planned financing of rehabilitation projects in the social sector.

As to the Assembly's appeal to the international community, the Secretary-General stated that assistance commitments made since December 1989 for disbursement in 1990 amounted to approximately \$175 million, plus \$4 million from the UN system including the World Bank, making a total of some \$179 million. He drew attention to the fact that the total commitment of around \$419 million planned for disbursement in 1990 and 1991 contained a high proportion of ongoing assistance and commitments rescheduled from previous years.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/233.

International assistance for the economic rehabilitation of Angola

The General Assembly,

Recalling its resolution 44/168 of 15 December 1989 regarding international assistance for the economic rehabilitation of Angola,

Mindful of Security Council resolutions 387(1976) of 31 March 1976, 475(1980) of 27 June 1980, 628(1989) of 16 January 1989 and other resolutions of the Council, in which the Council, inter alia, requested the international community to render assistance to Angola,

Aware of the difficult economic situation of Angola, which is a result of the aggression and destabilization that prevailed in the country, as well as the current drought,

1. Takes note of the report of the Secretary-General;
2. Expresses its appreciation to the international community for the support and assistance it has already rendered to Angola;
3. Appeals to the international community to render the financial, material and technical assistance necessary for the economic rehabilitation of Angola;
4. Requests the Secretary-General to mobilize the United Nations system and the international commu-

nity, with a view to obtaining increased support for the economic rehabilitation of Angola;

5. Also requests the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution;

6. Welcomes the decision of the Government of Angola to organize, in 1991, a round-table conference of donors for the rehabilitation and reconstruction of Angola, in co-operation with the United Nations Development Programme, the African Development Bank, the Government of Portugal and other interested countries;

7. Decides to include in the provisional agenda of its forty-sixth session the item entitled "International assistance for the economic rehabilitation of Angola".

General Assembly resolution 45/233

21 December 1990 Meeting 71 Adopted without vote

Approved by Second Committee (A/45/857) without vote, 20 November (meeting 46); 61-nation draft (A/C.2/45/L.14/Rev.1); agenda item 67.

Meeting numbers. GA 45th session: 2nd Committee 12, 16, 26, 46; plenary 71.

Benin, Central African Republic, Madagascar

On 2 August, the Secretary-General submitted a report [A/45/358] on special programmes of economic assistance to five African countries-Benin, the Central African Republic, Chad, Djibouti and Madagascar-as well as to Ecuador, Vanuatu and Yemen. Prepared in response to General Assembly resolutions 43/211 [YUN 1988, p. 378] and 44/176 [YUN 1989, p. 339], the economic data and other information regarding the difficulties confronting Ecuador and Vanuatu (see below, under "Disaster relief" and "Countries and areas in other regions", respectively).

The report noted that Benin continued to experience grave economic and financial difficulties. While the level of agricultural production maintained the country's self-sufficiency in foodstuffs, except for wheat and rice, and cotton as its main export crop, its economy was in the grip of a financial crisis that had pushed short-term management problems to the forefront against a background of concerns with medium- and long-term social and economic development. In keeping with the transitional Government's commitment to continue implementing the structural adjustment programme for 1989-1992, adopted in 1989 [YUN 1989, p. 339], the budget for public service salaries was set at 37.5 billion CFA francs (CFAF), a reduction of CFAF 1.6 billion from 1989. Under a programme to reduce the role of the public sector, a minimum of 3,000 persons would voluntarily retire during 1990, at a cost of CFAF 7.9 billion, however, which required donor financial support.

External assistance requirements remained dominated by short-term assistance to meet sal-

ary payments and to eliminate arrears in external debt payments. Total funding needed for the financial stabilization programme was CFAF 73.9 billion. Donor commitment in respect of the 1990 budget amounted to CFAF 40.1 billion as of May, leaving a funding gap of CFAF 33.8 billion. A donors' meeting (Paris, June) was thus organized by the World Bank under its Special Programme for Africa. With UNDP support, the Government was preparing to hold a round-table conference before the year's end at which four documents were to be presented: a macro-economic policy framework, a public investment programme for 1990-1992, priority action programmes in the social sectors, and a technical co-operation policy framework.

With respect to the Central African Republic, the report stated that, as that country had exerted significant efforts to carry out economic, budgetary and institutional reforms, arrangements were under way to put in place the third stage of its structural adjustment programme. Under its project called Social Dimensions of Adjustment, UNDP, which remained focused on the social costs of structural adjustment, especially for the most vulnerable groups, dispatched an identification mission to the country several times between November 1989 and March 1990.

As a result of consultations on transport and road maintenance held in March in accordance with the recommendations of the 1987 round-table conference for the country [YUN 1987, p. 442], financing had been assured for the Government's transport sector project, as well as for a number of complementary projects; a mechanism for an annual follow-up to the transport consultations had also been set up. Preparations were under way for consultations on education, on training and employment and on small and medium-size enterprises to take place in the course of 1990. The conclusions of those consultations would be taken into account in the social and economic development plan for 1990-1995, currently being formulated by the Government with UNDP support.

Within the framework of its fourth (1987-1991) country programme for the Central African Republic and in co-ordination with the World Bank, AfDB, the United Nations Population Fund and France, UNDP was also providing support to national planning capacity and socio-economic management. At the sectoral level, UNDP was further co-operating with the World Bank in rural development; with the United States for the promotion of small and medium enterprises; and with other UN organs and non-governmental organizations (NGOs) in such areas as health, education and protection of the environment.

As to Madagascar, the report stated that the Government was paying increased attention to the social and environmental dimensions of its structural adjustment programme. In line with its plans for a more equitable pattern of economic growth, it scheduled consultations with donors towards the end of 1990 in order to mobilize additional assistance for the social sectors, resource allocations for which had not kept pace with those of other sectors during the structural adjustment process. Consultations held with donors on the environment (Paris, February) had resulted in a 15-year environmental plan for the country. The next consultative group meeting of donors to Madagascar, held under World Bank auspices every two years for the purpose of coordinating assistance, was scheduled for the third quarter of 1990. Under consideration by Madagascar and UNDP was a master plan for a National Technical Co-operation Assessment and Programmes review of all technical co-operation received by the country, particularly the effectiveness of that assistance and the programming of priority needs.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/230.

Assistance to Benin, the Central African Republic, Ecuador, Madagascar and Vanuatu

The General Assembly,

Recalling its resolution 43/211 of 20 December 1988 on assistance to Benin, the Central African Republic, Democratic Yemen, Djibouti, Ecuador, Madagascar and Vanuatu and its previous resolutions on assistance to those countries,

Having considered the relevant report of the Secretary-General,

Deeply concerned at the seriousness of the economic and financial crisis prevailing in these countries, which is heightened by the catastrophic effects of natural disasters,

Noting that, despite the structural adjustment programmes carried out by most of these countries, their economic and financial performance for the past two years has continued to be poor, and stressing the need for vigorous support of these programmes and for action to alleviate the impact of the adjustment policies being implemented, especially in the social sphere,

Noting that Benin is still facing a financial crisis, which reached its peak in 1989 as a result of the erosion of the tax base, the collapse of the banking system, the fall in productivity of the revenue services, the persistence of the consequences of the disastrous floods of 1988 and the economic crisis in the region,

Noting the grave difficulties that the Government of the Central African Republic has continued to face since 1982 in achieving the objectives of its development programme owing to the harmful effects of the international economic situation, and recognizing the

need to provide it with more supplementary resources so as to enable it to achieve those objectives,

Bearing in mind the economic and financial consequences of the earthquakes of March 1987 in Ecuador and their negative impact on that country's balance of payments, and taking into account the fact that all the efforts made by the Government of Ecuador to improve that adverse situation have not produced the desired results, since the effects of the international economic crisis seriously impede the entire economic and social development process,

Noting that Madagascar's economic and social development efforts are being thwarted by the adverse effects of the cyclones and floods that afflict that country periodically, and that the implementation of reconstruction and rehabilitation programmes requires the mobilization of substantial resources that are beyond the country's real means,

Noting that Vanuatu, an island developing country, continues to experience severe constraints in its economic and social development as a consequence, inter alia, of the deterioration in the terms of trade for its export commodities and of a high population growth rate coupled with an absence of skilled manpower,

Noting the particularly difficult problems faced by island developing countries in responding to negative and special economic circumstances, as referred to in the report of the Secretary-General called for in General Assembly resolution 43/189 of 20 December 1988,

Taking note of the Paris Declaration and the Programme of Action for the Least Developed Countries for the 1990s adopted by the Second United Nations Conference on the Least Developed Countries on 14 September 1990, and mindful of the mutual commitments entered into on that occasion, as well as the importance to be attached to the follow-up to the Conference,

Having heard the statements of Member States at its forty-fifth session on the situations currently prevailing in those countries,

1. Expresses its appreciation to the Secretary-General, Member States, specialized agencies and other organizations of the United Nations system and regional, interregional and intergovernmental organizations for the assistance they have provided or pledged to those countries;

2. Expresses its appreciation for the efforts undertaken by the Governments of those countries to overcome their economic and financial difficulties;

3. Reaffirms that all Governments and international organizations should fulfil the commitments undertaken within the framework of the United Nations Programme of Action for African Economic Recovery and Development 1986-1990, contained in the annex to its resolution S-13/2 of 1 June 1986, the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries, contained in the annex to its resolution S-18/3 of 1 May 1990, and the Paris Declaration adopted by the Second United Nations Conference on the Least Developed Countries;

4. Notes with concern that the assistance made available to those countries has not been adequate to meet their urgent requirements and that additional assistance is needed;

5. Appeals to Member States, international financial institutions, the specialized agencies and organizations and programmes of the United Nations system, humanitarian organizations and voluntary agencies to respond generously and urgently to the needs of those countries as identified in the report of the Secretary-General and to continue and increase their assistance in response to the reconstruction, economic recovery and development needs of those countries;

6. Requests the Secretary-General to take the necessary steps and to mobilize the resources needed, in collaboration with the organs, agencies and programmes of the United Nations system, in accordance with resolution 43/211 on special programmes of economic assistance, to provide assistance for all disasters, natural or otherwise, striking those countries, both in order to meet any reconstruction needs resulting from disasters that have already occurred and in order to implement preventive programmes for reducing the effects of future disasters;

7. Also requests the Secretary-General to submit to the General Assembly at its forty-seventh session a report on the implementation of the present resolution, containing:

(a) The identification of priorities for action by the international community;

(b) An assessment of the assistance actually received;

(c) An assessment of needs still unmet and specific proposals for responding to them effectively.

General Assembly resolution 45/230

21 December 1990 Meeting 71 Adopted without vote

Approved by Second Committee (A/45/856) without vote. 20 November (meeting 46); 39-nation draft (A/C.2/45/L.28/Rev.1); agenda item 86.

Meeting numbers. GA 45th session: 2nd Committee 11, 12, 18, 22, 26, 35, 46; plenary 71.

Chad

The Secretary-General, in his 2 August report [A/45/358], noted that a new development orientation plan was submitted by the Government of Chad to the third Round-table Conference of Donors to Chad (Geneva, 19-20 June). The plan identified three major objectives: increased agricultural production through modernization of productive structures, improved well-being of the population, and restoration of financial equilibrium. The strategy was for communities to assume more responsibility for executing the plan, with the State playing a correspondingly smaller role.

A number of sectoral consultations, to be convened by the Government in co-operation with UNDP in 1990 and 1991, were agreed upon at the Round-table Conference. They included consultations on education, training and employment; technical co-operation policy; the private sector; health and social affairs; environment and desertification; food security; rural development; and urban development. The 1989-1993 programme for the transport sector, aimed at rehabilitating

communications infrastructure and strengthening the sector's institutions, continued to be carried out.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/223.

Special economic assistance to Chad

The General Assembly,

Recalling its resolution 44/176 of 19 December 1989 and its previous resolutions on assistance in the reconstruction, rehabilitation and development of Chad and on special economic assistance to that country,

Recalling the round table on assistance to Chad, convened by the United Nations Development Programme at Geneva on 4 and 5 December 1985 in accordance with the arrangements agreed upon at the International Conference on Assistance to Chad, held in November 1982,

Having considered the report of the Secretary-General dealing with, *inter alia*, 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,

Considering that the effects of war and recent natural calamities and disasters are compromising all the reconstruction and development efforts of the Government of Chad,

Noting with satisfaction that the third Round-table Conference of Donors to Chad, convened by the Government of Chad in co-operation with the United Nations Development Programme, was held at Geneva on 19 and 20 June 1990 and that a development orientation plan was submitted to donors on that occasion by the Government of Chad,

Taking note of the Paris Declaration and the Programme of Action for the Least Developed Countries for the 1990s, adopted by the Second United Nations Conference on the Least Developed Countries on 14 September 1990, and mindful of the mutual commitments entered into on that occasion,

Noting that the round tables on education, training and employment, technical co-operation, promotion of the private sector, health and social affairs, environment and the struggle against desertification, rural development, food security and water resources and urban development will be convened by the Government of Chad, in collaboration with the United Nations Development Programme, in 1990 and 1991,

1. Expresses its gratitude to the States and intergovernmental 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 all States, competent United Nations organizations and programmes and international economic and financial institutions to continue to contribute to the rehabilitation and development of Chad;

4. Expresses the wish that future round tables on Chad be held within the framework of the intensified follow-up decided on at the Second United Nations Conference on the Least Developed Countries;

5. Requests the Secretary-General to continue to assess, in close collaboration with the humanitarian agencies concerned, the humanitarian needs, particularly in the areas of health and food, of the displaced populations;

6. Invites all States and competent United Nations organizations and programmes to participate actively in the different round tables scheduled to be held in 1990 and 1991 at N'Djamena;

7. Calls upon the Secretary-General to keep the situation in Chad under review and to report thereon to the General Assembly at its forty-sixth session.

General Assembly resolution 45/223

21 December 1990 Meeting 71 Adopted without vote

Approved by Second Committee (A/45/856) without vote, 7 November (meeting 35); 36-nation draft (A/C.2/45/L.10/Rev.1), orally revised; agenda item 86.

Meeting numbers. GA 45th session: 2nd Committee 11,12,18,22,26,35; plenary 71.

Djibouti

As recorded in the Secretary-General's August report [A/45/358], the several years of drought in Djibouti was followed in 1989 by torrential rains and severe floods that had left thousands homeless and damaged roads and public service infrastructure, thus further exacerbating an economy that had been deteriorating since 1985. Of an active population of 200,000, 10 per cent was employed in the public and parastatal sectors. The informal sector was limited to trade, given the lack of trained manpower and the virtual absence of manufacturing industries.

While the thousands of refugees who had poured into the country in the late 1970s had been largely repatriated in recent years under a programme of the Office of the United Nations High Commissioner for Refugees (UNHCR), a new influx of some 50,000 refugees was reported, adding to the pressures on the country's already fragile health and educational facilities. To meet the needs of its suddenly enlarged population, Djibouti appealed for emergency assistance from UNHCR, the United Nations Children's Fund (UNICEF), the World Food Programme (WFP) and a number of NGOs.

The Government had set up interministerial committees to study all aspects of projects in all sectors, thereby strengthening co-ordination of public investments. It had requested UNDP to implement a master plan for water resources utilization and to promote co-ordination of all activities in that sector. A donors' round table was under consideration with regard to the energy sector; in the meantime, UNDP continued to assist the Government in its exploration for geothermal en-

ergy in the central part of the Assal rift and in North Goubbet. With UNDP assistance, the Government decided to formulate a development plan that would serve as a framework for development operations and at the same time facilitate co-ordination of sectoral activities and strengthen the management capacity of various State authorities.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/228.

Assistance for the reconstruction and development of Djibouti

The General Assembly,

Recalling its resolution 44/177 of 19 December 1989 and its previous relevant resolutions on economic assistance to Djibouti,

Taking note of the Paris Declaration and the Programme of Action for the Least Developed Countries for the 1990s, adopted by the Second United Nations Conference on the Least Developed Countries on 14 September 1990, and mindful of the mutual commitments undertaken on that occasion, as well as the importance to be attached to the follow-up to that Conference,

Deeply concerned about the extensive damage and devastation in Djibouti caused by the unprecedented torrential rains and floods in April 1989.

Noting with concern the destruction of thousands of dwellings, particularly in working-class areas, and the damage to major sectors of the national infrastructure, particularly the road network, the water supply, health centres and hospitals, educational establishments and other public services.

Considering the severe damage to the scarce agricultural resources of Djibouti, including the destruction of its livestock,

Noting that the economic and social development efforts of Djibouti, which is included in the list of least developed countries, are thwarted by the negative consequences of the torrential rains and floods that periodically devastate that vulnerable country, and that the implementation of reconstruction and development programmes requires the deployment of considerable resources, which exceed the real capacities of the country,

Noting also that the harsh climate and the chronic dryness preclude any agricultural activity of scale and that the persistent effects of a cyclical drought have devastating consequences for the already precarious economic and social development of Djibouti,

Noting with concern that the situation in Djibouti has been adversely affected by the recent events in the Horn of Africa, and noting the recent influx of over 50,000 persons displaced from their countries, which has placed serious strains on the fragile economic, social and administrative infrastructure of the country,

Noting the extremely critical economic situation of Djibouti, resulting from its geographical position and from the number of priority development projects that have been suspended in the light of the new critical international situation,

Taking note of the reports of the Secretary-General to the Economic and Social Council at its second regular session of 1990 and to the General Assembly at its forty-fifth session,

Noting with gratitude the support provided to emergency relief operations during the floods in 1989 by various countries and intergovernmental and non-governmental organizations,

1. Declares its solidarity with the Government and people of Djibouti in the face of the devastating consequences of the torrential rains and floods and the new and difficult economic realities of Djibouti;

2. Endorses the evaluations and the recommendations of the various missions dispatched to Djibouti, which Secretary-General takes into account in his report;

3. Calls upon the Secretary-General, in co-operation with the concerned organs and organizations of the United Nations system and in close collaboration with the Government authorities, to carry out a re-evaluation of the requirements of Djibouti, in the light of its new and pressing needs, with a view to drawing up not only an urgent programme of rehabilitation and reconstruction, but also a sustained and suitable long-term development programme;

4. Calls upon all States, all regional and inter-regional organizations, non-governmental organizations and other intergovernmental agencies, in particular the United Nations Development Programme, the United Nations Children's Fund, the World Food Programme, the United Nations Industrial Development Organization, the Food and Agriculture Organization of the United Nations, the International Fund for Agricultural Development and the World Bank, to provide Djibouti with substantial and appropriate assistance, on both a bilateral and a multilateral basis, to enable it to cope with its special economic difficulties;

5. Requests the Secretary-General to continue his efforts to mobilize the resources necessary for an effective programme of financial, technical and material assistance to Djibouti;

6. Also requests the Secretary-General to arrange for a study of the economic situation of Djibouti and of the progress made in the organization and implementation of the new special programme of economic assistance for the country, in time for the question to be considered by the General Assembly at its forty-sixth session.

General Assembly resolution 45/228

21 December 1990 Meeting 71 Adopted without vote

Approved by Second Committee (A/45/856) without vote, 20 November (meeting 46); 46-nation draft (A/C.2/45/L.19), orally revised; agenda item 96.

Meeting numbers. GA 45th session: 2nd Committee 11, 12, 18, 22, 26, 28, 46; plenary 71.

Front-line and neighbouring States

In response to General Assembly resolution 44/181 [YUN 1989, p. 341], the Secretary-General submitted a report [A/45/479 & Corr.1] containing information from 11 Member States and 14 UN organs and specialized agencies on special assistance provided to the front-line States of Angola,

Botswana, Mozambique, the United Republic of Tanzania, Zambia and Zimbabwe, as well as to other neighbouring States affected by economic measures taken either by South Africa or by the international community against South Africa.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/224.

Special assistance to the front-line States

The General Assembly,

Recalling its resolutions 41/199 of 8 December 1986, 42/201 of 11 December 1987, 43/209 of 20 December 1988 and 44/181 of 19 December 1989,

Having considered the report of the Secretary-General on special assistance to front-line States and other neighbouring States,

Reaffirming the provisions of the Declaration on Apartheid and its Destructive Consequences in Southern Africa, contained in the annex to its resolution S-16/1 of 4 December 1989, in particular paragraph 9 (e) thereof, in which the States Members of the United Nations decided to render all possible assistance to the front-line and neighbouring States to enable them to rebuild their economies, which have been adversely affected by South Africa's acts of aggression and destabilization, and to withstand any further acts,

Aware that the continuing existence of the apartheid system in South Africa aggravates economic and social problems confronting the front-line States and other neighbouring States,

Noting the evolving situation in South Africa,

Conscious of the urgent need and responsibility of the international community to address the problems affecting the region,

Mindful of Security Council resolutions 568(1985) of 21 June 1985, 571(1985) of 20 September 1985 and 581(1986) of 13 February 1986, in which the Council, *inter alia*, requested the international community to render assistance to the front-line States,

1. Expresses its appreciation to the Secretary-General for his efforts regarding assistance to the front-line States;

2. Notes with appreciation the assistance being rendered to the front-line States by donor countries and intergovernmental and non-governmental organizations;

3. Expresses its deep concern about the adverse effects of past acts of aggression and continued destabilization undertaken directly or indirectly through surrogates against front-line States and other neighbouring States;

4. Strongly urges the international community to continue to provide in a timely and effective manner the financial, material and technical assistance necessary to enhance the individual and collective capacity of the front-line States and other neighbouring States to withstand the effects of economic measures taken by South Africa, or by the international community against South Africa, in accordance with their national and regional plans and strategies;

5. Requests the Secretary-General and organizations and bodies of the United Nations system to respond to such requests for assistance as might be forthcoming

from individual States or the appropriate subregional organizations, and further urges all States and inter-governmental and non-governmental organizations to respond favourably to such requests;

6. Appeals to all States and appropriate intergovernmental and non-governmental organizations to support the national and collective emergency programmes prepared by the front-line States and other neighbouring States to overcome the critical problems arising from the situation in South Africa;

7. Requests the Secretary-General to report to the General Assembly at its forty-sixth session on the progress made in the implementation of the present resolution.

General Assembly resolution 45/224

21 December 1990 Meeting 71 Adopted without vote

Approved by Second Committee (A/45/856) without vote, 5 December (meeting 51); 31-nation draft (A/C.2/45/L.15), orally revised; agenda item 86.

Meeting numbers. GA 45th session: 2nd Committee 11,12,18,22,26,51; plenary 71.

Central America

In response to General Assembly resolutions 42/231 and 43/210 [YUN 1988, pp. 307 & 3081, as well as 44/182 [YUN 1989, p. 342], the Secretary-General submitted a 10 October report [A/45/622] stating that the Presidents of the five Central American countries—Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua—at their summit meeting in April 1990 (Montelimar, Nicaragua) appealed to the international community to increase its financial and technical support for their countries' socio-economic recovery and expressed satisfaction at the progress made in the implementation of the 1988 Special Plan of Economic Co-operation for Central America [YUN 1988, p. 306]. At a subsequent summit meeting (Antigua, Guatemala, 15-17 June), the Presidents, through the Antigua Declaration and the Central American Economic Plan of Action adopted at the meeting, outlined a joint strategy for achieving economic development with equity, based on the modernization of production structures to ensure the integration of the Central American economies in the world market. Through its implementation mechanism, the Special Plan would take due account of the goals and priorities set in the Antigua Declaration and Economic Plan of Action.

Within the framework of the agreed mechanism for the Special Plan's implementation, the second meeting of the Support Committee for the Special Plan was held in February 1990, as was the first meeting of the Policies and Projects Committee. Those meetings made it possible to define criteria for the identification of priority technical co-operation and pre-investment projects, to evaluate project proposals and approve 6 and 12-month plans. UNDP met periodically with

the five Central American Governments and the Permanent Secretariat of the General Treaty on Central American Economic Integration, the technical secretariat for those meetings, and, on a number of occasions, with other subregional organizations, in order to streamline the implementation of the Special Plan and make it more effective. The UN system was also helping the five Governments to organize sectoral meetings or direct negotiations with the co-operating community on health, agriculture, the Central American Monetary Stabilization Fund, micro, small and medium-sized businesses, telecommunications, nutrition and the road network. At the request of those Governments, UNDP, as co-ordinating agency for the Special Plan, convened the first meeting (San Salvador, El Salvador, 3-4 April) for the electricity sector. Fourteen countries and seven intergovernmental organizations attended; 98 profiles of technical assistance and investment projects totalling \$231 million were presented and analysed; and a total of \$47 million was pledged.

Since the Special Plan's inception, 43 technical assistance projects amounting to \$20,441,000 had been approved or were at the final stages of approval. Of that amount, \$12,630,000 was to come from the UNDP Special Programme Resources, the balance to be funded by co-financing or parallel financing modalities. Alternative funding in the amount of \$3,863,000 was under consideration for several new projects and for the expansion of existing ones. In June, the Central American Governments requested the UNDP Governing Council to allocate \$20 million from the Special Programme Resources to finance activities that were under way or about to begin under the fifth (1992-1994) programming cycle.

As required by the Concerted Plan of Action in favour of Central American Refugees, Returnees and Displaced Persons, UNDP organized the first international meeting (New York, 27-28 June) of the Follow-up Committee of the 1989 International Conference on Central American Refugees [YUN 1989, p. 709], at which were presented 59 prioritized projects costing \$186 million and intended to benefit 445,000 people. Of that amount, \$161 million was requested from the international community, against which donors pledged \$98.8 million. The Programme in favour of Displaced Persons, Refugees and Returnees in Central America, one of the main channels for implementing the Concerted Plan of Action and financed by Italy, received the first \$16 million in July.

A UNDP technical assistance project executed by UNCTAD and the Economic Commission for

Latin America and the Caribbean provided support for the establishment of a computerized information system on the debt of each Central American country. In August, a project was approved for devising alternative solutions to the intraregional debt resulting from past trade imbalances. Through an UNCTAD-executed project under the Special Plan, support was also being provided to rationalize, simplify, harmonize and automate trade procedures. Also in August, a proposal by the five countries was approved whereby UNCTAD would provide them with technical assistance and training in their negotiations for admission to the General Agreement on Tariffs and Trade (GATT). The International Trade Centre (UNCTAD/GATT) prepared a technical co-operation programme for the promotion and development of Central American exports.

UNICEF financed major national projects in favour of the most vulnerable groups in Central America. UNDP, with other international organizations, supported proposals designed to offset the effects of adjustment programmes or to enhance the situation of the lowest income groups. Other programmes included a UNDP-financed project on nutrition, and assistance in the restructuring of the Central American Bank for Economic Integration to strengthen its financial structure and operational systems.

UNDP consideration. The UNDP Administrator, in a 19 April report [DP/1990/85], traced recent developments in the implementation of the Special Plan of Economic Co-operation for Central America, emphasizing its role in resource mobilization through sectoral and thematic meetings between the Central American Governments and the international donor community. Information was also provided on commitments in terms of technical assistance projects financed by UNDP and on the overall financial situation of its Special Programme Resources allocation.

The Governing Council, on 22 June [E/1990/29 (dec. 90/31)], encouraged the UNDP Division for Central America to continue to implement the goals and objectives of the Special Plan. It took note of the request of the Central American Governments that the Governing Council allocate funds for the Special Plan from the Special Programme Resources for the fifth programming cycle in support of the peace process in the region. It decided that UNDP should continue to fulfil its role as set out in the Special Plan.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/231.

Special Plan of Economic Co-operation for Central America

The General Assembly,

Recalling its resolutions 42/1 of 7 October 1987, 42/204 of December 1987, 43/24 of 15 November 1988 and 44/10 of 23 October 1989, and decisions 88/31 A of 1 July 1988, 89/64 of 30 June 1989 of the Governing Council of the United Nations Development Programme, and taking note of Governing Council decision 90/31 of 20 June 1990,

Recalling in particular its resolutions 42/231 of 12 May 1988, 43/210 of 20 December 1988 and 44/182 of 19 December 1989, in which it urged the international community and international organizations to increase their technical, economic and financial co-operation with the Central American countries within the framework of the Special Plan of Economic Co-operation for Central America,

Reiterating the importance of the commitments made by the Central American Presidents in the agreement signed at Guatemala City at the Esquipulas II summit meeting, the declarations adopted at Alajuela, Costa Rica, and Costa del Sol, El Salvador, and the agreements reached at Tela, Honduras, Montelimar, Nicaragua, and at the most recent summit meeting held at Antigua, Guatemala, from 15 to 17 June 1990,

Recognizing the importance of the efforts made by the Secretary-General with respect to the situation in Central America and the ongoing involvement of the United Nations in economic co-operation in the region,

Especially concerned about the need to continue responding to the emergency situation in Central America, and alarmed at the seriousness of the economic and social crisis that the region faces,

Bearing in mind the importance of the Special Plan for setting economic and social development priorities and strengthening the capacity to design and implement regional projects in a large number of sectors and the unprecedented technical negotiating effort that has been required on the part of the five Central American countries,

Bearing in mind also the appeal made by the Central American Governments at the thirty-seventh session of the Governing Council of the United Nations Development Programme, held at Geneva from 28 May to 23 June 1990, for the allocation of financial resources so that implementation of the projects and programmes of the Special Plan may continue,

Considering that the implementation of the Special Plan has made it possible to work out new joint strategies for economic and social development and has deepened the regional peace and democratization process, as reflected in the Central American Economic Plan of Action, which emerged from the summit meeting held at Antigua, Guatemala, in June 1990,

Expressing its satisfaction at the performance of the United Nations Development Programme in carrying out the responsibilities entrusted to it for the co-ordination of the Special Plan,

Reaffirming its conviction that peace, development and democracy are inseparable,

1. Takes note of the report of the Secretary-General on the Special Plan of Economic Co-operation for Central America, which contains information on the status of implementation of the Special Plan;

2. Decides to extend the Special Plan of Economic Co-operation for Central America for an additional three-year period beginning in 1991;

3. Stresses the importance of the new directions in regional development that have emerged from the summit meetings of the Presidents of Central American countries and, in particular, from the meeting held at Antigua, Guatemala, at which the Central American Economic Plan of Action was approved;

4. Recommends that, through the existing machinery for the implementation of the Special Plan, due account be taken of the goals and priorities set in the Antigua Declaration and the Central American Economic Plan of Action;

5. Welcomes with satisfaction the Joint Political Declaration and Joint Economic Communique of the Dublin Ministerial Conference on Political Dialogue and Economic Co-operation between the member States of the European Community and the countries of Central America and the Contadora Group, held at Dublin on 9 and 10 April 1990, in which they reaffirmed their commitment to continue to participate in the reactivation and economic and social development of the region;

6. Also welcomes with satisfaction the renewal of the San Jose Agreement (Central American energy co-operation programme) in August 1990 by the Governments of the Central American countries and the Governments of Mexico and Venezuela;

7. Welcomes with satisfaction the Declaration of the first international meeting of the Follow-up Committee of the International Conference on Central American Refugees, held in New York on 27 and 28 June 1990;

8. Calls upon Member States and observers, intergovernmental organizations, international financial institutions, the organs and specialized agencies of the United Nations system and regional and subregional organs and institutions to participate actively in and adopt immediate measures for the implementation of activities in support of the goals and objectives of the Special Plan, taking into account the difficult social and economic situation faced by the Central American countries, and to support the projects submitted by those countries within the framework of the machinery set up under the Special Plan;

9. Emphasizes the urgent need for the international community to increase its technical assistance to the Central American countries and to provide them with adequate additional financial resources on favourable and concessional terms;

10. Requests the Governing Council of the United Nations Development Programme to consider the request made by the Governments of the Central American countries for appropriate financial assistance for the Special Plan during the fifth programming cycle;

11. Requests the Secretary-General to submit a report to the General Assembly at its forty-sixth session on the progress made in implementing the Special Plan;

12. Decides to review and appraise the implementation of the Special Plan at its forty-sixth session.

General Assembly resolution 45/231

21 December 1990 Meeting 71 Adopted without vote

Approved by Second Committee (AI45/856) without vote, 20 November (meeting 46); 47-nation draft (A/C.2/45/L.34) orally revised; agenda item 86.

Meeting numbers. GA 45th session: 2nd Committee 11, 12, 18, 26, 43, 46; plenary 71.

Ecuador

In resolution 45/230 of 21 December, the General Assembly referred to the economic and financial consequences of the March 1987 earthquakes in Ecuador and their negative impact on its balance of payments and to the fact that the Government's efforts to improve that adverse situation had not produced the desired results, since the effects of the international economic crisis seriously impeded the entire economic and social development process. The Assembly thus appealed to Member States, international financial institutions, the UN system, humanitarian organizations and voluntary agencies to respond generously and urgently to the reconstruction, economic recovery and development needs of Ecuador.

Lebanon

In accordance with General Assembly resolution 44/180 [YUN 1989, p. 344], the Secretary-General submitted a 9 October report [A/45/566] describing the assistance programmes of the UN system for Lebanon and the general situation in the country as it affected those programmes. The report noted some improvement at the political level, including the establishment late in 1989 of a new Government, but that continuing hostilities in various parts of the country were having negative economic and social repercussions. The country's infrastructure had suffered enormous destruction and damage, especially its water, electricity and telecommunications networks, as had its hospitals, schools, public administration buildings, industries and businesses, and private property, including damage to some 25,000 housing units. The value of the Lebanese pound (LL) had depreciated to a historic low of LL 664 to the United States dollar and foreign reserves had plummeted to \$600 million at the end of June 1990, down 40 per cent from a year earlier. The environment for programme implementation remained difficult and conditions in conflict zones, where unpredictability governed every facet of life, made assistance operations even more difficult.

The report stated that, despite serious security set-backs, the UN system maintained a minimum presence in the country and continued to implement its core activities in emergency humanitarian-

an and relief assistance and in the rehabilitation of public services. It described in detail the specific projects and activities undertaken by UNDP, the Office of the United Nations Disaster Relief Co-ordinator (UNDRO) UNHCR, UNICEF, the United Nations Relief and Works Agency for Palestine Refugees in the Near East, FAO, the International Labour Organisation, UNESCO, WFP and the World Health Organization. Because of the lack of political stability and continuing violence, significant reconstruction and development projects were not possible. The United Nations was thus chiefly focused on providing assistance in planning and implementing relief and essential rehabilitation programmes.

Given the concern about reduced funding for Lebanon in 1990, a Donor Information Meeting was held at UNDRO (Geneva, 26 June) to brief the donor community on the socio-economic situation in the country and on the unmet priority needs of its war-affected population, for which resources were to be mobilized. It was the Secretary-General's hope that, while the situation did not permit expanding emergency relief efforts to reconstruction and development, the international community would in the meantime provide support for his Trust Fund for Lebanon and UNDRO in order to meet those needs.

As at 31 July, the total value of emergency assistance to Lebanon amounted to \$8.73 million, of which \$2.27 million was given to UNDRO. The most significant development during the period under review was the proposal by Algeria, Morocco and Saudi Arabia to create an international fund of up to \$2 billion for the reconstruction and development of Lebanon.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 26 July, the Economic and Social Council adopted resolution 1990/66.

Assistance for the reconstruction and development of Lebanon

The Economic and Social Council,

Recalling General Assembly resolution 44/180 of 19 December 1989 and previous Assembly resolutions concerning international assistance for the reconstruction of Lebanon, in which the Assembly called upon the organs, organizations and bodies of the United Nations system to expand and intensify their programmes of assistance in response to the needs of Lebanon,

Aware of the deteriorating socio-economic conditions of the Lebanese people and the magnitude of their unmet needs,

Noting with great concern the unprecedented inflation in Lebanon during the past five years and the catastrophic erosion in the value of the Lebanese pound,

Appeals to all Member States and all the organizations of the United Nations system to continue and intensify their efforts to mobilize all possible assistance to

the Government of Lebanon in its efforts for reconstruction and development, in accordance with the relevant resolutions and decisions of the General Assembly and the Economic and Social Council.

Economic and Social Council resolution 1990/66

26 July 1990 Meeting 36 Adopted without vote

Approved by Third Committee (E/1990/112) without vote, 19 July (meeting 13); 22-nation draft (E/1990/C.3/L.4); agenda item 14.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/225.

Assistance for the reconstruction and development of Lebanon

The General Assembly,

Recalling its resolution 44/180 of 19 December 1989 and its previous resolutions on assistance for the reconstruction and development of Lebanon,

Taking note of Economic and Social Council resolution 1990/66 of 26 July 1990 and recalling the relevant resolutions and decisions previously adopted by the Council,

Noting with deep concern the grave deterioration of the economic situation in Lebanon, compounded recently by the severe drop in remittances, the loss of a major export market and the subsequent sharp decline in the value of the Lebanese pound on the exchange market, owing in particular to the situation between Iraq and Kuwait,

Reaffirming the urgent need for further international action to assist the Government of Lebanon in its continuing efforts for reconstruction and development,

Taking note of the report of the Secretary-General and of the statement made before the Second Committee of the General Assembly on 22 October 1990 on behalf of the Special Representative of the Secretary-General for the Reconstruction and Development of Lebanon,

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 and Secretariat Services for his co-ordination of system-wide assistance to Lebanon;

3. Requests the Secretary-General to continue and intensify his efforts to mobilize all possible assistance within the United Nations system to help Lebanon in its reconstruction and development efforts;

4. Calls upon the organs, organizations and bodies of the United Nations system to intensify their programmes of assistance and to expand them in response to the pressing needs of Lebanon, and to take the steps necessary to ensure that their offices in Beirut are operational and adequately staffed at the senior level;

5. Requests the Secretary-General to report to the General Assembly at its forty-sixth session on the progress made in the implementation of the present resolution.

General Assembly resolution 45/225

21 December 1990 Meeting 71 Adopted without vote

Approved by Second Committee (A/45/656) without vote, 20 November (meeting 46); 17-nation draft (A/C.2/45/L.16). orally revised; agenda item 56.

Meeting numbers. GA 45th session: 2nd Committee 11, 12, 18, 26, 46; plenary 71.

Vanuatu

In resolution 45/230 of 21 December, the General Assembly noted that the island developing country of Vanuatu continued to experience severe constraints in its economic and social development as a consequence, *inter alia*, of the deterioration in the terms of trade for its export commodities and of a high population growth rate, coupled with an absence of skilled manpower. It appealed to Member States, international financial institutions, the UN system, humanitarian organizations and voluntary agencies to respond generously and urgently to the reconstruction, economic recovery and development needs of Vanuatu.

Yemen

In his August report [A/45/358] on special programmes of economic assistance, the Secretary-General noted that on 22 May 1990, the Yemen Arab Republic and the People's Democratic Republic of Yemen had merged to form a single sovereign State called the Republic of Yemen (see PART ONE, Chapter IV). He said that, although unification was expected to result progressively in stronger political and economic structures, the country's rehabilitation and reconstruction requirements resulting from the floods of 1982 [YUN 1982, P. 709] and 1989 [YUN 1989, P. 349] represented a major additional cost to the economic and social costs of Yemen's complex unification process. Those developments, he added, had brought to the fore the country's need to build a national capacity to manage both development and disaster recovery programmes.

In the period under review, Yemen had introduced measures to loosen the centralized control of its economy, one of which permitted agricultural and marine products to be marketed directly by their producers rather than through government marketing corporations. In development planning, emphasis had shifted to the minerals sector, with priority given to oil exploration and pipeline construction. According to the latest official figures, outlays on the oil sector had increased from 39 per cent of development expenditures in 1988 to 43 per cent in 1989. Total development expenditures had increased from 165.4 million Yemeni dinars (YD) in 1988 to YD

187 million in 1989. As the deficit on the balance of payments rose, both exports and imports fell from their 1988 levels, and the downward trend in net private remittances, largely from expatriate workers, continued.

As noted in the Secretary-General's further report of 25 October [A/45/669], hard currency earnings had decreased for three consecutive years to \$104 million, representing less than two thirds of the interest due on the country's external debt in 1988, and the situation had worsened in recent months. As also noted, a September note from the Government had confirmed that the impact on the country of the situation between Iraq and Kuwait had resulted in an initial loss of \$1,684 million, not taking into account the economic and social impact of some 35,000 Yemeni workers returning from Kuwait, compounded by the return of some 400,000 others from Saudi Arabia.

The Ministers for Foreign Affairs of the Group of 77 developing countries, at their fourteenth annual meeting (New York, 3 October 1990) [A/45/584], requested the international community to assist the newly united country in the promotion of its socio-economic structures.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/193.

The unification of Yemen: support of the international community for its economic and social infrastructure

The General Assembly,

Welcoming the merger on 22 May 1990 of the Yemen Arab Republic and the People's Democratic Republic of Yemen to form a single sovereign State called the Republic of Yemen,

Taking into consideration the declaration adopted at the fourteenth annual meeting of the Ministers for Foreign Affairs of the members of the Group of Seventy-seven, held in New York on 3 October 1990, in which the world community was requested to render support for the economic and social infrastructure of Yemen to assist it in achieving prosperity for its people,

Realizing the difficult economic situation facing Yemen as a result of the merger of the economic and social infrastructure of the Yemen Arab Republic and the People's Democratic Republic of Yemen following their unification, in addition to the new economic and social burden resulting from the situation between Iraq and Kuwait,

1. Expresses its solidarity with Yemen in its efforts to overcome these conditions;
2. Calls upon States and governmental and international non-governmental organizations to extend their assistance in support of the national efforts to improve the economic and social infrastructure of Yemen;
3. Requests the Secretary-General to assist in mobilizing resources and to consider, in accordance with the resolution on assistance for the reconstruction and

development of Yemen to be adopted by the General Assembly at the present session, developing a comprehensive programme to assess the needs of Yemen resulting from the unification, in order to enable the international community to extend assistance to meet those needs;

4. Also requests the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its forty-seventh session, through the Economic and Social Council at its second regular session of 1992.

General Assembly resolution 45/193

21 December 1990 Meeting 71 Adopted without vote

Approved by Second Committee (A/45/849/Add.1) without vote, 7 December (meeting 52); draft by Bolivia for Group of 77 (A/C.2/45/L.35/Rev.1), based on informal consultations; agenda item 79.

Meeting numbers. GA 45th session: 2nd Committee 43, 52; plenary 71.

Disaster relief

International Decade for Natural Disaster Reduction

On 16 October, the Secretary-General submitted a progress report [A/45/621] on the implementation of the International Framework of Action for the International Decade for Natural Disaster Reduction, which began on 1 January 1990. The Decade (1990-1999) had been proclaimed by the General Assembly in 1989 in its resolution 44/236 [YUN 1989, p. 355].

The report described the organizational arrangements made by the Secretary-General and the activities undertaken for the Decade by the international community and the UN system. The report stated that, in accordance with the International Framework of Action, 71 Governments had established national committees or focal points as at 20 September for the purpose of attaining the objectives of the Decade. The Framework of Action envisaged the establishment of such committees and called for policy measures at the national level, action by the UN system, organizational arrangements to include the establishment of a special high-level council, a scientific and technical committee and a secretariat, and financial arrangements.

The report noted the emergence of two groups of national activities. Several countries had taken steps to improve awareness of their vulnerability to natural disasters and were undertaking national mitigation policies and programmes designed to reduce that vulnerability. Other countries with strong scientific and technological capabilities to assist in disaster mitigation were concentrating on international co-operation in terms of organizing policy discussions, scientific

symposia and other meetings to discuss disaster mitigation plans and improve the understanding of the potential of preventive policies. Some countries were reviewing the level of resources committed to disaster relief and were considering investing more in disaster prevention. A major priority identified was the need for central substantive guidance for disaster mitigation policies and for programmes focusing on the application of scientific and technological knowledge and on public awareness.

The report highlighted national initiatives and events undertaken by a number of countries, including those in the Caribbean, and gave an overview of follow-up action by various organs, programmes and specialized agencies of the UN system. Also highlighted were the activities of the following scientific and technical communities: the International Council of Scientific Unions, the International Association for Seismology and Physics of the Earth's Interior and the International Union of Geological Sciences.

At the time of reporting, consultations had taken place on the establishment of a Special High-Level Council and constitution of the Scientific and Technical Committee was in progress. Establishment in Geneva of the secretariat of the Decade had been completed, with a full-time staff composed of a Director, who assumed his duties on 6 June, a principal officer, a senior officer and two secretaries. Other experts and specialists were being provided by several Governments and by a number of relevant UN specialized agencies, in addition to staff support and services from the Office of the United Nations Disaster Relief Co-ordinator (UNDRO) and the United Nations Environment Programme (UNEP). Focal points and liaison representatives of several UN organizations had been named. As called for by resolution 44/236, the Secretary-General had designated the Director-General for Development and International Economic Co-operation as the focal point for oversight and co-ordination of the programmes and activities of the UN system, chairing the United Nations Steering Committee for the International Decade for Natural Disaster Reduction in the exercise of that role; more formal co-ordination was being carried out by the Inter-Agency Working Group on the Decade, under the chairmanship of the Director of the Decade secretariat. The Secretary-General had also established the Trust Fund for the Decade on 1 January. He reiterated his request for voluntary contributions to the Fund made in March, when he brought the Decade to the attention of all Governments.

The report drew attention to the International Day for Natural Disaster Reduction, on 10 Octo-

ber, in observance of which national conferences and other events had been planned. Japan, on 29 October [A/C.2/45/13], transmitted the concluding statement of the international conference (Yokohama, 27 September-3 October) that it hosted in observance of the Decade's first year and to welcome the first annual International Day for Natural Disaster Reduction.

Annexed to the report were: a list of national committees and/or focal points for the Decade, a calendar of Decade-related events in 1990-1991, an activity matrix for the Decade, project-related contributions of UNDRR to the Decade, and information received from Austria, Belgium and Spain on their participation in existing international protocols and conventions for mutual assistance in cases of disaster.

CPC/ACC Joint meetings. At the twenty-fifth series of Joint Meetings held by the Committee for Programme and Co-ordination (CPC) and the Administrative Committee on Co-ordination (ACC) (New York, 25-26 October) [E/1990/123], ways of promoting international efforts to mitigate the impact of natural disasters and effectively to support the Decade's objectives were discussed. The Committees were in general agreement that greater efforts should be made to address disaster prevention and mitigation as part of the development process, and that, accordingly, the UN system should give priority to the integration of disaster prevention and/or mitigation in its development programmes. The collective capacity of the United Nations to provide early warning and/or identification of emerging trends or hazardous phenomena could be enhanced, as could the international community's capacity to prevent disasters by promoting technical assistance, technological capacities, training programmes and greater information flow. A reliable data base on natural disasters could be an important tool for decision-making. In emphasizing the need for intensified efforts to implement the goals and objectives of the Decade, the Committees stressed the roles of the High-Level Council, the Scientific and Technical Committee and the Decade secretariat, and urged the prompt establishment of all mechanisms envisaged by Assembly resolution 44/236. Countries, especially those prone to disasters, should, with UN assistance, devise national strategies to prevent and mitigate disasters. The Scientific and Technical Committee should develop, in co-ordination with related UN system programmes, a framework programme for the Decade, giving particular attention to priorities determined by Member States. The Secretary-General should take measures to ensure the nec-

essary financial support for implementing the Decade's activities.

By decision 1990/290 of 9 November, the Economic and Social Council took note of the report of the Chairmen of CPC and ACC on the Joint Meetings, endorsed their conclusions and recommendations and decided to transmit the report to the General Assembly at its forty-fifth session.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/185.

International Decade for Natural Disaster Reduction

The General Assembly,

Recalling its resolutions 42/169 of 9 December 1987 and 43/202 of 20 December 1988 on natural disaster reduction and 44/236 of 22 December 1989, in which it proclaimed the International Decade for Natural Disaster Reduction,

Reaffirming the need for the international community to demonstrate the strong political determination required to mobilize and use existing scientific and technical knowledge to mitigate natural disasters, bearing in mind in particular the needs of developing countries,

Noting with satisfaction that more than seventy Governments have informed the Secretary-General that they have established national committees or focal points for the purpose of attaining the objective and goals of the Decade,

Reconfirming the important responsibility of the United Nations system as a whole for promoting international co-operation in order to mitigate natural disasters, provide assistance and co-ordinate disaster relief, preparedness and prevention,

Noting the establishment of the Trust Fund for the International Decade for Natural Disaster Reduction, expressing appreciation to those countries that have so far contributed or pledged voluntary contributions to the Fund and, at the same time, expressing concern that the resources available to the United Nations for the activities of the Decade are insufficient in relation to the requirements,

Taking note of the progress report of the Secretary-General on the Decade,

Noting that the celebration in the United Nations of the International Day for Natural Disaster Reduction was not possible in 1990, and stressing the importance of observance by the United Nations of the Day in future years in a manner befitting the objectives and goals of the Decade,

Taking note of the relevant conclusions of the twenty-fifth series of Joint Meetings of the Committee for Programme and Co-ordination and the Administrative Committee on Co-ordination, held on 25 and 26 October 1990,

1. Urges the international community to implement fully the International Framework of Action for the International Decade for Natural Disaster Reduction, contained in the annex to resolution 44/236 and, in particular:

(a) Invites Member States that have not yet done so to establish national committees or suitable focal points;

(b) Requests the Secretary-General to expedite his efforts to complete organizational and financial arrangements in accordance with sections D and E of the International Framework of Action;

(c) Appeals to the international community, in particular to donor countries, for financial contributions to the Trust Fund for the Decade;

(d) Urges all countries to adopt policies which give priority to disaster mitigation measures;

2. Notes with deep concern that organizational arrangements have not been fully established and implemented in accordance with section D of the International Framework of Action;

3. Reaffirms the important role played by the Director-General for Development and International Economic Co-operation as the focal point for overview and co-ordination of the programmes and activities of the United Nations system for the Decade, in accordance with section C of the International Framework of Action, and with his mandate, as set out in its resolution 32/197 of 20 December 1977, and invites the Director-General to give momentum to those programmes and activities;

4. Reaffirms also the need for the secretariat of the Decade to work in close association and co-operation with the Office of the United Nations Disaster Relief Co-ordinator, bearing in mind the specific responsibilities and functions in the field of disaster prevention and preparedness entrusted to that Office by General Assembly resolution 2816(XXI) of 14 December 1971;

5. Stresses the need for the secretariat of the Decade to work closely with the Office of the United Nations Disaster Relief Co-ordinator, while providing substantive and secretariat support to the Special High-Level Council, the Scientific and Technical Committee and to related activities, and to report to the Director-General for Development and International Economic Co-operation through the Disaster Relief Co-ordinator;

6. Requests the Secretary-General to assist, in co-operation with relevant organizations of the United Nations system, in the formulation and implementation, during the Decade, of public information programmes aimed at raising awareness of disaster prevention among the general public;

7. Also requests the Secretary-General to report to the General Assembly at its forty-sixth session on the progress in the implementation of the programmes and activities of the Decade, including the identification of constraints in that regard, with appropriate attention to the status of existing international protocols and conventions for mutual assistance in cases of disaster, in accordance with paragraph 4 of resolution 44/236.

General Assembly resolution 45/185

21 December 1990 Meeting 71 Adopted without vote

Approved by Second Committee (A/45/848) without vote, 7 December (meeting 52); draft by Vice-Chairman (A/C.2/45/L.73), based on informal consultations on draft by Bolivia (for Group of 77) and Japan (A/C.2/45/L.23), and orally corrected; agenda item 12.

Meeting numbers. GA 45th session: 2nd Committee 13-16, 32, 52; plenary 71.

Office of UN Disaster Relief Co-ordinator

The Office of the United Nations Disaster Relief Co-ordinator (UNDRO) continued in 1990 its international disaster relief and mitigation activities. In a report submitted to the General Assembly through the Economic and Social Council covering UNDRO's activities for 1990-1991 [A/47/288-E/1992/94], the Secretary-General described relief co-ordination, response facilitation, including UN system and international preparedness, disaster mitigation and information management. Major disasters requiring UNDRO involvement in 1990 included those occasioned by the civil strife in Liberia, the ongoing conflict in Mozambique, the earthquake in Iran and the Iraq-Kuwait crisis. UNDRO also led inter-agency missions to assess needs caused by drought in Peru and floods in Malawi, and participated in other assessment missions, notably to Lebanon and Somalia. The designation of the Disaster Relief Co-ordinator as Special Representative of the Secretary-General in the inter-agency missions to Bangladesh, Iran and Jordan added weight to UNDRO's co-ordination efforts.

Under the UN regular budget, UNDRO had at its disposal a reserve of \$360,000 a year for the biennium 1990-1991 for immediate cash grants in cases of disasters, channelled mostly through the UNDP/UNDRO resident representatives, to meet part of the most urgent needs or to facilitate development of concerted relief programmes through "seed money". In 1990, UNDRO gave cash grants amounting to \$364,000 to 18 countries devastated by cyclones, typhoons, floods, drought and earthquakes or burdened by large movements of displaced persons, evacuees and returnees. UNDRO also issued a total of 132 new or updated situation reports on 22 disaster-affected countries and on the Middle East/Gulf region.

Measures to strengthen co-ordination efforts in the context of the Iraq-Kuwait crisis not only provided valuable experience for future operations, but also featured pioneering innovations, including the development of an action plan for system-wide preparedness with regard to migrant populations; the attribution of tasks to agencies according to their expertise; the establishment of a United Nations Inter-Agency Working Group and a central funding mechanism; and the appointment of Senior United Nations Emergency Managers for Iran, Jordan, the Syrian Arab Republic and Turkey, who supported resident co-ordinators in information, resource mobilization and co-ordination.

With Germany's support, UNDRO convened the International Conference on Telecommunications for Disaster Management (Geneva, 19-21

March), which brought together manufacturers/suppliers of communications hardware and services, and users from the international disaster management community. The Conference, whose object was to speed up the flow of vital information in disaster relief and mitigation activities, recommended measures to facilitate the entry, exit and operation of communications (notably satellite) equipment, including the establishment of internationally approved legal instruments for the purpose. Contacts were made with specialized experts to implement those recommendations.

On the basis of a study by two consultants in emergency management and training, the Disaster Management Training Programme was launched in July under joint UNDP/UNDRO management. The Programme provided a framework and a series of catalytic activities for the global development of disaster management training. UNDRO's working relationship with NGOs expanded further during the biennium. The Joint Consultative Meeting on UNDRO/NGO Co-operation (Geneva, 1-2 March) reviewed topics of common concern to disaster managers.

In addition to the foregoing report, the Secretary-General, on 1 June 1990, also submitted to the Assembly through the Council his report on UNDRO activities for the biennium 1988-1989 [A/45/271-E/1990/78 & corr.1].

Financing

UNDRO activities continued to be financed mainly from the UN regular budget and from voluntary contributions to a number of trust funds administered by the Disaster Relief Co-ordinator. General Assembly resolution 45/252 A on the UN programme budget for the biennium 1990-1991 appropriated \$7,315,800 for UNDRO. Contributions channelled directly through UNDRO in 1990 were estimated at between \$103 million and \$107 million.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 26 July, the Economic and Social Council adopted resolution 1990/63.

Assistance in cases of natural disasters and other disaster situations: Office of the United Nations Disaster Relief Co-ordinator

The Economic and Social Council,

Recalling General Assembly resolutions 2816(XXVI) of 14 December 1971, 3243(XXIX) of 29 November 1974, 36/225 of 17 December 1981, 38/202 of 20 December 1983 and other relevant resolutions of the General Assembly and the Economic and Social Council related to the Office of the United Nations Disaster Relief Co-ordinator,

Bearing in mind General Assembly resolution 44/236 of 22 December 1989, by which the Assembly pro-

claimed, in paragraph 5 of the annex to the resolution, the International Decade for Natural Disaster Reduction, and requested the Secretary-General to provide the Office of the United Nations Disaster Relief Co-ordinator with adequate means to enable it to discharge its specific responsibilities and functions in disaster prevention and preparedness, in accordance with Assembly resolution 2816(XXVI),

Deeply concerned about the additional economic burden placed on the developing countries by the increasing number of natural disasters and other disaster situations and in overcoming the long-term consequences of those disasters,

Recognizing the contribution made by the United Nations system to relieve the suffering of the victims and to provide humanitarian relief in natural disasters and other disaster situations,

Noting with appreciation the effective response of the Office of the United Nations Disaster Relief Co-ordinator to recent major disasters,

Expensing appreciation for the contribution made by the donor community, including Governments and intergovernmental and non-governmental organizations, in supporting international relief operations,

Recognizing that the shortage of resources has been one of the major constraints on the response of the United Nations to disaster situations and that continued efforts will be required from the international community to provide both funds and assistance in kind to ensure such an effective response by the United Nations to disaster situations,

Reaffirming that the Office of the United Nations Disaster Relief Co-ordinator is, within the United Nations system, the focal point for disaster matters and therefore should be provided by the donor community, the United Nations and the other organizations of the United Nations system with the support necessary for it to discharge its responsibilities in the area of disaster relief and mitigation,

Reaffirming also that the primary responsibility for the administration of disaster relief operations and for disaster preparedness lies with the Governments of the affected countries and recognizing that available resources and efforts are being devoted by the Governments of those countries towards the alleviation of disaster-related problems,

1. Takes note with appreciation of the report of the Secretary-General on the work of the Office of the United Nations Disaster Relief Co-ordinator and of the statement made by the Co-ordinator before the Third (Programme and Co-ordination) Committee of the Economic and Social Council on 11 July 1990;

2. Reaffirms the mandate of the Office of the United Nations Disaster Relief Co-ordinator, established by the General Assembly in resolution 2816(XXVI) as the focal point in the United Nations system for matters related to disaster relief and disaster mitigation;

3. Welcomes the close co-operation between the Office of the United Nations Disaster Relief Co-ordinator and the United Nations Development Programme with regard to disaster management;

4. Affirms the need for the secretariat of the International Decade for Natural Disaster Reduction to work in close association with the Office of the United Nations Disaster Relief Co-ordinator, in accordance with

the relevant provisions of General Assembly resolution 44/236;

5. Encourages the Office of the United Nations Disaster Relief Co-ordinator in its efforts to strengthen further its co-operation with non-governmental organizations, as well as with governmental emergency relief services;

6. Notes with satisfaction the efforts made by the Office of the United Nations Disaster Relief Co-ordinator in strengthening its information systems and the exploration into the use of new telecommunication technology for disaster mitigation and relief efforts;

7. Emphasizes the essential need for the work of the Office of the United Nations Disaster Relief Co-ordinator to be placed and kept on a sound financial basis and appeals to Governments for voluntary contributions to the Trust Fund for the strengthening of the Office to enable it to cover expenses in connection with increasing disaster relief operations and disaster mitigation assistance;

8. Appeals to Governments to make urgent voluntary contributions, directly or channelled through the Trust Funds of the Office of the United Nations Disaster Relief Co-ordinator, to enable the Office to cover the contingency expenses in connection with disaster relief operations;

9. Appeals further to Governments, intergovernmental organizations and non-governmental organizations to contribute to the Trust Fund for the International Decade for Natural Disaster Reduction in order to enhance the capacity of implementing planned programmes and activities;

10. Requests the Secretary-General to provide the Office of the United Nations Disaster Relief Co-ordinator with the support necessary for it to discharge its mandate and to continue to respond to the increasing requests from developing countries for relief and technical assistance;

11. Also requests the Secretary-General to include information on the implementation of the present resolution in his next biennial report on the Office, to be submitted to the General Assembly at its forty-seventh session, through the Economic and Social Council at its second regular session of 1992.

Economic and Social Council resolution 1990/63
26 July 1990 Meeting 36 Adopted without vote
Approved by Third Committee (E/1990/111) without vote, 20 July (meeting 15); draft by Bolivia for Group of 77 (E/1990/C.3/L.7), orally revised by Vice-Chairman following informal consultations; agenda item 13.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/221.

Strengthening of the Office of the United Nations Disaster Relief Co-ordinator

The General Assembly,

Deeply concerned about the increasing vulnerability of countries, in particular developing countries, to natural and other sudden disasters,

Aware of the profound negative impact of such disasters on the economic and social growth of developing countries,

Recognizing the imperative need to ensure a reduction of damage caused by disasters, through the timely

adoption of appropriate preventive measures and by means of rapid and effective response when disasters occur,

Reaffirming that the Office of the United Nations Disaster Relief Co-ordinator is the focal point within the United Nations system for matters related to disaster relief and disaster mitigation,

Having noted the constraints and difficulties currently facing the Office of the United Nations Disaster Relief Co-ordinator in the discharge of its mandate, as set out in paragraph 1 of General Assembly resolution 2816(XXVI) of 14 December 1971,

1. Endorses Economic and Social Council resolution 1990/63 of 26 July 1990 concerning the Office of the United Nations Disaster Relief Co-ordinator;

2. Requests the Secretary-General in this connection, taking into account, *inter alia*, the experience gained by the Office of the Co-ordinator in the situation between Iraq and Kuwait, to make proposals to the Economic and Social Council at its second regular session of 1991 for the strengthening of the capacity of the Office of the Co-ordinator to fulfil its mandate, which are to be included in the proposed programme budget for the biennium 1992-1993 in the light of an overall analysis of the capacity of the United Nations system to respond to calls for disaster mitigation and emergency relief assistance and of the role played by the Office of the Co-ordinator in this field which should address, *inter alia*, the implementation of General Assembly decision 42/433 of 11 December 1987 and the strengthening of arrangements for the response to complex emergencies;

3. Also requests the Secretary-General to consider, within the framework of the overall analysis described in paragraph 2 above, the need to adapt further, in the case of the Office of the Co-ordinator, existing United Nations procedures concerning the procurement, transport and storage of emergency supplies, including the establishment of special warehouses as needed, in order to permit the Office to respond in a timely manner to the special and immediate requirements of countries exposed to sudden disasters;

4. Recognizes the importance for the Office of the Co-ordinator to be in a position immediately to provide small emergency grants to countries stricken by disasters to meet their most immediate needs;

5. Notes, in that respect, the pressure on existing budgetary provisions for present and future needs during the biennium 1990-1991;

6. Requests the Economic and Social Council to review the situation at its second regular session of 1991 and authorizes the Office of the Co-ordinator, pending that review, to continue to make grants available to disaster-stricken countries, not to exceed 50,000 United States dollars per disaster, out of the existing reserve of 360,000 dollars allocated for that purpose in the programme budget of the Office for the biennium 1990-1991;

7. Calls upon Governments and private and voluntary organizations to make generous cash contributions to the existing contingency relief fund of the Office of the Co-ordinator so as to provide it with the flexibility necessary to address specific needs created by sudden disaster situations;

8. Requests the Secretary-General to include information on the implementation of the present resolution

tion in his next biennial report on the Office of the Coordinator, which will be submitted to the General Assembly on an exceptional basis at its forty-sixth session, through the Economic and Social Council at its second regular session of 1991.

General Assembly resolution 45/221

21 December 1990 Meeting 71 Adopted without vote

Approved by Second Committee (A/45/856) without vote, 7 December (meeting 52); draft by Vice-Chairman (NC.2/45/L.67), based on informal consultations on draft by Bolivia for Group of 77 (A/C.2/45/L.22) and orally revised; agenda item 86.

Meeting numbers. GA 45th session: 2nd Committee 11,12,18,26,28,52; plenary 71.

Sudano-Sahelian office

Under UNDP supervision, the United Nations Sudano-Sahelian Office (UNSO) continued in 1990 to assist the 22 countries of the Sudano-Sahelian region covered by its mandate in drought preparedness, desertification control, and protection, rehabilitation and management of natural productive resources. The UNDP Administrator noted in a report of 3 April 1991 [DP/1991/45] that rainfall in the region in 1990 had been significantly below average, resulting in lower agricultural output and increased stress on production systems, thus further reducing national capacities for achieving self-sufficiency.

According to the report, UNSO's 1990 programme provided assistance for the establishment or strengthening of the institutional capacity of Governments to design, implement or monitor programmes in the sound management of natural resources, as well as training, education and sensitization programmes aimed at the broadest possible participation in development activities. Assistance also covered co-ordination at the national and international levels, and mobilization of resources. Overall financial support for those programmes, including the establishment of ecological monitoring facilities, amounted to over \$3 million, funded mainly from UNSO's General Resources. In implementation of the 1977 Plan of Action to Combat Desertification [YUN 1977, p. 509] in the Sudano-Sahelian region of Africa on behalf of UNEP, UNSO drew up assistance projects to implement the national action plans of Cape Verde, Chad and Senegal. In Burkina Faso, Cameroon, Guinea-Bissau, Mali, the Niger and the United Republic of Tanzania, it initiated and/or intensified support to national focal points charged with preparing or implementing conservation strategies or environmental action plans and helped to harmonize activities under those strategies and plans; it also contributed to assistance being provided by the International Union for Conservation of Nature and Natural Resources (IUCN) to Ethiopia in the preparation of a national conservation strategy.

In Uganda, it proposed a programme of assistance to strengthen the Ministry of Environmental Protection and the office of the Minister of State for Karamoja, which was responsible for developing that area of the country most seriously affected by desertification. Together with the World Bank, UNSO supported preparation of environmental action plans for Guinea and Benin, concentrating on land degradation and desertification problems; similar action plans had been initiated for the Gambia, Ghana and Togo. To facilitate co-ordination, UNSO organized a meeting on the harmonization of strategic planning frameworks, with FAO, the World Bank, UNEP and IUCN in attendance.

In preparation for the United Nations Conference on Environment and Development, scheduled for 1992, UNSO, together with the Permanent Inter-State Committee on Drought Control in the Sahel and the Intergovernmental Authority for Drought and Development, constituted a joint steering committee which agreed to set up 22 national preparatory committees and corresponding small national projects with a budget of over \$500,000 to support committee reporting costs, seminars and workshops; to set in motion a consultative process through regional meetings to identify substantive issues and develop recommendations; to support preparation of regional and subregional reports related to the Conference; and to organize information and sensitization activities in the Sudano-Sahelian region. At the regional level, a forum on environmental protection and development of a subregional strategy to combat desertification (Nairobi, Kenya, October) dealt with issues of high priority for the region.

During the year, new projects totalling \$29 million were formulated and approved. Among them were projects in Burkina Faso, Senegal and the Sudan which emphasized the forestry/agriculture interface, popular participation, training and sensitization; and a programme to establish national tree-seed centres for collecting, screening, storing and distributing high-quality seed to alleviate current seed shortages in both western and eastern African countries. Other projects focused on integrated land management in Burkina Faso; on restoring existing irrigation schemes and extending rehabilitation to 300 hectares of hill slopes in Cape Verde; and on restoring vegetation cover, creating agro-pastoral farms and introducing irrigated fodder crops and wind-breaks in the plains of Djibouti.

Other activities included resource mobilization, in particular broadening UNSO's donor base; raising public awareness of the sustainable management of natural resources through work-

shops and special events; and a survey, conducted within the framework of the Observatory of the Sahara and the Sahel initiated by France, of programmes and projects to monitor the desertification process.

In 1990, resources mobilized through the UNO Trust Fund totalled \$25.6 million, of which \$17.2 million was earmarked for specific projects under trust fund arrangements and \$8.4 million was allocated to UNO General Resources.

UNDP action. On 20 June [E/1990/29 (dec. 90/41)1, the UNDP Governing Council urged UNO to intensify initiatives for a greater international coherence and harmony of approaches in planning and implementing strategic policy frameworks for desertification-control activities in the Sudano-Sahelian region. It encouraged the Administrator to examine ways of further capitalizing on UNO's experiences, which could serve as the focal point within UNDP for the thematic handling of drought and desertification. It renewed its appeal to Governments, organizations and individuals to continue or increase contributions to the General Resources of UNO, as well as to earmarked project activities, and to make use of its services.

Locust and grasshopper infestation in Africa

In accordance with Economic and Social Council resolution 1989/98 and General Assembly decision 44/438 [YUN 1989, pp. 353 & 354], the Secretary-General, on 4 May, transmitted the report [E/1990/59] of the FAO Director-General on the implementation of the international strategy for the fight against locust and grasshopper infestation, particularly in Africa. The report stated that there was a small-scale invasion of brown locust in Lesotho which failed to breed; none the less, countries in the region were placed on alert in March. Reports were received in April, however, of successful breeding in Oman following a sequence of favourable rains; control measures were mounted and the situation was being monitored.

FAO, as the lead agency within the UN system for locust control, continued its co-ordinating role by providing regular bulletins on desert locust and grasshopper situations and maintaining its training programme, which ranged from training village brigades in some Sahelian countries to training in survey methods, campaign organization and pesticide application. In March, FAO published a revised edition of the Desert Locust Research and Development Register.

As later reported [E/1991/631 by the Director-General, environmental conditions in 1990 were

generally not conducive to locust breeding and multiplication throughout most of the recession area where drought persisted. In the Near East, the moderate infestation in Oman was largely controlled. Small-scale control was also undertaken in India and Pakistan late in the year. In many of the Sahelian countries of West Africa, substantial grasshopper infestations were present but, because of reduced rainfall, the populations were not as extensive as predicted. Nevertheless, ground and aerial control campaigns were felt necessary and a total of approximately 1.5 million hectares were treated, notwithstanding which several countries suffered heavy damage to millet and sorghum. The joint FAO/UNDP Scientific Advisory Committee met in September and recommended funding for a number of proposals in forecasting, meteorology, genetics and semiochemicals. In December, FAO closed its Emergency Centre for Locust Operations due to the recession of desert locusts and the reduced scale of grasshopper infestations in Africa.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 26 July, the Economic and Social Council adopted resolution 1990/62.

International strategy for the fight against locust and grasshopper infestation, particularly in Africa

The Economic and Social Council,

Recalling General Assembly resolutions 41/185 of 8 December 1986 and 43/203 of 20 December 1988 and Assembly decision 44/438 of 19 December 1989, in which the Assembly endorsed Economic and Social Council resolution 1989/98 of 26 July 1989,

Recalling also General Assembly resolution 44/236 of 22 December 1989, by which the Assembly proclaimed the International Decade for Natural Disaster Reduction, and aware that the Decade covers locust and grasshopper infestation,

Noting with satisfaction the general desert locust situation reported by the Emergency Centre for Locust Operations of the Food and Agriculture Organization of the United Nations, which shows that only small populations of the desert locust were present in Africa and the Near East,

Conscious of the need for the continuation of short-term, medium-term and long-term efforts if desert locust and grasshopper infestations are to be contained both today and in the future,

1. Welcomes the note by the Secretary-General transmitting the report of the Director-General of the Food and Agriculture Organization of the United Nations on the implementation of the international strategy for the fight against locust and grasshopper infestation, particularly in Africa;

2. Expresses its appreciation to the international community for the assistance provided to affected countries and calls for continued support for the short-term, medium-term and long-term efforts required to combat locusts and grasshoppers;

3. Notes with satisfaction the considerable progress made in initiating research aimed at finding new and

environmentally acceptable approaches to locust control, in particular the joint research project of the United Nations Development Programme and the Food and Agriculture Organization of the United Nations on the development of environmentally acceptable strategies for desert locust control, the Desert Locust Research and Development Register prepared by the Food and Agriculture Organization of the United Nations, the pesticide testing and vetting scheme developed by the Food and Agriculture Organization of the United Nations and a joint donor research programme on the development of bio-pesticides;

4. Calls upon the Food and Agriculture Organization of the United Nations to assist the countries concerned in strengthening their preventive control capabilities for desert locust control by ensuring that technically appropriate programmes are developed that are complementary to and integrated with those of regional bodies;

5. Requests the Food and Agriculture Organization of the United Nations, over the short and medium term, to reinforce existing structures and current technologies, including early warning systems such as ARTEMIS (Africa Real-Time Environmental Monitoring using Imaging Satellites), which contribute to preventive control;

6. Requests the Director-General of the Food and Agriculture Organization of the United Nations to submit to the Economic and Social Council at its second regular session of 1991 an up-to-date report on the implementation of the international strategy for the fight against locust and grasshopper infestation, particularly in Africa.

Economic and Social Council resolution 1990/62

26 July 1990 Meeting 36 Adopted without vote

Approved by Third Committee (E/1990/111) without vote, 19 July (meeting 13); draft by Mauritania (E/1990/C.3/L.6); agenda item 13.

Screw-worm infestation

On 26 July, the Economic and Social Council adopted resolution 1990/61.

Fight against the screw-worm infestation

The Economic and Social Council,

Noting with alarm that the screw-worm fly has been introduced into North Africa and is now established, thereby posing a potential threat to people, livestock and wildlife in Africa, the Mediterranean parts of Europe and the Near East,

Recognizing the potentially devastating effects of the screw-worm infestation on people, livestock and wildlife and the adverse socio-economic consequences thereof,

Noting that the resources and technology needed for eradication are not currently available in the infested region and that concerted efforts at the national, sub-regional, regional and global levels will be required,

1. Expresses appreciation to the Food and Agriculture Organization of the United Nations, the United Nations Development Programme and the International Atomic Energy Agency for the support and technical assistance extended and for the surveillance, control and prevention efforts that have helped to contain the

present infestation and prevent its introduction into surrounding areas;

2. Welcomes the establishment by the Director-General of the Food and Agriculture Organization of the United Nations of the Screw-worm Emergency Centre for North Africa, which will co-ordinate an eradication campaign among donors, affected countries and regional and other international organizations;

3. Urges the Food and Agriculture Organization of the United Nations to strengthen its co-ordination mechanisms and its technical and field operation support to countries for such a campaign aimed at eliminating the screw-worm from North Africa, the Mediterranean parts of Europe and the Near East, through use of the Sterile Insect Technique, which is the only technique available and proved for the purpose;

4. Encourages funding agencies, such as the United Nations Development Programme and the International Fund for Agricultural Development, and the donor community to support an eradication programme;

5. Invites the Director-General of the Food and Agriculture Organization of the United Nations to submit to the Economic and Social Council at its second regular session of 1991 an up-to-date report on the screw-worm infestation and efforts undertaken to eradicate it.

Economic and Social Council resolution 1990/61

26 July 1990 Meeting 36 Adopted without vote

Approved by Third Committee (E/1990/111) without vote, 19 July (meeting 13); draft by Bolivia for Group of 77 (E/1990/C.3/L.2); agenda item 13.

Chernobyl aftermath

On 26 April [E/1990/64], the Byelorussian SSR, the Ukrainian SSR and the USSR requested inclusion of an additional item in the agenda of the first 1990 regular session of the Economic and Social Council entitled "International co-operation in the elimination of the consequences of the accident at the Chernobyl nuclear power plant". In their explanatory memorandum, they stressed the need for continued comprehensive measures to protect the health of the population in the areas which suffered radioactive contamination from the 1986 accident at the Chernobyl nuclear power plant [YUN 1986, p. 584]. Those included transferring people from areas too dangerous to live in and solving the social and humanitarian problems arising from such transfer, a programme of decontamination to prevent the transboundary movement of radioactive particles, broad radio-biological and medical research and radiological monitoring. Those activities required implementation within the framework of a special programme of international co-operation under UN auspices, in which the Council could play an important role. A draft resolution to that effect was annexed to the memorandum.

At its first regular 1990 session (Vienna, 2-4 May) [ACC/1990/DEC/1-14 (dec. 1990/5)], the Administrative Committee on Co-ordination (ACC) noted that, at the invitation of the USSR and with the co-operation of the other two concerned States, a major international project to assess the radiological consequences of the Chernobyl accident and to evaluate measures taken so far was being organized by the International Atomic Energy Agency (IAEA), together with FAO, WHO, the United Nations Scientific Committee on the Effects of Atomic Radiation, UNEP and the Commission of the European Communities. Should the Council adopt the draft resolution, the inter-agency mission to evaluate the priority needs as envisaged in the draft should be composed of IAEA, FAO, WHO, the United Nations, UNDP, UNEP, UNICEF, the United Nations Population Fund and WFP, and co-ordinated by the Economic Commission for Europe (ECE). The mission members should assist the Secretary-General to prepare proposals for the programme of international co-operation, taking into account the findings of the assessment project.

ECONOMIC AND SOCIAL COUNCIL ACTION (May)

At a meeting on 3 May, the Economic and Social Council accepted the request of the Byelorussian SSR, the Ukrainian SSR and the USSR for inclusion of the item on international co-operation in the elimination of the consequences of the accident at the Chernobyl nuclear power plant and adopted it as item 7 of the first regular session's agenda.

By decision 1990/211 of 18 May, the Council decided to include that item in the agenda of its second 1990 regular session, deferred consideration until then of the draft resolution relating to the item, requested the three States to provide it with additional information on the economic and social consequences of the Chernobyl accident, provide all relevant information on the UN system, and requested the Secretary-General to tem's activities in order to assist the Council in its consideration of the item.

Reports of Secretary-General and Governments concerned (July). In a report of 3 July [E/1990/97], the Secretary-General summarized the current and planned activities of the UN system relating to the Chernobyl accident, including their terms of reference and progress achieved. The report stated that, since its establishment following the accident in 1986, the Inter-Agency Committee for a Response to Nuclear Accidents (IAC/RNA), chaired by IAEA, had dealt with follow-up activities to accidents, including Chernobyl, and with the planning and preparation of joint co-ordinated action in case

of future accidents. Participating in its work were a number of specialized agencies—ILO, FAO, UNESCO, WHO, the World Meteorological Organization (WMO) and the United Nations Industrial Development Organization (UNIDO)—and related organizations, as well as UN Secretariat departments.

Early in 1990, IAEA launched a project on the radiological consequences of the accident, for which a preparatory mission of international experts was sent to the region in March. The League of Red Cross and Red Crescent Societies had also undertaken a mission in January; in June, it launched an appeal for a programme of humanitarian assistance and rehabilitation for the affected population. ILO had taken steps to apply its Convention on Radiation Protection to the Chernobyl situation. Through agreements concluded with the USSR, WHO expanded its collaborative activities to include a long-term international programme to monitor and mitigate the health effects of the accident, while UNESCO would develop a programme of scientific research policy and assistance. In addition to its relief operations to the three Governments concerned, UNDRO had stressed the need for measures to prevent similar accidents at other nuclear power plants in the region. Other UN organs had suggested ways in which their current activities and experience might be of assistance in the elimination of the consequences of the accident.

As requested by Economic and Social Council decision 1990/211, the Byelorussian SSR, the Ukrainian SSR and the USSR, on 6 July [A/45/342-E/1990/102], provided detailed information on the economic and social consequences of the accident. The information covered the radiation situation, its medical aspects, an evaluation of the exposed inhabitants, the social welfare of those continuing to live in the contaminated areas, the agro-industrial and forestry situation, decontamination operations, scientific back-up for the work of dealing with the consequences of the disaster, and expenditure and losses resulting from it.

In addition to providing technical data on the substantial quantities of radioactive substances discharged into the environment and the contamination levels in the affected areas populated by some 4 million, the information indicated that, in the first year after the accident, 144,000 hectares of farm land had been taken out of use, forestry work in a 492,000-hectare area had been stopped and many industrial and agricultural enterprises had ceased operations. In the spring and summer of 1986, 116,000 people had been evacuated from the danger zone. Some 30 per-

sons had been killed or had died from acute radiation sickness and many had received high doses of radiation. Direct losses of fixed assets and other material goods together with expenditure on action to deal with the disaster's consequences amounted to some 9.2 billion roubles in 1986-1989. Indirect losses, however, represented an incomparably larger amount.

ECONOMIC AND SOCIAL COUNCIL ACTION (July)

On 13 July, the Economic and Social Council adopted resolution 1990/50.

International co-operation to address and mitigate the consequences of the accident at the Chernobyl nuclear power plant

The Economic and Social Council,

Noting with profound concern the ongoing effects of the accident that occurred at the Chernobyl nuclear power plant in April 1986 which had serious national and international consequences owing to its unprecedented scale,

Noting the appeal to the Secretary-General, contained in the letter dated 26 April 1990 from the Permanent Representatives of the Union of Soviet Socialist Republics, the Byelorussian Soviet Socialist Republic and the Ukrainian Soviet Socialist Republic to the United Nations, for the provision of all appropriate assistance in further addressing and mitigating the consequences of the accident at the Chernobyl nuclear power plant,

Taking account of the need for continuing comprehensive measures to address and mitigate the consequences of the accident especially measures to safeguard the health of the population, including as appropriate resettling the population in uncontaminated areas, improving the environment in the contaminated area and preventing further possible transboundary radioactive effects,

Especially concerned about the state of health of the children who suffered and continue to suffer from the effects of increased radiation as well as from possible long-term effects of radiation,

Conscious of the need for continued international co-operation in addressing and mitigating the consequences of the accident.

Recalling General Assembly resolution 44/224 of 22 December 1989, in which the General Assembly, *inter alia*, recognized the need to strengthen international co-operation in rendering assistance in cases of environmental emergency,

1. Welcomes the efforts to address and mitigate the consequences of the accident undertaken so far by Governments, international and non-governmental organizations, business and scientific circles and individuals, and the activities being conducted by agencies and bodies of the United Nations system and co-ordinated by the Inter-Agency Committee for the Response to Nuclear Accidents, including the International Atomic Energy Agency, the World-Health Organization, the United Nations Environment Programme, the Office of the United Nations Disaster Relief Co-ordinator, the Food and Agriculture Organization of the United Nations, the Economic Commission for Europe and

the United Nations Scientific Committee on the Effects of Atomic Radiation;

2. Requests the Secretary-General to provide appropriate support for the international assessment of the radiological consequences of the accident at the Chernobyl nuclear power plant, currently in progress, which has been organized by the International Atomic Energy Agency with the participation of the Food and Agriculture Organization of the United Nations, the United Nations Scientific Committee on the Effects of Atomic Radiation, the World Health Organization and the Commission of the European Communities;

3. Requests the Secretary-General to consider, facilitate and co-ordinate any further efforts that may be appropriate within the United Nations system, in the framework of the report on the international assessment to be published by the International Atomic Energy Agency, which will contain an evaluation of the measures taken in response to the accident at the Chernobyl nuclear power plant and recommendations for possible future actions in the regions affected by the accident, the recommendations and decisions of the Administrative Committee on Co-ordination on the matter and the existing co-ordination mechanism of the Inter-Agency Committee for the Response to Nuclear Accidents;

4. Requests the Secretary-General to prepare a comprehensive report, for submission to the General Assembly at its forty-fifth session, on the activities currently under way or planned within the United Nations system relating to the accident at the Chernobyl nuclear power plant and its consequences, particularly regarding the agreement between the Government of the Union of Soviet Socialist Republics and the International Atomic Energy Agency to study the radiological consequences of the accident and the agreement between the Government of the Union of Soviet Socialist Republics and the World Health Organization on the efforts to mitigate the health consequences of the accident, with recommendations for further action within the United Nations system;

5. Makes an urgent appeal to all States Members of the United Nations or members of the specialized agencies and to organs, organizations and programmes of the United Nations system to provide all appropriate assistance, in full co-ordination and co-operation with ongoing or planned efforts by elements of that system, to mitigate the consequences of the accident at the Chernobyl nuclear power plant.

Economic and Social Council resolution 1990/50

13 July 1990 Meeting 28 Adopted without vote
63-nation draft (E/1990/L.21/Rev.1); agenda item 5.

Report of Secretary-General (October). Pursuant to the Economic and Social Council resolution above, the Secretary-General presented to the General Assembly a comprehensive report of 29 October [A/45/643] on the activities under way or planned to deal with the consequences of the Chernobyl accident, based on information submitted by the various UN organs and specialized agencies involved in that effort. The report outlined the scope of the work programmes resulting from agreements between the USSR and indi-

vidual agencies, notably the IAEA project executed by a team of international experts on the radiological consequences in the USSR; the UNESCO series of assistance programmes in scientific research and analysis of the catastrophe's social impacts, education, culture and communication; and the WHO international programme on the health effects of the accident, encompassing, among other projects, epidemiological studies, treatment and prevention of radiation-induced thyroid diseases, and studies in carcinogenic, teratogenic and genetic effects and on the contribution of radiation and non-radiation causes of mortality.

The report gave a detailed account of the nine-member fact-finding mission dispatched by the Secretary-General to the Byelorussian SSR, the Ukrainian SSR and the USSR (22-29 September), representing the secretariats of the United Nations Centre for Human Settlements (Habitat), UNDRO, UNEP, UNICEF, the United Nations Office at Vienna, the Department of Technical Co-operation for Development and ECE. The mission began its work in the affected areas with a visit to the Chernobyl nuclear power plant and heard explanations of measures taken to "liquidate" the accident, to evacuate the neighbouring township of Pripyat of 50,000 people and other settlements of the area, to construct the "sarcophagus" encapsulating Block 4 in which the accident occurred and to reduce radiation by decontamination processes. The mission further received information concerning the recently established State machinery in the USSR to co-ordinate activities at the national, regional and district levels and was provided with considerable documentation.

There was general agreement that the Chernobyl accident was of unprecedented dimensions: it had contaminated 104,200 square kilometres of the territories of the three Republics, with a population of 3.87 million; in the Byelorussian SSR, which had sustained proportionally higher radioactive contamination, 18 per cent of its land and 20 per cent of its people had been affected. It was in the interest of the international community to learn the lessons of Chernobyl and to take concerted action to overcome the resultant complex situation. While initial efforts had focused on scientific and technical problems, insufficient attention had been paid to informing the public about radiation contamination and its potential health effects. It was advocated that a scientifically justified concept of safe living in the contaminated areas, including the definition of an admissible dosage of radiation, be elaborated as a matter of urgency. It was deemed essential to provide life-long health care and protection to the af-

ected population and to determine the long-term effects of exposure to low-level radiation. Statistical data indicated that 116,000 people had been evacuated from contaminated areas in 1986 and that a second phase of resettlement begun in 1990 would continue into 1991. Resettlement planning and policy were complicated by the lack of clear criteria for safety levels of radiation and risk analysis.

The mission received proposals from the three Republics for programmes of co-operation with the United Nations in four areas of activity: scientific and technological co-operation for the study, forecasting and elimination of radioactive contamination of the region; research into the effects of the consequences of radioactive contamination on the human organism and animals and the elaboration of effective methods for their reduction; technical assistance in building industrial plants, in the use of new technologies, materials and food products; and training programmes for experts in radio-ecology, and an educational programme on radioactive safety. Taking into account the many requests addressed to it, the mission explained the ways in which UN organizations functioned, the extent of their mandates and the restraints on their financial resources, including the fact that the three affected Member States were not in the list of countries eligible for UNDP financial assistance. The mission drew attention to four types of assistance that the UN system might provide: expertise as represented by intergovernmental bodies, the secretariat and consultants, including experience and facilities for international operations and appeals; material aid in the form of equipment and supplies; training, particularly of local trainers; and information to promote understanding of radiation and to increase public confidence in safety measures.

The report made a series of recommendations, including: the establishment of a UN programme of international co-operation to provide the framework for the further development of UN-system activities, taking account of the proposals submitted by the three Governments for short- and long-term programmes of co-operation, to which organs, programmes and agencies of the UN system would be asked to contribute actively and to which Member States should provide all appropriate assistance; setting up a special fund for voluntary contributions to finance the programme, as well as a call for contributions in kind; designation of a programme co-ordinator and a core secretariat; a request that IAC/RNA continue its work to co-ordinate activities and projects dealing with the scientific aspects of the effort; and the formation by ACC of a

task force to consider, facilitate and co-ordinate UN measures to address problems, particularly those relating to the socio-economic aspects of the situation, and to review the assistance requests and the proposed programmes of co-operation submitted by the three Republics.

GENERAL ASSEMBLY ACTION

The General Assembly, by decision 45/426 of 12 December, took note of the report of the First Committee [A/45/793] regarding its decision to take no action on the item on international co-operation to address and mitigate the consequences of the Chernobyl accident as contained in chapter III, section D, of the Economic and Social Council report. The Assembly had allocated that section to the First Committee and to the Second (Economic and Financial) Committee when, on 21 September, on the recommendation of the General Committee, it had included consideration of the Council report in its 1990 agenda.

On 21 December, the Assembly, having considered the Secretary-General's October report, adopted resolution 45/190.

International co-operation to address and mitigate the consequences of the accident at the Chernobyl nuclear power plant

The General Assembly,

Expressing profound concern about the ongoing effects on people's lives and health of the disaster at Chernobyl, which had serious national and international consequences of unprecedented scale,

Especially concerned about the state of health of the children who suffered and continue to suffer from the effects of increased radiation and who may suffer from possible long-term effects of radiation.

Taking into account the provisions of the World Declaration on the Survival, Protection and Development of Children and the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s adopted by the World Summit for Children, held in New York on 29 and 30 September 1990, which, inter alia, refer to the need for concrete measures to be taken at the national and international levels for children in especially difficult circumstances, including victims of man-made disasters who have been exposed to radiation,

Taking into account also the need to continue taking comprehensive measures to study, address and mitigate the consequences of the accident, especially measures to protect against radiation and to safeguard the health of the population, including, as appropriate, resettling the population in uncontaminated areas, improving the environment in the contaminated areas and preventing further possible transboundary radioactive effects,

Increasingly aware of the need to improve co-ordination of ongoing international efforts to study and minimize the radiological and other consequences of the disaster at Chernobyl,

Stressing the importance of public education and communication in addressing the concerns of the popula-

tion of the contaminated areas regarding the effects of man-made radiation, including its long-term effects,

Recalling its resolution 44/224 of 22 December 1989, in which, inter alia, it recognized the need to strengthen international co-operation in rendering assistance in cases of environmental emergency,

Taking note with satisfaction of Economic and Social Council resolution 1990/50 of 13 July 1990 on international co-operation to address and mitigate the consequences of the accident at the Chernobyl nuclear power plant,

Taking into account the efforts made by the United Nations and organizations of the United Nations system to study, mitigate and minimize the radiological, socio-economic and other consequences of the disaster at Chernobyl,

Welcoming the growing international solidarity with the victims of Chernobyl, especially the children, as well as the willingness on the part of Member States and intergovernmental and non-governmental organizations, the business community, scientific bodies and individuals to increase medical, food and other humanitarian assistance for the rehabilitation of the affected population,

Recognizing the particular importance of completing the international independent assessment of the radiological consequences of the accident at the Chernobyl nuclear power plant, co-ordinated by the International Atomic Energy Agency,

1. Takes note with appreciation of the report of the Secretary-General and invites him, in the light of the findings contained in that report and other relevant reports and in consultation with the agencies concerned, to continue to take appropriate measures to address and mitigate the consequences of the accident at the Chernobyl nuclear power plant, in particular to support efforts made within the United Nations system by the Administrative Committee on Co-ordination and the Inter-Agency Committee for the Response to Nuclear Accidents to harmonize, strengthen and co-ordinate international projects aimed at mitigating the consequences of the disaster at Chernobyl, and to consider, inter alia, opportunities to:

(a) Formulate a programme for co-ordinating the activities to be carried out by the organs, organizations and programmes of the United Nations system involved in efforts to address and mitigate the consequences of the disaster at Chernobyl;

(b) Entrust one of the Under-Secretaries-General with the task of co-ordination;

(c) Set up a task force responsible for stimulating and monitoring the activities of the United Nations system in this field;

(d) Appeal for voluntary contributions to complement the regular budgetary resources used by United Nations organs and agencies for the implementation of activities aimed at mitigating the consequences of the disaster at Chernobyl;

2. Requests the organs, specialized agencies and programmes of the United Nations system, in considering possible technical and other special assistance for the areas most affected, particularly in the Byelorussian Soviet Socialist Republic, the Ukrainian Soviet Socialist Republic and the Russian Soviet Federative Socialist Republic, to bear in mind the unprecedented nature of the radiological and environmental disaster and of the

emergency situation in those areas resulting from the long-term effects of man-made radiation on present and future generations;

3. Requests the Secretary-General to submit to the General Assembly at its forty-sixth session, through the Economic and Social Council, a report on the implementation of the present resolution;

4. Decides to include in the provisional agenda of its forty-sixth session an item entitled "International co-operation to study, mitigate and minimize the consequences of the disaster at Chernobyl";

5. Makes an urgent request to all States members of the international community, intergovernmental and non-governmental organizations, the business community, scientific bodies and individuals to continue to provide all appropriate support and assistance to the areas most affected by the accident at the Chernobyl nuclear power plant,⁷ in full co-ordination and co-operation with envisaged or planned efforts of the United Nations system.

General Assembly resolution 45/190

21 December 1990 Meeting 71 Adopted without vote

Approved by Second Committee (A/45/848) without vote, 5 December (meeting 51); 122-nation draft (A/C.2/45/L.49); agenda item 12.

Meeting numbers. GA 45th session: 2nd Committee 13-16, 49, 51; plenary 71.

Facilitation of humanitarian assistance

In response to General Assembly resolution 43/131[YUN1988, p. 382], the Secretary-General submitted a 24 October report [A/45/587] based on the replies of Governments and intergovernmental, governmental and non-governmental organizations to his request for their views on the possibility of enhancing the effectiveness of international mechanisms and increasing the speed of assistance for victims of natural disasters and similar emergency situations. In examining the question, the report pointed out that the prime motive for international humanitarian assistance was the dignity and value of human beings as expressed in the Charter of the United Nations, that its timeliness and appropriateness were essential and that it should be governed by the principles of impartiality and neutrality. It noted the relatively recent emergence and increasing role of NGOs and intergovernmental organizations, principally the European Economic Community, in the delivery of assistance.

The report underscored the key elements making for speed and efficiency in relief assistance, namely, professional and realistic assessment of damage and needs; electronic dissemination of those assessments along with data on pledges, contributions and the logistics of delivery to multiple decision-making points; unhampered access to disaster victims, for which guidelines should be formulated. with General Assembly support; regulations and procedures

permitting speedy procurement of relief goods; and orderly organization and co-ordination of relief activities.

Attention was drawn to four fields of activities having a direct bearing on the facilitation of humanitarian assistance and its efficiency. The first called for preparedness planning by disaster-prone developing countries, with technical assistance and financial support from donor Governments and intergovernmental organizations, the planning to include a sound legal basis, a disaster response office staffed with trained personnel, and communication equipment and transport. The second concerned improvement of co-ordination, through continuous training: among participating relief organizations based on flexible mechanisms and on the capacity of responsible officials to adapt to the situation at hand; in disaster-prone countries, where there should be co-ordination in information collection, agreed assessments and relief distribution arrangements; and within the UN system, where measures to strengthen co-ordination included formation of disaster management teams to operate under the guidance of the UN resident coordinator, a training project launched by UNDP and UNDRO, and the publication of a disaster management manual which they were finalizing. The third involved greater co-ordination at the international level, which could be achieved by a stronger rationalization of international co-operation and intervention methods. It was suggested that UNDRO should continue gathering information on the sectoral capacity of UN agencies with responsibility for emergencies so as to provide an overview of their available resources and modes of intervention, in addition to contributing to exchange of information on programmes, organizations and legal instruments in the area of international co-operation.

The fourth activity concerned new legal instruments designed to overcome obstacles to humanitarian assistance. A convention on the duty to respond to disaster victims with humanitarian assistance was advanced as an effective means for improving assistance delivery, as was the adoption of a series of bilateral agreements between the UN agency (e.g. UNDRO) and the State, under whose terms the UN agency would be the co-ordinating centre for initiating, negotiating and administering such agreements in co-operation with States.

In conclusion, the report stated the Secretary-General's belief that it might be useful to analyse existing legal instruments and resolutions on humanitarian assistance in conjunction with a colloquium, organized by UNDRO, on the overall harmonization of international co-operation. The result could be expected to provide guidance

on practical and acceptable ways of improving humanitarian assistance.

Annexed to the report were the findings of a 1989 review of humanitarian assistance by an informal working group to determine to what extent the problems identified in 1977 [YUN 1977, p. 64] by UNDRO and the League of Red Cross and Red Crescent Societies still existed, and a summary of proposed actions that could increase the speed of assistance delivery.

GENERAL ASSEMBLY ACTION

On 14 December, the General Assembly adopted resolution 45/100.

Humanitarian assistance to victims of natural disasters and similar emergency situations

The General Assembly,

Recalling its resolution 43/131 of 8 December 1988.

Recalling that one of the principles of the United Nations is 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 the sovereignty, territorial integrity and national unity of States, and recognizing that it is up to each State first and foremost to take care of the victims of natural disasters and similar emergency situations occurring on its territory,

Deeply concerned about the suffering of the victims of natural disasters and similar emergency situations, the loss in human lives, the destruction of property and the mass displacement of populations that results from them,

Concerned about the fate of persons who, following such displacement, are in an extremely precarious situation, particularly in a country other than that of which they are nationals,

Considering that the abandonment of the victims of natural disasters and similar emergency situations without humanitarian assistance constitutes a threat to human life and an offence to human dignity,

Strongly desiring that the international community should respond speedily and effectively to the needs for emergency humanitarian assistance expressed in particular through the Secretary-General,

Concerned about the difficulties and obstacles that victims of natural disasters and similar emergency situations may encounter in receiving humanitarian assistance,

Convinced that, in providing humanitarian assistance, in particular the supply of food, medicines or health care, for which access to victims is essential, rapid relief will avoid a tragic increase in the number of victims,

Recalling, in this regard, the Cairo Declaration adopted by the World Food Council at its fifteenth session, proposing, *inter alia*, an international agreement on the transport of emergency food aid,

Aware that alongside the action of Governments and intergovernmental organizations, the speed and efficiency of this assistance often depend on the help and aid of local and non-governmental organizations work-

ing in an impartial manner and with strictly humanitarian motives,

Reaffirming the need for the intergovernmental, governmental and non-governmental organizations dealing with humanitarian assistance to co-operate as closely as possible with the Office of the United Nations Disaster Relief Co-ordinator or any *ad hoc* mechanism set up by the Secretary-General in the co-ordination of aid,

Concerned about the effectiveness of such assistance, which requires an accurate evaluation of needs, efficient preparation of actions and effective co-ordination in conducting them,

Recalling that, in the event of natural disasters and similar emergency situations, the principles of humanity, neutrality and impartiality must be given utmost consideration by all those involved in providing humanitarian assistance,

1. Reaffirms the cardinal importance of humanitarian assistance for the victims of natural disasters and similar emergency situations;

2. Reaffirms also the sovereignty of affected States and their primary role in the initiation, organization, co-ordination and implementation of humanitarian assistance within their respective territories;

3. Stresses the important contribution made in providing humanitarian assistance by intergovernmental and non-governmental organizations working impartially and with strictly humanitarian motives;

4. Invites all States whose populations are in need of such assistance to facilitate the work of these organizations in implementing humanitarian assistance, in particular the supply of food, medicines and health care, for which access to victims is essential;

5. Appeals, therefore, to all States to give their support to these organizations working to provide humanitarian assistance, where needed, to the victims of natural disasters and similar emergency situations;

6. Notes with satisfaction the report of the Secretary-General on the implementation of resolution 43/131 and the suggestions which he makes concerning means of facilitating humanitarian assistance operations, in particular the possibility of establishing, on a temporary basis, where needed, and by means of concerted action by affected Governments and the Governments and intergovernmental, governmental and non-governmental organizations concerned, relief corridors for the distribution of emergency medical and food aid;

7. Urges States in proximity to areas of natural disasters and similar emergency situations, particularly in the case of regions that are difficult to reach, to participate closely with the affected countries in international efforts with a view to facilitating, to the extent possible, the transit of humanitarian assistance;

8. Requests the Secretary-General to pursue, within existing resources, the necessary consultations with Governments and intergovernmental, governmental and non-governmental organizations with a view to determining means of facilitating the delivery of appropriate humanitarian assistance to the victims of natural disasters or similar emergency situations, including the establishment of relief corridors, on the basis of the report of the Secretary-General and on the terms set out in paragraph 6 of the present resolution, and re-

port thereon to the General Assembly at its forty-seventh session;

9. Invites the Secretary-General to study, within existing resources, the possibility of preparing, on the basis of information furnished by Governments and the relevant governmental and non-governmental international organizations and taking into account the work already done in this area by the United Nations, in particular by the Office of the United Nations Disaster Relief Co-ordinator, an indicative list of persons and bodies with expert knowledge of the delivery and management of emergency humanitarian assistance whom the United Nations could call upon, with the consent of the States concerned, to make an accurate and speedy assessment of the needs and a realistic determination of the best means of delivering the aid;

10. Decides to consider this question at its forty-seventh session.

General Assembly resolution 45/100

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/45/751) without vote, 16 November (meeting 45); 49-nation draft (A/C.3/45/L.27), orally revised; agenda item 95.

Meeting numbers. GA 45th session: 3rd Committee 24-27,36,45; plenary 68.

Also on 14 December, the Assembly adopted resolution 45/102.

Promotion of international co-operation in the humanitarian field

The General Assembly,

Recalling its resolutions 42/121 of 7 December 1987 and 43/130 of 8 December 1988,

Noting that one of the purposes of the United Nations, set forth in its Charter, is to achieve international co-operation in solving international problems of a humanitarian character,

Recalling also the Universal Declaration of Human Rights, which proclaims, inter alia, that recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Recalling further that everyone is entitled to a social and international order in which universally recognized human rights and fundamental freedoms can be fully realized,

Mindful of the fact that unresolved humanitarian problems may impede the effective realization of human rights and even lead to violations of these rights,

Convinced that solving humanitarian problems requires co-operation and harmonization of actions taken by Governments, international bodies, non-governmental organizations and individuals,

Mindful also of the significance of the existing workable system to promote, facilitate and co-ordinate humanitarian activities carried out by Governments, the United Nations system and intergovernmental and non-governmental organizations,

1. Calls upon Governments, the United Nations system and intergovernmental and non-governmental organizations further to develop international co-operation in the humanitarian field;

2. Reiterates that international co-operation in the humanitarian field will facilitate better understanding, mutual respect, confidence and tolerance among

countries and peoples, thus contributing to a more just and non-violent world;

3. Notes the need to identify humanitarian problems of the highest priority and to develop a universal strategy of action in the humanitarian field;

4. Invites Governments to promote, within existing mechanisms, regular exchanges of information and of national experience in addressing humanitarian problems;

5. Calls for the broadening of the concept of international co-operation in the humanitarian field through effective bilateral dialogue and activities pertaining to specific humanitarian issues;

6. Encourages the international community to contribute substantially and regularly to international humanitarian activities;

7. Invites all non-governmental organizations concerned with the humanitarian issues examined by the Independent Commission on International Humanitarian Issues and working with strictly humanitarian motives to bear in mind the recommendations and suggestions made in the report of the Independent Commission in the context of their policies and actions in the field;

8. Decides to consider this issue at its forty-seventh session under the item entitled "New international humanitarian order".

General Assembly resolution 45/102

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/45/751) without vote, 16 November (meeting 45); B-nation draft (A/C.3/45/L.34); agenda item 95.

Sponsors: Austria, Bulgaria, France, Jordan, Malaysia, Mongolia, Morocco, USSR.

Meeting numbers. GA 45th session: 3rd Committee 24-27,36,45; plenary 68.

New international humanitarian order

In a 16 October report [A/45/524], the Secretary-General transmitted to the General Assembly replies he had received from six Member States and the Holy See, three UN bodies, three specialized agencies and five NGOs in consultative status with the Economic and Social Council. The replies contained their comments on the new international humanitarian order and the report of the Independent Commission on International Humanitarian Issues, as well as on further development of international co-operation in the humanitarian field, as called for by Assembly resolutions 43/129 and 43/130 [YUN 1988, pp. 552 & 553].

GENERAL ASSEMBLY ACTION

On 14 December, the General Assembly adopted resolution 45/101.

New international humanitarian order

The General Assembly,

Recalling its resolutions 36/136 of 14 December 1981, 37/201 of 18 December 1982, 38/125 of 16 December 1983, 40/126 of 13 December 1985, 42/120 and 42/121 of 7 December 1987 and 43/129 of 8 December 1988 relating to the promotion of a new international humanitarian order,

Taking note of the report of the Secretary-General and the comments made by various Governments regarding the humanitarian order and the work done in this regard by the Independent Commission on International Humanitarian Issues,

Noting the actions being taken by the specialized agencies and programmes of the United Nations system with regard to the humanitarian issues, examined by the Independent Commission, that fall within their respective mandates,

Recognizing with concern the continuing need further to strengthen international responses to growing humanitarian challenges and to adjust actions of governmental and non-governmental organizations to new realities in a fast-changing world,

Bearing in mind the importance of creative humanitarian action at the international as well as the regional and national levels to alleviate human suffering and to promote durable solutions to humanitarian problems,

Convinced of the need for active follow-up to the recommendations and suggestions made by the Independent Commission, and noting the role being played in this regard by the Independent Bureau for Humanitarian Issues set up for the purpose,

1. Expresses its appreciation to the Secretary-General for his continuing active support to the efforts to promote a new international humanitarian order;

2. Encourages Governments as well as governmental and non-governmental organizations that have not yet done so to provide their comments and expertise to the Secretary-General regarding the humanitarian order and the report of the Independent Commission on International Humanitarian Issues;

3. Invites the Independent Bureau for Humanitarian Issues to continue and further strengthen its essential role in following up the work of the Independent Commission;

4. Invites Governments to make available to the Secretary-General, on a voluntary basis, information and expertise on humanitarian issues of concern to them in order to identify opportunities for future action;

5. Requests the Secretary-General to remain in contact with Governments as well as governmental and non-governmental organizations and the Independent Bureau for Humanitarian Issues and to report on the progress made by them to the General Assembly at its forty-seventh session;

6. Decides to review at its forty-seventh session the question of a new international humanitarian order.

General Assembly resolution 45/101

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/45/751) without vote, 16 November (meeting 45); 42-nation draft (A/C.3/45/L.31); agenda item 95.

Meeting numbers. GA 45th session: 3rd Committee 24,27,36,45; plenary 68.

munity for support and providing relief assistance to mitigate the suffering of the victims of both natural disasters and the negative consequences of a variety of political, economic and social situations.

Djibouti

The Economic and Social Council, by decision 1990/271 of 26 July, took note of a Secretariat note [E/1990/L.13] transmitting a World Health Assembly resolution adopted on 17 May 1989 entitled "Damage caused by torrential rain and flooding in Democratic Yemen and Djibouti". That resolution requested the WHO Director-General to elaborate an emergency plan of health and medical assistance to rehabilitate hospitals and health units destroyed by the torrential rains and flooding in April 1989, as well as a programme of health emergency preparedness and response, and to mobilize extrabudgetary resources to enable both countries to cope with the destruction. The resolution also recommended that the Council request UN organizations and specialized agencies to initiate similar programmes of assistance. (See below for details of UN emergency relief assistance to Yemen.)

Responding to General Assembly resolution 44/177 [YUN 1989, p. 351], the Secretary-General reported on 28 September [A/45/505] on assistance provided by the United Nations to alleviate the long-term consequences of the 1989 flood in Djibouti. He stated that the third meeting of the Senior Officials Consultative Group on the Horn of Africa (Nairobi, Kenya, 9 April) had discussed ways of co-ordinating actions and resolving operational problems impeding the effective response of the UN system to the emergency situation in the subregion, which was adversely affecting Djibouti's social and economic infrastructure. A large influx of externally displaced persons had put great pressure on the country's limited resources. The Consultative Group had taken note of Djibouti's requests for UNHCR and WFP assistance in that regard.

UNDP had intensified efforts to assist the Government to design and implement its reconstruction and development programmes. It financed a feasibility study aimed at developing a replicable low-cost housing scheme and made available additional resources to support government efforts to enhance the policy environment in order to attract private investment and to elaborate a comprehensive water master plan. Consultations with the World Bank regarding the co-financing of a project aimed at building national capacity in macro-economic planning were in progress, as were discussions with the Islamic Development

Emergency relief

The United Nations in 1990 continued to be involved in emergency relief efforts in a number of countries, appealing to the international com-

Bank on the co-financing of an integrated rural development programme for the Goubad region.

The Economic Commission for Africa had been providing assistance in agriculture, transport and communications, industry, population intercensus surveys, programmes for women and statistics. It also assisted in the preparation of a country paper for the Second 1990 United Nations Conference on the Least Developed Countries (see PART THREE, Chapter I).

Haiti

The General Assembly, in resolution 45/2 of 10 October, urged the international community and relevant international organizations to increase their technical, economic and financial co-operation with Haiti, in order to support that country's economic and social development efforts.

On 21 December, the Assembly adopted resolution 45/257 A.

Special emergency assistance to Haiti

The General Assembly,

Recalling its resolution 45/2 of 10 December 1990 and welcoming its successful implementation and results,

Conscious of the severe economic and social problems facing Haiti,

Convinced of the need to grant technical and economic assistance to Haiti in overcoming its severe economic and social problems,

1. Appeals to Member States, international financial institutions, the specialized agencies and organizations and programmes of the United Nations system to respond generously and urgently to the needs of Haiti in overcoming its severe economic and social problems;

2. Expresses its determination to assist Haiti in overcoming its severe economic and social problems;

3. Decides to keep the question on assistance to Haiti under review and requests the Secretary-General to consult the Government of Haiti as soon as possible concerning appropriate initiatives for the launching of a special programme of emergency assistance to Haiti and to inform the Assembly on the outcome of such consultations.

General Assembly resolution 45/257 A

21 December 1990 Meeting 72 Adopted without vote

32-nation draft (A/45/L.44/Rev.1); agenda item 86.

Meeting numbers. GA 45th session: plenary 71, 72.

Iran

On 21 June, at 0031 hours local time, a major earthquake struck the north-west. region of Iran, mainly in the mountain provinces of Gilan and Zanjan, whose population numbered 4 million. The worst devastation took place near the centre of the triangle between the cities of Rasht, Qiaz in and Zanjan, especially in the towns of Rudbar,

Manjil and Loushan and in several hundred neighbouring mountain villages where 60 to 90 per cent of the houses collapsed. Losses as of 25 June were officially estimated at 50,000 dead, 60,000 injured and 500,000 homeless. In view of the gravity of the situation, the Secretary-General, on 22 June, appointed the United Nations Disaster Relief Co-ordinator as his Special Representative for the Emergency in Northern Iran.

On 25 June [A/44/957], Pakistan, as Chairman of the Asian Group, conveyed the Group's request to the General Assembly President that he convene a meeting of the Assembly's forty-fourth session in order to consider emergency assistance to Iran. Appended to the request was a draft resolution on the subject.

GENERAL ASSEMBLY ACTION

To enable it to take action on the request conveyed by Pakistan, the General Assembly, on 28 June, reopened consideration of agenda sub-item 88 (a), entitled "Special economic and disaster relief assistance: Special programmes of economic assistance". Following the oral report of Iran and consideration of the sub-item, the Assembly adopted resolution 44/242.

Emergency assistance to the Islamic Republic of Iran

The General Assembly,

Recalling its resolution 44/236 of 22 December 1989 on the International Decade for Natural Disaster Reduction,

Deeply distressed by the large number of casualties and homeless, and the extent of devastation caused by the earthquake which struck the north-west region of the Islamic Republic of Iran on 20 June 1990,

Aware of the efforts of the Government and people of the Islamic Republic of Iran to save lives and alleviate the suffering of the victims of the earthquake,

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

Recognizing the importance of international co-operation for the mitigation of the devastation caused by the earthquake,

Recognizing also that the magnitude of the disaster and its long-term effects will require, as a complement to the efforts being made by the people and Government of the Islamic Republic of Iran, demonstration of international solidarity to ensure broad multilateral co-operation in order to meet the immediate emergency situation in the affected areas and to undertake the process of rehabilitation and reconstruction,

Noting with appreciation the prompt response of Governments, international agencies, non-governmental organizations and individuals in providing emergency relief assistance to the victims of the earthquake,

1. Expresses its solidarity with and support for the Government and people of the Islamic Republic of Iran in this tragic situation;

2. Expresses its gratitude to the States, international agencies and non-governmental organizations that are providing emergency relief assistance;

3. Welcomes the appointment of the Special Representative of the Secretary-General for the Emergency in Northern Iran, expresses appreciation for the efforts of the Secretary-General to strengthen co-ordination within the United Nations system for providing emergency assistance to the Government of the Islamic Republic of Iran, and requests him to submit to the General Assembly at its forty-fifth session the report of the Special Representative;

4. Appeals to all Governments, the specialized agencies and organizations and programmes of the United Nations system, as well as non-governmental organizations, to extend generous assistance to the Government of the Islamic Republic of Iran for relief, rehabilitation and reconstruction in the affected areas.

General Assembly resolution 44/242

28 June 1990 Meeting 94 Adopted without vote
117-nation draft (A/44/L.66), orally revised: agenda item 88 (a).

ECONOMIC AND SOCIAL COUNCIL ACTION

On 26 July, the Economic and Social Council adopted resolution 1990/64.

Special disaster relief assistance to the Islamic Republic of Iran

The Economic and Social Council,

Recalling General Assembly resolution 44/242 of 28 June 1990 on emergency assistance to the Islamic Republic of Iran,

Recalling also General Assembly resolutions 42/169 of 11 December 1987 on the International Decade for Natural Disaster Reduction, in which the Assembly recognized the importance of reducing the impact of natural disasters for all people, and in particular for developing countries, and 44/236 of 22 December 1989, by which the Assembly proclaimed the beginning of the Decade in 1990,

Recalling further General Assembly resolutions concerning assistance in cases of natural disasters and other emergencies, in particular resolution 2816 (XXVI) of 14 December 1991, by which the Assembly established the Office of the United Nations Disaster Relief Co-ordinator,

Having heard the statement made by the United Nations Disaster Relief Co-ordinator and Special Representative of the Secretary-General for the Emergency in Northern Iran before the Third (Programme and Co-ordination) Committee on 11 July 1990 on his mission to the Islamic Republic of Iran,

Deeply touched by the large number of casualties and homeless and the extent of devastation caused by the earthquake in June 1990,

Aware of the remarkable efforts of the Government and people of the Islamic Republic of Iran to save lives and alleviate the suffering of the victims of the earthquake,

Aware also of the enormous efforts required for the rehabilitation and reconstruction of the affected areas, as well as the importance of international co-operation in that regard,

Noting with appreciation the prompt response of Governments, the United Nations system, voluntary or-

ganizations and individuals in providing emergency relief assistance to the victims of the earthquake,

1. Expresses its solidarity with and support for the Government and people of the Islamic Republic of Iran in this tragic situation;

2. Expresses its gratitude to the States, international organizations and agencies that provided or are providing relief assistance;

3. Commends the prompt decision of the Secretary-General in appointing a Special Representative for the Emergency in Northern Iran and expresses appreciation for his efforts in mobilizing and co-ordinating international assistance;

4. Requests the Secretary-General to continue to intensify his endeavours to mobilize every possible assistance to help the Government and people of the Islamic Republic of Iran in their efforts towards the rehabilitation and reconstruction of the stricken areas;

5. Appeals to all Governments, specialized agencies and other organizations of the United Nations system, as well as to voluntary organizations, to provide the Government of the Islamic Republic of Iran with all possible assistance for the rehabilitation and reconstruction of the stricken areas;

6. Requests the Secretary-General to include in his report to the General Assembly at its forty-fifth session an assessment of the damage and the requirements for the rehabilitation and reconstruction of the affected areas.

Economic and Social Council resolution 1990/64

26 July 1990 Meeting 36 Adopted without vote

Approved by Third Committee (E/1990/111) without vote, 18 July (meeting 11); draft by Chairman (E/1990/C.3/L.8), following informal consultations; agenda item 13.

Report of Secretary-General. In keeping with the Economic and Social Council and General Assembly resolutions above, the Secretary-General submitted an 11 October report [A/45/494] giving an assessment of the devastation caused by the earthquake and an overview of the national and international relief effort, including that of the UN system. It also described the requirements and plans for rehabilitation and reconstruction in the stricken area.

National response to the disaster was speedy, efficient and on a scale commensurate to the magnitude of the disaster. International response was immediate and massive, with no less than 46 countries offering assistance in cash or in a wide range of relief goods and services. Action by the UN system was equally immediate and organized. To ensure close co-operation and information-sharing among the UN bodies and agencies involved, an Inter-Agency Emergency Group was formed from UNDP, UNDRO, UNICEF, WHO, WFP, UNHCR, the Office of the United Nations Co-ordinator for Assistance Programmes in respect of Afghan refugees, and the League of Red Cross and Red Crescent Societies. The Group first met on 23 June; thereafter it met each time new information required action.

At the time of reporting, a master plan for rehabilitation and reconstruction was under preparation by the Government. UNDP was to co-ordinate international co-operation for the plan's execution.

Iraq/Kuwait

Following the hostilities in the Persian Gulf, which began with Iraq's invasion of Kuwait on 2 August (see PART TWO, Chapter III), Italy, on behalf of the European Community (EC), submitted to the Secretary-General on 24 September a summary [A/C.2/45/2] of the official humanitarian assistance provided by EC, its member States and NGOs to refugees who had fled the Iraq/Kuwait crisis into Jordan and elsewhere.

The summary, which described the measures taken by EC itself and the supporting initiatives of EC members to facilitate those measures, did not include other types of assistance given to States affected by the crisis. The figures given for NGOs were only estimates; in the case of some member States, estimates were not available. The total estimated amount of assistance provided to date was \$130 million.

Liberia

On 21 December, the General Assembly adopted resolution 45/232.

Emergency assistance for Liberia

The General Assembly,

Extremely concerned about the untold loss of life and human suffering as a consequence of the conflict in Liberia and that over 750,000 people have become refugees and half the population within the country has been displaced,

Deeply concerned about the massive destruction of the nation's infrastructure,

Conscious of the urgent need for the international community to provide assistance for the economic and social rehabilitation of Liberia,

Conscious also of the peace and humanitarian efforts at the subregional level,

1. Appeals to the international community to render its support by providing all necessary assistance for the economic and social rehabilitation of Liberia;

2. Appeals to all Member States to make voluntary contributions for rehabilitation efforts;

3. Requests the Secretary-General; in close co-operation with the appropriate authority in Liberia, to co-ordinate the efforts of the United Nations system to assist that country in its emergency relief, rehabilitation and reconstruction efforts, to mobilize resources for the implementation of the necessary programmes and to keep the international community informed of the needs of the country;

4. Also requests the Secretary-General to apprise the Economic and Social Council, at its first regular session of 1991, of his efforts and to report to the General

Assembly at its forty-sixth session on the implementation of the present resolution;

5. Decides to include in the agenda of its forty-sixth session an item entitled "Emergency assistance for the economic and social rehabilitation of Liberia".

General Assembly resolution 45/232

21 December 1990 Meeting 71 Adopted without vote

Approved by Second Committee (A/45/856) without vote, 11 December (meeting 54); draft by Vice-Chairman for Group of African States and Cuba, Italy, Trinidad and Tobago, United Kingdom and United States (A/C.2/45/L.86), orally revised; agenda item 86.

Meeting numbers. GA 45th session: 2nd Committee 11, 12, 18, 26, 54; plenary 71.

Mozambique

On 10 October, the Secretary-General submitted a report [A/45/562] on emergency assistance to Mozambique. Prepared in accordance with General Assembly resolution 43/208 [YUN 1988, p. 399], the report noted that the emergency situation in Mozambique would continue for some time and massive rehabilitation support was expected to be required upon cessation of the ongoing hostilities. Also noted was the decline in donor response to urgent needs, from \$330 million in 1987 to \$104.4 million in 1990, limiting Mozambique's capacity to provide adequate relief assistance to the internally displaced or returning refugees.

At Mozambique's request, the Secretary-General had dispatched an inter-agency mission to Mozambique (February 1990) to assess the situation and define the country's priority emergency and rehabilitation requirements for 1990-1991. On the basis of that mission's findings, which indicated emergency requirements totalling \$136,099,026, the Fourth International Donors' Conference (New York, April) launched the 1990-1991 emergency appeal for Mozambique. The appeal was confined to the emergency requirements of 1.4 million internally displaced Mozambicans and 154,000 externally displaced nationals who had recently returned or were expected to return during the remainder of 1990.

A sectoral assessment of the response to the appeal as at 31 July showed that relief food aid pledges during 1990 fell short of requirements; with the increase of 300,000 persons in urgent need of relief assistance, food aid requirements had risen by 20 per cent, with a corresponding rise in logistics support to guarantee delivery. The situation in the market sector appeared considerably worse: with the exception of market rice, pledge levels were at 59 per cent of the requirement for wheat, 46 per cent for maize, 27 per cent for oil, 23 per cent for sugar and 8 per cent for pulses.

Because of donor concern about the high food-aid losses, a number of measures had been instituted to tighten control and protection of relief

commodities at the central and provincial levels. WFP international staff had been outposted to six of the most seriously affected provinces to facilitate and monitor aid deliveries, logistics and distribution, and to improve information flows. Logistics remained seriously underfunded, with an overall coverage of only 17.6 per cent of the \$34 million required. Of the \$9.6 million required for capital expenditures, only \$2.8 million had been contributed. Only 13 per cent had been pledged against the \$24 million needed for fuel, spare parts, coastal shipping and airlifts. Over half of the \$8 million requested for the seeds-and-tools programme had been pledged, while only 37 per cent of the priority needs in the health sector was being met. An additional \$400,000 was needed for school reconstruction. Very little support had been registered for relief and survival items and for the UNHCR-sponsored programme to assist returnees in their transition from refugee centres outside Mozambique to their districts of origin. Only 40 per cent of the \$3.3 million required for institutional support had been pledged.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/227.

Assistance to Mozambique

The General Assembly,

Recalling Security Council resolution 386(1976) of 17 March 1976,

Recalling also its relevant resolutions, in particular resolution 43/208 of 20 December 1988, in which it urged the international community to respond effectively and generously to the call for assistance to Mozambique,

Taking note of the Paris Declaration and the Programme of Action for the Least Developed Countries for the 1990s, adopted by the Second United Nations Conference on the Least Developed Countries on 14 September 1990, and mindful of the mutual commitments undertaken for a strengthened partnership for development and the importance to be given to the follow-up to the recommendations of that Conference,

Having considered the report of the Secretary-General on emergency assistance to Mozambique,

Considering that Mozambique continues to face a complex emergency situation of extreme proportions, as illustrated in the report of the Secretary-General,

Noting with deep concern that Mozambique has continued to suffer from the negative impact of the war of destabilization, resulting in, inter alia, enormous losses of human life, widespread destruction of infrastructure, massive poverty and large numbers of displaced persons, which, combined with an adverse international economic situation, have led to an overall retrogression of the country's development,

Stressing that a proper response to the emergency situation in Mozambique requires the reinforcement of relief aid with additional rehabilitation and development assistance,

1. Takes note of the report of the Secretary-General on emergency assistance to Mozambique;

2. Welcomes the efforts being undertaken by the Government of Mozambique for the restoration of peace and normalization of life in the country, as well as other measures as reflected in its emergency and economic and social recovery programmes, and, in this context, stresses the need for vigorous international assistance in support of these efforts;

3. Expresses its appreciation to, and commends, the Secretary-General and the relevant organizations of the United Nations system for the measures taken to organize international assistance programmes for Mozambique;

4. Expresses its gratitude to all States and regional, intergovernmental and non-governmental organizations that have rendered assistance to Mozambique;

5. Recognizes that substantial international assistance is still required for the implementation of emergency, reconstruction and development programmes and projects;

6. Reiterates its appeal to the international community to continue to provide relief aid, particularly urgent food aid and logistics support, so as to improve distribution capacity and prevent further widespread starvation;

7. Draws the attention of the international community to the non-food sectors, as described in the report on the emergency situation in Mozambique setting out priority requirements for the period 1990-1991, the funding of which continues to lag, particularly in the areas of relief items, agriculture, health, assistance to returnees and institutional support;

8. Calls upon Member States, regional and interregional organizations and other intergovernmental and non-governmental organizations to provide and expand technical, financial and other material assistance to Mozambique wherever possible, especially in the form of grants, and urges them to give priority to the inclusion of Mozambique in their development assistance programmes;

9. Invites all appropriate organizations and programmes of the United Nations system to maintain and increase their current and future programmes of assistance to Mozambique;

10. Requests the Secretary-General:

(a) To continue his efforts to mobilize the financial, technical and material assistance required by Mozambique;

(b) To continue to co-ordinate the work of the United Nations system, in close co-operation with the Government of Mozambique, in the implementation of the country's emergency and rehabilitation programmes;

(c) To prepare, on the basis of consultations with the Government of Mozambique, a report on the implementation of the emergency and rehabilitation programmes for that country and to submit the report to the General Assembly at its forty-seventh session.

General Assembly resolution 45/227

21 December 1990 Meeting 71 Adopted without vote

Approved by Second Committee (A/45/856) without vote, 7 November (meeting 35); 54-nation draft (A/C.2/45/L.18/Rev.1); agenda item 86.

Meeting numbers. GA 45th session: 2nd Committee 11, 12, 18, 26. 35; plenary 71.

Somalia

In an oral report before the Economic and Social Council on 1 May, the Special Co-ordinator for Emergency Relief Operations in Somalia observed that the security situation in the areas affected by the conflict in Somalia had shown no improvement, saying the difficulties under which humanitarian relief operations were being carried out could be gauged by the decision of the Office of the United Nations High Commissioner for Refugees (UNHCR) and WFP temporarily to suspend those operations in October 1989 [YUN 1989, p. 360].

In February, in response to an appeal by the Government, the Secretary-General had launched an Extraordinary Interim Emergency Programme in north-western Somalia to provide 2,000 metric tons of food aid monthly over a six-month (March-August) period for war-affected persons, including 140,000 refugees. The Programme had been faced with operational and logistical difficulties, however, so that, as determined by a mid-term inter-agency assessment mission, just over half of the planned aid had been delivered each month. At the end of the Programme, the International Committee of the Red Cross (ICRC) envisaged expanding its humanitarian programmes for internally displaced persons to include refugees, which would continue until the United Nations could resume normal humanitarian relief operations in the region. ICRC's aim was to establish greater access to the north beyond the towns of Berbera and Boroma, to which access was currently limited. ICRC was continuing its dialogue with relevant parties to put in place the necessary mechanism for access to the needy in contested areas. In the south, where the conflict had been just as strongly felt as in the north and where urban centres had had to absorb large numbers of displaced persons, the Government and the United Nations would assess the problems in Mogadishu and look for ways to alleviate the worst of them.

By decision 1990/210 of 1 May, the Council took note of the Special Co-ordinator's oral report.

Report of Secretary-General. In a report of 18 September [A/45/483], the Secretary-General transmitted to the General Assembly information received from Australia, Finland, Italy and Sweden, and from four UN organs (UNDP, UNICEF, UNDRO, UNHCR) and four specialized agencies (FAO, UNIDO, UNESCO, WHO) on action they had taken to extend emergency assistance to Somalia, as called for by Assembly resolution 44/178 [YUN 1989, p. 361].

The Secretary-General drew attention to four distinct programmes that had been or were being

implemented in north-western Somalia to meet the humanitarian needs of the population: the Extraordinary Interim Emergency Programme, which ended on 31 August; a refugee repatriation programme under tripartite (Ethiopia/Somalia/UNHCR) operational arrangements; an assistance programme, begun in February 1989, to assist people displaced by the civil strife and to help in the rehabilitation and reconstruction of destroyed towns and villages, which had drawn little donor support, however, due in part to the continuing unsettled conditions and concerns about human rights problems; and an ICRC programme for medical and emergency nutritional assistance to meet the needs of war-affected persons. ICRC had also assisted in implementing a repatriation programme for Ethiopian refugees under the aegis of the tripartite commission.

The Secretary-General stated that, as in other emergency situations calling for UN humanitarian operations, any new programme would require that relief be provided to all in need regardless of location; that safe access corridors for delivery of supplies be identified and agreed by all parties; and that the loading and unloading of neutral relief convoys, as well as distribution of relief supplies, be conducted under UN supervision. Somalia had been advised to continue discussions with appropriate international agencies with a view to developing a new programme to meet the special circumstances in the area.

Speaking before the Assembly's Second Committee on 22 October, Somalia said that the Extraordinary Interim Emergency Programme had been terminated despite requests from Somalia's President and ICRC for its extension. The Programme's termination, Somalia said, had caused great hardship and human suffering and had hampered implementation of its refugee repatriation programme within the expected timeframe. It said that the situation in the country's north-western districts had improved so that the international community and UN organizations could resume their assistance operations there. The Government had recently taken far-reaching steps towards political liberalization: it had adopted a new constitution, had released all political prisoners and had enacted legislation providing for elections, a multiparty system and a free press. It was Somalia's expectation that, as it entered a new era in its history, it would receive support and co-operation from the international community. It called on the Assembly to adopt interim measures for providing humanitarian assistance to displaced persons and refugees until the situation in the north-western districts was stabilized.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/229.

Emergency assistance to Somalia

The General Assembly,

Recalling its resolutions 43/206 of 20 December 1988 and 44/178 of 19 December 1989, as well as Economic and Social Council decision 1989/111 of 22 May 1989 concerning emergency assistance to Somalia,

Extremely concerned at the massive displacement of the population in the affected regions of northern Somalia, the extensive damage and destruction of infrastructure and the widespread disruption of public services,

Noting with satisfaction the measures taken by the Secretary-General to obtain an assessment of the emergency and rehabilitation needs of the displaced population,

Reaffirming the need for the international community to respond fully to requests for emergency humanitarian and rehabilitation assistance for Somalia,

Considering that Somalia, as one of the least developed countries, is unable to cope with the mounting burden of providing adequate food, medicine and shelter for the large number of displaced people,

Taking note of the report of the Secretary-General and the statement made by the representative of Somalia before the Second Committee on 22 October 1990,

1. Expresses its gratitude to the States and intergovernmental and non-governmental organizations that have responded and are continuing to respond generously to the appeals of the Government of Somalia and the Secretary-General by extending assistance to Somalia;

2. Expresses its appreciation to the Secretary-General for the efforts he is making to mobilize international resources to assist the Government and people of Somalia in coping with the emergency situation in the affected regions of northern Somalia;

3. Recalls the interim report of the United Nations inter-agency mission that visited Somalia from 25 February to 12 March 1989;

4. Once again appeals to all States and the competent intergovernmental and non-governmental organizations to contribute generously and urgently to meet the needs identified by the United Nations inter-agency mission to Somalia;

5. Requests the Secretary-General to continue to coordinate the efforts of the United Nations system to help Somalia in its emergency and rehabilitation programme;

6. Also requests the Secretary-General to apprise the Economic and Social Council at its first regular session of 1991 of his efforts and to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

General Assembly resolution 45/229

21 December 1990 Meeting 71 Adopted without vote
Approved by Second Committee (A/45/856) without vote, 7 November (meeting 35); 33-nation draft (A/C.2/45/L.20), orally revised; agenda item 86,

Meeting numbers. GA 45th session: 2nd Committee 11, 12, 18, 26, 35; plenary 71.

South Pacific countries

On 9 February, at its organizational session for 1990, the Economic and Social Council had before it a draft resolution, introduced by New Zealand, on emergency assistance to Samoa, American Samoa, Niue, Tokelau, Tonga, Tuvalu, and Wallis and Futuna, in the South Pacific, which had been struck by cyclone "Ofa" from 2 to 6 February, resulting in loss of life, destruction of housing and extensive damage to their social and economic infrastructure. The Observer for Samoa orally reported that in that country alone preliminary figures put the homeless at 25,000 people and damage at some \$200 million.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 9 February, the Economic and Social Council adopted resolution 1990/1.

Emergency assistance to Samoa,
American Samoa, Niue, Tokelau, Tonga,
Tuvalu, and Wallis and Futuna

The Economic and Social Council,

Deeply concerned at the devastation caused to Samoa, American Samoa, Niue, Tokelau, Tonga, Tuvalu, and Wallis and Futuna by cyclone "Ofa" from 2 to 6 February 1990, which resulted in loss of life, destruction of housing and extensive damage to economic and social infrastructure, as well as to agricultural, transport and industrial sectors,

Recalling General Assembly resolution 44/236 of 22 December 1989, by which the Assembly proclaimed the International Decade for Natural Disaster Reduction, beginning on 1 January 1990,

Recalling also General Assembly resolution 43/189 of 20 December 1988 on specific measures in favour of island developing countries,

Recalling further that Samoa and Tuvalu have been designated by the General Assembly as least developed countries,

Conscious of the efforts of the Governments concerned and of the peoples of Samoa, American Samoa, Niue, Tokelau, Tonga, Tuvalu, and Wallis and Futuna to save lives and alleviate the sufferings of the victims of cyclone "Ofa",

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

Conscious of the prompt response being made by Governments, the bodies and organizations of the United Nations system, international and regional agencies, non-governmental organizations and private individuals to provide relief to the affected countries and territories,

Recognizing that the magnitude of the disaster and its medium-term and long-term effects will require, as a complement to the efforts being made by the Governments concerned and the peoples of the affected countries and territories, a demonstration of international solidarity and humanitarian concern to ensure broad multilateral co-operation in meeting the immediate emergency situation in the affected areas and to initiate the process of reconstruction,

1. Expresses its solidarity and support to the Governments concerned and the peoples of Samoa, American Samoa, Niue, Tokelau, Tonga, Tuvalu, and Wallis and Futuna;

2. Expresses its appreciation to all members of the international community, international agencies and non-governmental organizations that are providing emergency relief to the affected countries and territories;

3. Urges all members of the international community to contribute generously to the relief, rehabilitation and reconstruction efforts in the affected countries and territories;

4. Requests the Secretary-General, in collaboration with the international financial institutions and the bodies and organizations of the United Nations system, to assist the Governments of the affected countries and territories in identifying the medium-term and long-term needs and in mobilizing resources, and to help with the task of reconstruction of the affected countries and territories being undertaken by their respective Governments;

5. Also requests the Secretary-General to report to the General Assembly at its forty-fifth session, through the Economic and Social Council at its second regular session of 1990, on the progress made in the implementation of the present resolution.

Economic and Social Council resolution 1990/1

9 February 1990 Meeting 4 Adopted without vote
52-nation draft (E/1990/L.17); agenda item 2.

By decision 1990/288 of 9 November, the Council took note of the oral report made before it on that date by the Chief of the East Asia and Pacific Division of the UNDP Regional Bureau for Asia and the Pacific, on emergency assistance to Samoa, American Samoa, Niue, Tokelau, Tonga, Tuvalu, and Wallis and Futuna.

Report of Secretary-General. As requested by the foregoing Economic and Social Council resolution, the Secretary-General reported on 12 December [A/45/842] to the General Assembly that the international community, including UN organs and specialized agencies, bilateral donors and NGOs, had contributed promptly and generously towards alleviating the devastating consequences of cyclone Ofa. The Governments concerned had requested assistance for emergency relief and long-term rehabilitation and reconstruction, advice on damage and needs assessment, and help in mobilizing resources. The emergency assistance that had been provided to Samoa—substantial cash, food, equipment and materials—was illustrative of the assistance to the other affected countries.

Immediate announcements of donor support had come from Australia, France, Japan, New Zealand, Singapore, the United Kingdom and the United States. Australia, New Zealand and the United States had airlifted food, miscellane-

ous supplies and specialized emergency personnel in response to the needs for humanitarian assistance. Multilateral organizations and the UN system had responded through UNDP, UNDRP, UNICEF, WFP and WHO. UNDP funded emergency relief and a \$300,000 infrastructure project. UNDRP provided a cash grant and dispatched emergency assessment missions and WFP provided food aid. The Asian Development Bank gave a loan for electric power reconstruction.

A round table had been organized (Geneva, May) with UNDP assistance for the purpose of coordinating aid and mobilizing resources on the basis of the rehabilitation strategy and assistance needs presented by Samoa.

Sudan

On 11 July, the Special Representative of the Secretary-General for Emergency and Relief Operations in the Sudan made an oral progress report before the Council's Third (Programme and Co-ordination) Committee on the second phase of "Operation Lifeline Sudan" (OLS), launched the year before [YUN 1989, p. 361].

ECONOMIC AND SOCIAL COUNCIL ACTION

On 26 July, the Economic and Social Council adopted resolution 1990/67.

Operation Lifeline Sudan

The Economic and Social Council,

Recalling General Assembly resolutions 43/8 of 18 October 1988, 43/52 of 6 December 1988 and 44/12 of 24 October 1989 on assistance to the Sudan,

Noting with deep concern the continuing negative impact of persistent natural disasters and civil strife in the Sudan, which have resulted in the destruction of the socio-economic infrastructure of that country and large numbers of displaced persons, as well as the serious consequences of the most recent drought, namely crop failures and food shortages,

Recognizing that the Sudan continues to require, as a complement to its own efforts, strong and continued international solidarity and humanitarian support to meet the urgent requirements for relief, rehabilitation and reconstruction,

Noting that the food and non-food requirements of Operation Lifeline Sudan are spelt out in the emergency appeal of May 1990 of the United Nations Children's Fund, the Operation Lifeline Sudan Phase II Background Appeal Document of the Donor Consultation Meeting of 26 March 1990 and the World Food Programme appeal of 20 March 1990,

Noting with appreciation the report on progress in the second phase of Operation Lifeline Sudan, made before the Third (Programme and Co-ordination) Committee at its 1st meeting, on 11 July 1990, by the Special Representative of the Secretary-General for Emergency and Relief Operations in the Sudan,

1. Expresses its deep gratitude and appreciation to the States and intergovernmental and non-governmental

organizations that are providing assistance to the Government and the people of the Sudan in their relief, rehabilitation and reconstruction efforts in the context of Operation Lifeline Sudan;

2. Expresses its full appreciation to the Secretary-General and the organizations of the United Nations system for the effective resource mobilization, successful co-ordination and support for Operation Lifeline Sudan;

3. Requests the Secretary-General, in close co-operation with the Government of the Sudan, to continue to co-ordinate the efforts of the United Nations system to help the Sudan in its emergency, rehabilitation and reconstruction programmes, to mobilize resources for the implementation of those programmes and to keep the international community informed of the needs of that country;

4. Calls upon all States to continue to contribute generously to the relief and rehabilitation requirements of displaced persons;

5. Further calls upon all States to respond generously to the appeals for immediate food and non-food relief and rehabilitation support made by the United Nations Children's Fund in May 1990, the Government of the Sudan on 26 March 1990 and the World Food Programme on 20 March 1990;

6. Requests the Secretary-General, in the context of his report on the implementation of General Assembly resolution 44/12, for submission to the General Assembly at its forty-fifth session, to provide information with special reference to the activities mentioned in the report made before the Third (Programme and Co-ordination) Committee at its 1st meeting, on 11 July 1990, by the Special Representative of the Secretary-General for Emergency and Relief Operations in the Sudan.

Economic and Social Council resolution 1990/67

26 July 1990 Meeting 36 Adopted without vote

Approved by Third Committee (E/1990/112) without vote, 20 July (meeting 15); draft by Bolivia for Group of 77 and Turkey (E/1990/C.3/L.5), orally revised; agenda item 14.

Report of Secretary-General. On 8 October, the Secretary-General submitted a report on emergency assistance to the Sudan [A/45/547] in response to the foregoing Economic and Social Council resolution as well as to General Assembly resolution 44/12 [SUN 1989, p. 362]. According to that report, conditions in the Sudan remained precarious. Renewed armed conflict in October 1989 had resulted in further civilian displacements. Besides the persistent drought that had seriously affected crops and livestock, returnees to the south from Khartoum and from camps in the transitional zone (Southern Darfur and Southern Kordofan provinces) had added to the strain on food supplies. As a result of increasing food shortages, significant numbers of people had begun migrating towards Ethiopia. To contain the situation, OLS had accelerated the movement of relief food, seeds and fishing equipment to the south and intensified cattle vaccination, immunization of children and pregnant women

and basic health-care activities. Of the 1.8 million displaced persons in Khartoum, many continued to live in appalling conditions, with little or no access to adequate shelter, clean water or health services. The prospect of continued fighting and serious economic stress, together with an anticipated poor harvest in 1990, was expected to result in substantial relief and rehabilitation requirements through 1991.

The joint Sudan/UN background appeal document and action plan for the second phase of OLS (OLS II) were presented at a donor consultation meeting convened by the Sudan and the United Nations (Khartoum, 26 March). The appeal was for an estimated \$121 million, representing the total cost of OLS II, including non-food activities, for some 4.5 million people requiring emergency relief and rehabilitation assistance in 1990. Food and logistics accounted for approximately half of the estimated figure. Priority would be given to food deliveries and urgent non-food supplies to areas rendered inaccessible during the rainy season. Despite the six-month delay in presenting the appeal, all of the 104,000 metric tons (MT) of relief food asked for had been secured by the end of March. The OLS programmes would cover the conflict zone: Bahr El-Ghazal, Equatoria and Upper Nile provinces, Southern Darfur and Kordofan provinces, most of the Central Region, and, for the first time under OLS, displaced persons living in planned and unplanned areas in Khartoum.

Despite logistical problems, 43,163 MT had been delivered to target locations by 6 September: 32,486 MT to areas under the Government and 10,677 MT to those under the Sudan Peoples Liberation Movement (SPLM). The WFP appeal for \$11.8 million for the transport of relief food had largely been met. However, the late start of OLS II operations necessitated airlifts into areas originally planned to be serviced by road, thus increasing logistics costs.

In order to achieve uninterrupted delivery of OLS relief supplies into the conflict areas, several new co-ordination and problem-solving committees were established in March, involving the Government, the United Nations, donors, SPLM and the Sudan Relief and Rehabilitation Association. A disagreement between the Government and SPLM over the allocation of supplies to SPLM-held areas led to the formation of a joint review and allocations committee charged with allocating additional relief supplies from a reserve food-aid stock of 12,000 MT on the basis of population and needs surveys conducted by the United Nations. Three other committees were established in Khartoum to deal with major OLS problems, administrative matters and policy is-

sues. In other administrative arrangements, the Government had agreed to make available to OLS a special exchange rate equivalent to 12.2 Sudanese pounds to one United States dollar, to exempt relief goods from customs duties and relief aircraft from airport charges, and to ensure that NGOs were able to continue their activities in the field.

The report concluded that, although food aid pledges and receipts and funding for logistics had been prompt and generous, that had not been the case with the non-food sector. It had become evident that part of donor reluctance to fund non-food activities had stemmed from a combination of the problems experienced by the relief operations during the past eight months, varying from the suspension of relief flights to bureaucratic problems and the resurgence of fighting. Unfortunately, the shortage of funds for such activities would only lead to further suffering among those least able to help themselves: the displaced women and children.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/226.

Operation Lifeline Sudan

The General Assembly,

Recalling its resolutions 43/8 of 18 October 1988, 43/52 of 6 December 1988 and 44/12 of 24 October 1989 on assistance to the Sudan,

Deeply concerned at the continuing negative impact of persistent natural disasters and armed conflict in the Sudan, which have resulted in the destruction of the socio-economic infrastructure of that country and large numbers of displaced persons, as well as the expected serious consequences of the most recent drought, namely, crop failures and food shortages,

Recognizing that the Sudan continues to require, as a complement to its own efforts, strong and continued international solidarity and humanitarian support to meet the urgent requirements for relief, rehabilitation and reconstruction,

Noting that the food and non-food requirements of Operation Lifeline Sudan are spelt out in the emergency appeal of May 1990 of the United Nations Children's Fund, the Operation Lifeline Sudan Phase II Background Appeal Document of the Donor Consultation Meeting of 26 March 1990 and the World Food Programme appeal of 20 March 1990,

Noting with appreciation the report on progress in the second phase of Operation Lifeline Sudan made before the Third (Programme and Co-ordination) Committee of the Economic and Social Council on 11 July 1990 by the Special Representative of the Secretary-General for Emergency and Relief Operations in the Sudan,

Taking note of the recent decision of the Government of the Sudan during the World Summit for Children, held in New York on 29 and 30 September 1990, to extend a new period of tranquillity in the southern part of the country,

1. Attaches importance to the established principles governing United Nations emergency programmes in conflict situations, including the principle of safe access for personnel providing relief to all in need, which should be implemented with the co-operation of all parties concerned;

2. Expresses its deep gratitude and appreciation to the States and intergovernmental and non-governmental organizations that are providing assistance to the Government and the people of the Sudan in their relief, rehabilitation and reconstruction efforts in the context of Operation Lifeline Sudan;

3. Expresses its full appreciation to the Secretary-General and the organizations of the United Nations system for the successful co-ordination of and the effective resource mobilization and support for Operation Lifeline Sudan;

4. Requests the Secretary-General, in close co-operation with the Government of the Sudan, to continue to co-ordinate the efforts of the United Nations system to help the Sudan in its emergency, rehabilitation and reconstruction programmes, to mobilize resources for the implementation of those programmes and to keep the international community informed of the needs of that country;

5. Calls upon all States to continue to contribute generously to the relief and rehabilitation requirements of displaced persons;

6. Also calls upon all States to respond generously to the appeals for immediate food and non-food relief and rehabilitation support made by the United Nations Children's Fund in May 1990, the Government of the Sudan on 26 March 1990 and the World Food Programme on 20 March 1990;

7. Urges the Government of the Sudan and other parties involved to offer all feasible assistance, including facilitating the movement of relief supplies and personnel, to guarantee maximum success of the second phase of Operation Lifeline Sudan in all parts of the country;

8. Takes note with appreciation of the report of the Secretary-General on Operation Lifeline Sudan, and requests him to monitor and assess the evolution of the emergency situation and to report to the General Assembly at its forty-sixth session, through the Economic and Social Council, on all matters connected with the implementation of emergency and relief operations in the Sudan and to offer appropriate briefings during the intervening period.

General Assembly resolution 45/226

21 December 1990 Meeting 71 Adopted without vote
Approved by Second Committee (A/45/856) without vote, 5 December (meeting 51); 29-nation draft (A/C.2/45/L.17/Rev.1); agenda item 86.
Meeting numbers. GA 45th session: 2nd Committee 11, 12, 18, 26, 51; plenary 71.

United Republic of Tanzania

On 18 April, [A/45/224] the United Republic of Tanzania brought to the Secretary-General's attention the appeal it had made on 13 April for international assistance, owing to the disastrous consequences of the widespread flooding caused by four weeks of excessive rains in much of the

country. The regions of Arusha, Kilimanjaro, Lindi, Morogoro, Mtwara, Singida and Tanga were affected, Lindi and Mtwara most seriously, where the floods had left 69 people dead, hundreds missing and over 150,000 displaced.

The assistance called for included medicines, tents and materials for temporary shelters, equipment and components for bridge and road reconstruction, restoration of water supply systems, helicopters with spare parts, and related financing.

Yemen

On 26 July, the Economic and Social Council, by decision 1990/271, took note of a 1989 World Health Assembly resolution recommending that the Council request UN organizations and specialized agencies to initiate programmes to assist Yemen, as well as Djibouti (see above), to tackle the consequences of torrential rain and flooding in 1989.

On the same date, Council adopted resolution 1990/65.

Assistance to the Republic of Yemen

The Economic and Social Council,

Welcoming the establishment of the Republic of Yemen and bearing in mind the considerable burden involved in the reconstruction of its economic and social institutions, including health, educational and vocational institutions in the two former States,

Taking into account that the Republic of Yemen, as one of the least developed countries, is unable to shoulder the burden of its reconstruction and rehabilitation programmes, in spite of the endeavours of the Government,

Taking into account the requirements to enable the Republic of Yemen to rebuild the country's infrastructure, particularly roads, health centres, schools, water and electricity supply lines, communication networks and other public services, and to reconstruct the villages and reclaim the thousands of hectares of cultivated land that were totally destroyed or swept away during the floods in April 1989.

Noting with appreciation the support provided by various States and intergovernmental and non-governmental organizations for emergency relief operations,

Recalling General Assembly-resolutions 37/150 and 37/166 of 17 December 1982, Economic and Social Council resolution 1989/1 of 10 May 1989, resolution 176(XV) adopted on 18 May 1989, by the Economic and Social Commission for Western Asia at its fifteenth session, decision 89/37 adopted on 30 June 1989 by the Governing Council of the United Nations Development Programme at its thirty-sixth session, and resolution WHA 42.15 adopted on 17 May 1989, by the Forty-second World Health Assembly.

Noting the study prepared by the World Bank concerning the requirements for the rehabilitation of the infrastructure that was destroyed by the floods in the country,

1. Calls upon all States to contribute generously and respond effectively to the country's reconstruction and rehabilitation needs;

2. Requests the Secretary-General to co-ordinate the efforts made by the specialized agencies and other organizations of the United Nations system to assist the Republic of Yemen to mobilize resources for the implementation of its special reconstruction and rehabilitation programmes and to apprise the Council of their efforts at its second regular session of 1991;

3. Also requests the Secretary-General to submit to the General Assembly at its forty-fifth session his report on the implementation of Assembly resolution 44/179 of 19 December 1989.

Economic and Social Council resolution 1990/65

26 July 1990 Meeting 36 Adopted without vote

Approved by Third Committee (E/1990/112) without vote, 19 July (meeting 13); 14-nation draft (E/1990/C.3/L.3), orally revised in Council; agenda item 14.

Reports of Secretary-General. The Secretary-General, in a 2 August report on special economic and disaster relief assistance [A/45/358], stated that, following the floods in Yemen in 1989, UNDRO and UNDP co-ordinated in providing immediate relief assistance amounting to \$3.6 million. The Government and the World Bank were co-operating in a \$15.4 million reconstruction programme, to which UNDP was contributing technical assistance valued at \$1 million. A later addendum to that report [A/45/358/Add.1] transmitted detailed information on emergency relief assistance channelled through UNICEF, UNDRO and the Economic and Social Commission for Western Asia from multi-lateral and bilateral sources.

The Secretary-General further reported on 25 October [A/45/669] that the devastation caused by the 1982 and 1989 floods had compelled Yemen to redirect a substantial part of its limited financial resources from development objectives to reconstruction work, impairing the implementation of the second five-year plan and incurring delays in the implementation of the third five-year plan (1986-1990). He stated that in view of the heavy destruction incurred by the 1989 flood, further assistance was required. At Yemen's request, preparations for a round-table conference to take place in 1991 were under way.

As of the reporting date, the multisectoral rehabilitation and reconstruction effort to address the consequences of the 1989 floods consisted of: a UNDP technical assistance project valued at \$1,016,500 to assist the Government in managing a flood reconstruction programme to restore vital physical infrastructure destroyed by the floods and to strengthen the national capacity to manage disaster recovery programmes through the establishment of an Emergency Reconstruction Unit in the Ministry of Planning and Devel-

opment; a joint International Development Association (IDA) and World Bank emergency flood reconstruction project for a six-month flood mitigation and preparedness study funded through an IDA credit totalling 7.9 million special drawing rights, based on the findings of which in-service training programmes were planned for staff of the Emergency Reconstruction Unit; and a contribution by the Islamic Development Bank at the level of \$2 million for four Yemeni governorates. International contributions to the relief and rehabilitation of flood victims totalled \$3,687,264: \$1,140,000 from the UN system (UNDP, UNICEF, UNDRO, WFP, WHO); \$1,900,106 from bilateral sources (Australia, Bahrain, France, Germany, Italy, Japan, Kuwait, Norway, Oman, Saudi Arabia, USSR, United Arab Emirates, United Kingdom); and \$647,158 from other intergovernmental and non-governmental sources.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/222.

Assistance for the reconstruction and development of Yemen

The General Assembly,

Welcoming the declaration on 22 May 1990 of the merger of the Yemen Arab Republic and the People's Democratic Republic of Yemen to form a single sovereign State called the Republic of Yemen,

Recalling its resolution 44/179 of 19 December 1989 and taking note of Economic and Social Council resolution 1990/65 of 26 July 1990,

Taking into consideration the fact that Yemen, being one of the least developed countries, is unable to sustain reconstruction and development programmes in spite of the efforts made by its Government,

Taking note of the Paris Declaration and the Programme of Action for the Least Developed Countries for the 1990s, adopted by the Second United Nations Conference on the Least Developed Countries on 14 September 1990, and the mutual commitments entered into on that occasion,

Noting that the response of the international community to General Assembly resolution 44/179 has not achieved the expected goal in meeting the rehabilitation and reconstruction needs arising from the damages inflicted by the floods of 1982 and 1989.

Noting with deep concern the economic situation in Yemen, which has been exacerbated recently by the serious and adverse effects of the situation between Iraq and Kuwait,

1. Expresses its gratitude to the States and intergovernmental and non-governmental organizations that responded and are continuing to respond generously to the request of the Government of Yemen for assistance to overcome the economic difficulties resulting from the floods;

2. Expresses its appreciation to the Secretary-General for his efforts, reflected in his report, to make the international community aware of the difficulties faced by Yemen and to mobilize assistance for the country;

3. Renews the request made to all States, competent United Nations organizations and programmes and international economic and finance institutions to continue to contribute to the reconstruction and development of Yemen;

4. Calls upon the Secretary-General, in co-operation with the concerned organs and organizations of the United Nations system and in close collaboration with the Government authorities, to carry out an evaluation of the requirements of Yemen with a view to drawing up a programme for the reconstruction and development of Yemen, following the damage to the infrastructure of the country;

5. Expresses the wish that its future round-table meetings be held within the framework of the intensified follow-up called for by the Second United Nations Conference on the Least Developed Countries;

6. Calls upon the Secretary-General to report to the General Assembly at its forty-sixth session, through the Economic and Social Council at its second regular session of 1991, on the implementation of the present resolution.

General Assembly resolution 45/222

21 December 1990 Meeting 71 Adopted without vote

Approved by Second Committee (A/45/856) without vote, 7 November (meeting 35); 29-nation draft (A/C.2/45/L.S/Rev.1), orally revised; agenda item 86.

Meeting numbers. GA 45th session: 2nd Committee 11, 12, 18, 22, 26, 35; Plenary 71.

Chapter IV

International trade, finance and transport

Despite the slow-down in global output in 1990, world trade remained buoyant with the volume of world exports increasing by 5.5 per cent—not much less than the 7 per cent of 1989. However, there were clouds on the international trade horizon, including growing concerns about the proliferation of bilateral trade arrangements, as well as about the formation of trading blocs and their eventual impact on the global trading system. There was also apprehension about protectionism and the tendency for some countries to substitute “managed trade” for free trade, and tensions were mounting with regard to the difficulties in reaching agreement on key agenda items in the Uruguay Round of multilateral trade negotiations.

The Trade and Development Board (TDB) of the United Nations Conference on Trade and Development (UNCTAD) held three sessions in 1990, including a special session on compensatory financing of export earnings shortfalls. In December, the General Assembly, having considered the TDB report covering those sessions, urged all countries to fulfil their responsibilities in strengthening the rules and disciplines of the multilateral trading system for the benefit of all and affirmed the need for the outcome of the Uruguay Round to contribute positively to building up and strengthening the infrastructure and technological capacities of the developing countries.

The Assembly decided to convene the eighth session of UNCTAD (UNCTAD VIII) at Punta del Este, Uruguay, from 21 September to 8 October 1991. UNCTAD VIII was invited by the Assembly to analyse and assess the outcome of the Uruguay Round, in particular in areas of interest or concern to developing countries. With regard to commodities, the Assembly emphasized the importance of maximizing the contribution of the commodity sector to economic growth and transformation in commodity-dependent developing countries and urged UNCTAD VIII to address all aspects of commodity problems in a comprehensive manner.

On the question of the international debt crisis, the Assembly, having considered reports by the Secretary-General and by his Personal Representative on Debt, invited the multilateral finan-

cial institutions to continue to provide support for debt and debt-service reduction packages and urged that serious attention be given to continuing to work towards a growth-oriented solution for developing countries with serious debt-servicing problems, including those whose debt was mainly to official creditors or to multilateral financial institutions.

International trade

The growth of world trade in terms of import volumes declined to an estimated 7.5 per cent in 1989, well below the record 9.5 per cent achieved in 1988. The decline reflected slower output expansion in developed market economies and the important decline in the growth of output in the relatively more industrialized South-East Asian economies, leading to a lower demand for internationally traded goods, said the Trade and Development Report, 1990 [E.90.II.D.6]. The trend towards faster import growth in Japan and the European Economic Community (EEC) in comparison to the United States continued in 1989, despite a sharp fall in Japan's import growth. However, imports into the United States continued to grow strongly relative to output. The total imports of developing countries rose by almost 6 per cent in volume terms in 1989, compared to 14.7 per cent in 1988. That decline affected all developing regions, and import volumes stagnated or even declined in most developing country groups except South and South-East Asia, where they rose by 8.3 per cent. Latin American imports rose very little in volume terms, reflecting major problems in some countries, while in sub-Saharan Africa imports stagnated.

The World Economic Survey, 1990 [E.90.II.C.I.] reported that the volume of world merchandise trade, which grew at 6.7 per cent in 1989, continued to lead the expansion of the world economy. Although that represented a slow-down from the 9 per cent recorded in 1988, it marked the fifth consecutive year in which the increase in world trade exceeded the increase in world output.

In terms of value, world trade expanded nominally by \$532.6 billion, or 9.1 per cent in 1989,

thus pushing the value of both exports and imports over the \$3 trillion mark for the first time. On the export side, developing countries suffered only a modest decrease in their export revenues, as opposed to the developed countries as a group, which faced a decline from 14.2 per cent to 8.2 per cent. The Eastern European countries and the USSR registered a sharp drop in the growth of their exports in value terms from 5.2 per cent to 0.6 per cent.

Although rising incomes and cheaper and improved transport and communications accounted for a large part of the growth of trade, new growth poles that had given an impetus to trade included soaring consumer spending in the Asia and Pacific region, fall-out from Japan's initiative to open up its markets to increased imports, consumerism in the United States, together with its taste for foreign goods, and the recent emergence of a number of trading blocs.

In a note giving an overview of the world economy at the end of 1990 [E/1991/INF/1], the Secretary-General stated that world trade was remarkably buoyant, given the slow-down in output. The volume of world exports increased by 5.5 per cent during 1990, not much less than the 7 per cent of 1989. The Gulf crisis had only a minor impact on world trade because the loss of oil output due to the crisis was quickly made up and the trade of the two countries under the United Nations embargo constituted only 1 per cent of world imports.

Non-fuel commodities, which accounted for a large proportion of the export earnings of developing countries, declined in 1990 after a modest recovery in 1988-1989. However, since prices of manufactured exports rose in 1990, real prices of non-fuel commodities in terms of the manufactured exports they could buy fell by 13 per cent in the first nine months of 1990 over the same period in 1989.

Trade and Development Board

The Trade and Development Board—the Executive Body of UNCTAD—held three sessions in Geneva in 1990 [A/45/15]. The sixteenth special session, which discussed compensatory financing of export earnings shortfalls, was held on 8, 9 and 16 March; the second part of the thirty-sixth session was held from 12 to 23 March; and the first part of the thirty-seventh session was held from 1 to 12 and 17 October.

TDB adopted three resolutions and seven decisions during the year. In March, it adopted a wide-ranging resolution on services, protectionism and structural adjustment (including developments and issues in the Uruguay Round of

particular concern to developing countries), the impact of technological change on patterns of international trade, and the implications of bilateral arrangements and regional economic integration [A/45/15 (res. 380(XXXVI))]. It also adopted decisions on preparations for UNCTAD VIII [dec. 381(XXXVI)]; on future meetings on iron ore [dec. 382(XXXVI)]; and on its calendar of meetings [dec. 383(XXXVI)]. At its sixteenth special session, the Board adopted a decision on compensatory financing of export earnings shortfalls [dec. 379 (s-XVI)]. In October, the Board adopted resolutions on the interdependence of problems of trade, development finance and the international monetary system [res. 387(XXXVII)] and on debt and development problems of developing countries [res. 388(XXXVII)]. It also adopted decisions on UNCTAD's contribution, within its mandate, to sustainable development [dec. 384 (XXXVII)]; economic co-operation among developing countries [dec. 385(XXXVII)] and on a review of its calendar of meetings [dec. 386(XXXVII)].

In resolution 1990/57 of 26 July, the Economic and Social Council, taking note of the TDB report on the second part of its thirty-sixth session, requested UNCTAD to report to the General Assembly at its forty-sixth (1991) session, through the Council, on institutional developments relating to the strengthening of international organizations in the area of multilateral trade.

The Assembly, in resolution 45/203 of 21 December, took note of the TDB report on the second part of its thirty-sixth session and the first part of its thirty-seventh session and urged member States to give full effect to its resolutions and decisions.

Programme policy

The TDB Working Party on the Medium-term Plan and the Programme Budget held its nineteenth session in Geneva from 12 to 16 February [TD/B/1250].

The Working Party reviewed the technical assistance activities of UNCTAD [TD/B/WP/68 & Add.1] and considered the work of the UNCTAD secretariat on programme evaluation [TD/B/1225].

In agreed conclusions, the Working Party recommended to TDB that future reports of the UNCTAD Secretary-General on programme evaluation be submitted solely to the Working Party on a biennial basis and subsequently be made available with the report of the Working Party to the Board. It decided that, in future, the review of UNCTAD's technical co-operation activities should be carried out biennially together with the review on programme evaluation.

Programme budget

The General Assembly, in resolution 45/252 of 21 December, established revised programme budget appropriations for the 1990-1991 biennium, allocating \$84,381,200 for the UNCTAD programme, an increase of \$11,273,600 over the previous year's allocation [YUN 1989. p. 385].

Technical co-operation

Expenditures for UNCTAD's technical co-operation reached a record level of \$22 million in 1990, an increase of \$3 million over the 1989 figure. Particular attention was paid to Africa and LDCs, with Africa accounting for more than 40 per cent of total expenditure.

In the area of trade, the joint United Nations Development Programme (UNDP)/UNCTAD programme of four interrelated regional and inter-regional projects to facilitate full participation of developing countries in the Uruguay Round of multilateral trade negotiations was very active in 1990. With the support of UNDP, assistance was provided to the least developed countries (LDCs) to facilitate their preparation for, and participation in, the Second UN Conference on LDCs (see PART THREE, Chapter I). UNCTAD also assisted developing countries in the areas of trade policies; the operation of the Generalized System of Preferences (GSP); the transfer of technology; control of restrictive business practices: trade with countries of Eastern Europe; and improving the management of food imports.

The trade facilitation programme, whose main feature was the installation of the Automated System of Customs Data (ASYCUDA) was expanded, and a new programme of training and human resource development in the field of foreign trade (TRAINFORTRADE) was launched. Co-operation continued in the field of management; since 1981 over 20 countries had benefited from the use of the Debt Management and Financial Analysis System (DMFAS). Technical co-operation continued in the areas of maritime and multimodal transport, including the management of ports and improvement of the transport chain (see below). Three large projects in Africa, focusing on the transit and transport problems of land-locked countries, were in operation in 1990.

Organizational questions

By a 23 March decision [A/45/15 (dec. 383 (XXXVI))], TDB approved the calendar of meetings for the remainder of 1990 and took note of the draft calendar for 1991.

On 1 October, the Board noted that since Democratic Yemen and the Yemen Arab Republic had merged to form a single State, the member-

ship of UNCTAD had changed from 168 to 167. With the accession of the German Democratic Republic to the Federal Republic of Germany on 3 October, UNCTAD's membership would become 166. On the same date, TDB elected Sao Tome and Principe to the Board and its Main Committees. Following the merger of Democratic Yemen and the Yemen Arab Republic, the membership of the Board and its Main Committees was confirmed as follows: TDB-131; Committee on Commodities-107; Committee on Manufactures-101; Committee on Invisibles and Financing related to Trade- 103; Committee on Shipping-103; Committee on Transfer of Technology-99; Committee on Economic Co-operation among Developing Countries-110. The Board noted that the forthcoming unification of Germany would reduce its membership by one.

By a 12 October decision [dec. 386 (xxxvii)], TDB approved the calendar of meetings for the remainder of 1990 and took note of the draft calendar for 1991 and the tentative schedules for 1992 and 1993, on the understanding that they would be finalized in the light of the timing of UNCTAD VIII.

GENERAL ASSEMBLY ACTION

Having considered the report of TDB on the second part of its thirty-sixth session, its sixteenth special session, and the first part of its thirty-seventh session [A/45/15], the General Assembly, on the recommendation of the Second Committee, adopted resolution 45/203 on 21 December.

Trade and Development Board

The General Assembly,

Recalling its resolution 1995(XIX) of 30 December 1964, as amended, on the establishment of the United Nations Conference on Trade and Development, the Final Act adopted by the Conference at its seventh session, held at Geneva from 9 July to 3 August 1987, and the Declaration on the twenty-fifth anniversary of the establishment of the United Nations Conference on Trade and Development, contained in Trade and Development Board Resolution 376(XXXVI) of 13 October 1989, as endorsed by the Assembly in its resolution 44/19 of 14 November 1989,

Recalling also its resolution 44/219 of 22 December 1989 on the report of the Trade and Development Board,

Considering Trade and Development Board resolution 388(XXXVII) of 17 October 1990 on debt and development problems of developing countries as part of the continuing contribution of the Board to the search for a durable solution to the problem of the external indebtedness of developing countries,

Noting that the Trade and Development Report, 1990 constitutes a further valuable effort to enhance understanding of the interdependence of the problems of trade, development finance and the international monetary system and the consideration by the Board

of the debt and development problems of the developing countries,

Stressing that the Uruguay Round of multilateral trade negotiations launched during the Special Session of the Contracting Parties to the General Agreement on Tariffs and Trade, held at Punta del Este, Uruguay, from 15 to 20 September 1986, presents a unique opportunity to contribute to a more open, viable and durable trading system, and recognizing that the Uruguay Round cannot be concluded in whole or in part without a substantial and balanced outcome in all areas involved, including areas of particular importance to developing countries,

1. Takes note of the report of the Trade and Development Board on the second part of its thirty-sixth session and the first part of its thirty-seventh session and urges member States to give full effect to the provisions of the resolutions and decisions adopted by the Board.

2. Welcomes the agreement reached on the substantive item of the provisional agenda for the eighth session of the United Nations Conference on Trade and Development;

3. Notes the contribution made by the Trade and Development Board to the understanding of the interdependence of problems of trade, development finance and the international monetary system, taking into account the needs of developing countries, welcomes Board resolution 387(XXXVII) of 17 October 1990 on that subject, and urges all Governments to give full and prompt effect to the recommendations contained therein;

4. Affirms that the outcome of the Uruguay Round of multilateral trade negotiations should be conducive to a significant enhancement of the prospects for trade, economic growth and development of all countries, especially developing countries, in particular through the provision of substantially increased market access for exports;

5. Urges all countries to fulfil their responsibilities in strengthening the rules and disciplines of the multilateral trading system for the benefit of all countries and, to this end, urges all participants to continue the Uruguay Round of multilateral trade negotiations and to adopt a constructive and comprehensive approach thereto in order to achieve a successful and balanced outcome in accordance with the Ministerial Declaration on the Uruguay Round;

6. Affirms the need for the outcome of the Uruguay Round to contribute positively to the building up and strengthening of the infrastructure and technological capacities of the developing countries through the strengthening of the multilateral trading system;

7. Invites the United Nations Conference on Trade and Development, at its eighth session, to analyse and assess the outcome of the Uruguay Round, in particular in areas of interest or concern to developing countries;

8. Urges developed countries to promote policies and adopt measures aimed at providing substantially larger export possibilities to developing countries, especially through improved access to markets, in order to support necessary trade policy reforms and structural adjustment processes in developing countries;

9. Invites the United Nations Conference on Trade and Development and the Trade and Development

Board, as appropriate, to continue to follow closely and analyse developments that have a major impact on international trade relations, including economic integration and policy reform in the world economy, technological change and the growing linkage between flows of investment and trade;

10. Welcomes Trade and Development Board decision 384(XXXVII) of 12 October 1990 on the contribution of the United Nations Conference on Trade and Development, within its mandate, to sustainable development, and requests the Conference secretariat to continue to co-operate with the secretariat of the United Nations Conference on Environment and Development in the preparations for that Conference;

11. Also welcomes Trade and Development Board resolution 380(XXXVI) of 23 March 1990, and invites the Board to follow closely developments and issues related to economic integration processes, especially those with a major impact on the trade and development of the developing countries;

12. Further Welcomes Trade and Development Board decision 385(.XXXVII) of 12 October 1990 on economic co-operation among developing countries and supports the efforts of the United Nations Conference on Trade and Development, as the principal organization in the United Nations system dealing with economic co-operation among developing countries, to promote and expand such co-operation.

General Assembly resolution 45/203

21 December 1990 Meeting 71 Adopted without vote

Approved by Second Committee (A/45/849/Add.3) without vote. 11 December (meeting 54); draft by Vice-Chairman (A/C.2/45/L.92) based on informal consultations on draft by Bolivia for Group of 77 (A/C.2/45/L.58); agenda item 79 (b).

Meeting numbers. GA 45th session: 2nd Committee 19-21, 47, 54; plenary 71.

Preparations for UNCTAD VIII

At the second part of its thirty-sixth session (Geneva, 12-23 March), the Trade and Development Board (TDB) of the United Nations Conference on Trade and Development (UNCTAD), in accordance with its 1989 decision [YUN 1989, p. 386] to hold the eighth session of UNCTAD (UNCTAD VIII) in 1991, discussed arrangements and preparations for the Conference.

By a 23 March decision [A/45/15/ (dec. 381 (xxxvi))], the Board recommended to the General Assembly that UNCTAD VIII be convened in June 1991. It requested the President of TDB to continue his consultations on a venue in Latin America, so that a final decision might be taken not later than at the first part of the Board's thirty-seventh session in October. The UNCTAD Secretary-General was asked to continue his consultations on the provisional agenda with a view to finalizing it for adoption by the Board in October.

On 12 October, TDB approved the substantive item of the provisional agenda for UNCTAD VIII: strengthening national and international action

and multilateral co-operation for a healthy, secure and equitable world economy. TDB noted that in addition to the plenary, there would be one sessional committee and not be more than three simultaneous official meetings. The Board authorized its President to report directly to the Assembly on the outcome of consultations on the venue and dates of the Conference and authorized the UNCTAD Secretary-General to complete the provisional agenda.

In a 23 November letter [A/C.2/45/11], the Chairman of TDB informed the President of the General Assembly that consultations on the venue of the Conference had been successful and recommended for the approval of the Assembly that UNCTAD VIII be held at Punta del Este, Uruguay, from 21 September to 8 October 1991.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/205.

Eighth session of the United Nations Conference on Trade and Development

The General Assembly,

Recalling its resolution 1995(XIX) of 30 December 1964, as amended, on the establishment of the United Nations Conference on Trade and Development as an organ of the General Assembly,

Recalling also its resolution S-18/3 of 1 May 1990, the annex to which contains the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries,

Recalling further its resolution 42/175 of 11 December 1987, in which it welcomed the Final Act adopted by the United Nations Conference on Trade and Development at its seventh session, and its resolution 44/19 of 14 November 1989 on the twenty-fifth anniversary of the establishment of the United Nations Conference on Trade and Development,

Bearing in mind its resolution 40/243 of 18 December 1985 on the pattern of conferences,

1. Welcomes with deep appreciation the generous offer of the Government of Uruguay to act as host to the eighth session of the United Nations Conference on Trade and Development at Punta del Este;

2. Decides to convene the eighth session of the Conference at Punta del Este from 21 September to 8 October 1991, to be preceded by a two-day meeting of senior officials at Punta del Este on 19 and 20 September 1991;

3. Notes the approval by the Trade and Development Board of the substantive item of the provisional agenda for the eighth session of the Conference;

4. Requests the Trade and Development Board to undertake the necessary intergovernmental preparations for the eighth session of the Conference and, at the second part of its thirty-seventh session, to agree on organizational arrangements for the eighth session of the Conference that will encourage ministerial participation, particularly in the conclusion of its work.

General Assembly resolution 45/205

21 December 1990 Meeting 71 Adopted without vote

Approved by Second Committee (A/45/849/Add.3) without vote, 11 December (meeting 54); draft by Chairman (A/C.2/45/L.76) based on informal consultations; agenda item 79 (b).

Meeting numbers. GA 45th session: 2nd Committee 19-21. 54; plenary 71.

Trade policy

The Trade and Development Report, 1990 noted that the recent past had been rich in changes in economic structures and policy orientations in the developed market economies and in Eastern Europe. The decision to complete the single EEC market by 1992 had to be seen in the broader context of closer co-operation between EEC and the European Free Trade Association (EFTA) and the movement by some countries in Eastern Europe to establish preferential trade links with Western European trading groups. Those developments presented both opportunities and dangers for developing countries.

In the United States, the tendency towards unilateralism and bilateralism in trade policy had become increasingly evident. The recent strengthening of trade laws mandating negotiations under the threat of retaliation with trading partners perceived to be engaging in unfair trading practices was a cause of concern for developing countries. In its negotiations with trading partners, the United States had sought to expand the notion of what constituted trade policy, including attempts to draw into trade negotiations norms on intellectual property rights, trade in services, foreign direct investment and even domestic regulations and ways of doing business, as witnessed by the "Structural Impediments Initiative" with Japan.

The growth of intra-Asian trade centred around Japan had been particularly rapid. Eight developing economies of the Pacific Rim had been in the forefront as exporters to Japan and had also been important recipients of Japanese foreign direct investment. The possible emergence of an investment-led trading bloc centred around Japan would have important implications for different groups of developing countries.

Bilateral arrangements and regional economic integration

In response to a 1989 TDB request [YUN 1989, p. 566], the UNCTAD secretariat submitted a 16 January 1990 report on the implications of bilateral arrangements and regional economic integration, especially those which had a major impact on global trade, in particular on the trade and development of developing countries [TD/B/1242]. The report reviewed recent trends in economic

integration arrangements among the developed market economies and among the socialist countries of Eastern Europe, and considered some intra-developing countries groupings. It examined the implications for developing countries from the standpoint of market access of EEC's 1992 Programme, the objective of which was to remove obstacles to the movement of trade and improve the functioning of markets, and the Canada-United States Free Trade Agreement. The report also discussed the systematic consequences of the major regional integration schemes.

The report stated that the experiences of the developed and developing countries in furthering regional economic integration had been markedly different. In the developing countries, most regional integration groupings had suffered a setback due to a contraction in their economic activity and external trade. In contrast, in the developed market economies, the integration process had advanced in recent years. The enlargement of EEC, the deepening of the process of integration envisaged in the Single Europe Act (1987) and the coming into force of the Canada-United States Free Trade Agreement had raised questions about the impact of those arrangements on access to the corresponding markets and about their implications for the international trading system. The concern about market access stemmed from possible trade diversion effects of those arrangements. The implications of such groupings arose not only from the economic and political importance of the countries involved but also from the concern that their proliferation might lead to a further erosion and possible fragmentation of the trading system. The effect of such developments would be greatest on small exporting countries, particularly developing countries.

In a 23 March resolution [A/45/15 (res. 380 (XXXVI))], TDB agreed on the need to ensure that bilateral arrangements and regional economic integration, especially those having a major impact on global trade, in particular on the trade and development of developing countries, imparted dynamism to global trade and enhanced trade and development possibilities for developing countries. It called on member States involved to continue to promote necessary policies and adopt appropriate measures in that regard.

The General Assembly, in its Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries, adopted in resolution S-18/3 at its eighteenth special session (New York, 23 April-1 May) (see

PART THREE, Chapter I), stated that regional economic integration was important in expanding trade and investment in developing countries. Developing countries should strive to promote economic integration and strengthen economic and technical co-operation among themselves. Those efforts should be encouraged and supported by the developed countries, as well as by international organizations.

Uruguay Round of multilateral trade negotiations

The Uruguay Round of multilateral trade negotiations, which were launched in September 1986 [YUN 1986, p. 1210], at Punta del Este, Uruguay, and scheduled for completion in December 1990,

~~was suspended prior to the end of the year. However,~~ considerable progress had been made in many areas of the negotiations (see PART SEVEN, Chapter XVIII).

By a March note to TDB [TD/B/1251], the UNCTAD secretariat transmitted a communication from Nigeria, on behalf of the Group of 77, setting out the Group's assessment of progress in the Uruguay Round negotiations. The Informal Group of Developing Countries, at its meeting on 22 and 23 February, had noted with concern the lack of balance in the negotiations, which, in the Group's view, stemmed from failure by many developed-country participants to engage meaningfully in traditional areas while at the same time pressing for cross-linkages to and far-reaching results in new areas. That attitude had the potential to undermine the interests of developing-country participants in the Round. Developing-country participants were convinced that after three years of negotiations the time for political decisions had arrived. The Trade Negotiations Committee, at its April and July meetings, would have to produce a balanced overall package, which, if acceptable, could be finalized at the ministerial meeting planned for December.

In a 23 March resolution [A/45/15 (res. 380 (XXXVI))], TDB urged participants in the Uruguay Round to strive for a balanced and successful outcome of the Round, which would result in the liberalization and expansion of world trade to the benefit of all countries, especially developing countries, through adequate attention being given to all areas including those of special interest to the trade and development of developing countries. It noted that recipient countries recognized the usefulness and importance of the technical co-operation programme of UNCTAD and UNDP in assisting developing countries in their participation in the Uruguay Round.

Strengthening institutional trade arrangements

The General Assembly, in its Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of Developing Countries, in its resolution S-18/3 adopted at its eighteenth special session, stated that an open and credible multilateral trading system was essential for the promotion of growth and development. It was vitally important that the Uruguay Round of multilateral trade negotiations resulted in a balanced outcome, preserving and strengthening the multilateral trading system, enabling trade liberalization and increased market access for the exports of developing countries. The principles underlying the multilateral trading system should be reaffirmed, and international organizations active in multilateral trade should be strengthened as part of the process of attaining those objectives.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 26 July, the Economic and Social Council adopted resolution 1990/57.

Trade and development

The Economic and Social Council,

Taking note of the report of the Trade and Development Board on the second part of its thirty-sixth session,

Requests the Secretary-General to report to the General Assembly at its forty-sixth session, through the Economic and Social Council at its second regular session of 1991, on institutional developments related to the strengthening of international organizations in the area of multilateral trade, taking into account the provisions of paragraph 32 of the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries, adopted by the General Assembly in its resolution S-18/3 of 1 May 1990.

Economic and Social Council resolution 1990/57

26 July 1990 Meeting 36 Adopted without vote
Approved by First Committee (E/1990/106), 23 July (meeting 10); draft by Bolivia for Group of 77 (E/1990/C.1/L.3), revised following informal consultations; agenda item 7(a).

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/201.

Strengthening international organizations in the area of multilateral trade

The General Assembly,

Recalling the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries, contained in the annex to its resolution S-18/3 of 12 May 1990,

Noting the General Agreement on Tariffs and Trade and its Protocol of Provisional Application of 30 October 1947 and General Assembly resolution 1995(XIX) of 30 December 1964 on the establishment of the United Nations Conference on Trade and Development,

Noting also the institutional proposals made in connection with the Uruguay Round of multilateral trade negotiations, launched during the Special Session of the Contracting Parties to the General Agreement on Tariffs and Trade, held at Punta del Este, Uruguay, from 15 to 20 September 1986, related to the strengthening of multilateral organizations in the area of international trade,

Stressing the principle of free and fair global trade, which should be conducive to a significant enhancement of the trade and development prospects of all countries, in particular developing countries,

Stressing also the need for strengthening institutional arrangements in the area of international trade, with a view to reinforcing further the multilateral trading system,

1. Reaffirms Economic and Social Council resolution 1990/57 of 26 July 1990, in which the Council requested the Secretary-General to report to the General Assembly at its forty-sixth session on institutional developments, taking into account all relevant proposals, related to the strengthening of international organizations in the area of multilateral trade;

2. Requests the Secretary-General, in preparing the report requested, to solicit the views of all Governments and the executive heads of the specialized agencies and other organizations and programmes of the United Nations system on this matter.

General Assembly resolution 45/201

21 December 1990 Meeting 71 Adopted without vote
Approved by Second Committee (A/45/849/Add.3) without vote, 11 December (meeting 54); draft by Vice-Chairman (A/C.2/45/L.91) based on informal consultations on draft by Bolivia for Group of 77 (A/C.2/45/L.55), and orally revised; agenda item 79 (b).
Meeting numbers. GA 45th session: 2nd Committee 19-21, 49, 54; plenary 71.

Protectionism and structural adjustment

In March, TDB conducted its annual review of protectionism and structural adjustment. It had before it an UNCTAD secretariat report on structural adjustment issues in the world economy [UNCTAD/ITP/PS], which discussed recent trends in international trade and output, developments in structural and trade policies, and structural adjustment trends and policies in the industrial sectors of particular export interest to developing countries (iron and steel, automobiles and components, consumer electronics, and textiles and clothing). It also considered information provided by member States of UNCTAD {TD/B/12445 & Adds. 1,2}.

In a 23 March resolution [A/45/15 (res. 380 (XXXVI))]. TDB urged Governments to fulfil commitments to halt and reverse protectionism as agreed in the Final Act of UNCTAD VII, taking into account the export interests of developing

countries. It reiterated the need to take structural adjustment actions favourable, in particular, to the widening of markets for products in which developing countries had or might develop comparative advantage.

In a December report [TD/B/1284] on costs and consequences of non-tariff measures which adversely affected exports of developing countries, the UNCTAD secretariat stated that, in total, non-tariff measures lowered exports from developing countries by an estimated \$4.6 billion or by 18 per cent of their exports of products to the restraining countries. The major product sectors were seafood in Japan and steel products and consumer electronics in EEC.

Trade preferences

Generalized system of trade preferences

TDB's Special Committee on Preferences held its seventeenth session in Geneva from 14 to 22 May [TD/B/1263]. It had before it an UNCTAD secretariat report on the comprehensive review of the Generalized System of Preferences (GSP), including its implementation, maintenance, improvement and utilization [TD/B/C.5/130]. The report argued that GSP had not yet achieved its objectives and had only minor but positive impact on growth and industrialization in developing countries. An improved GSP could provide an important stimulus in those countries where non-traditional export supply capabilities were emerging. GSP therefore needed to be extended during the 1990s and preference-giving countries might wish to improve their autonomous schemes to bring them more into line with GSP principles. Improvements that deserved attention included: action to deal with non-tariff measures that impeded access to GSP benefits; expansion of product coverage; adoption of a general safeguard provision with multilaterally agreed objectives and transparent criteria for injury determination; elimination of currently applied country exclusions; elimination of product-country exclusions or if not possible, elaboration of objective and transparent multilaterally agreed norms for such exclusions; improvement of preference margins; simplification and harmonization of rules of origin; and improvements in the provisions for LDCs.

Also before the Committee were reports by the UNCTAD secretariat on improvement in the rules of origin, including harmonization, identification and promotion of possible initiatives [TD/B/C.5/120 & Corr.1]; and on GSP-related technical co-operation activities in 1989 [TD/B/C.5/128]. The Committee also considered a feasibility study for providing exporters and importers con-

solidated computerized information on GSP [TD/B/C.5/129]. The study proposed the development of a data base to be accessed in a user-friendly manner through micro-computers as the most cost-effective means to provide data on trade, tariffs and special requirements on GSP rates.

By a 22 May resolution [TD/B/1263 (res. II(XVII))], the Committee recognized the need to ensure that GSP achieved its full potential; that preference-giving countries maintained, strengthened and improved their autonomous schemes; and that developing countries utilized as fully as possible the benefits from the potential trade advantages created by GSP. To improve the effectiveness of GSP, the Committee recommended that preference-giving countries expand and improve the product coverage of their schemes and ensure inclusion of additional products of current and potential export interest to developing countries to maximize the benefits to preference-receiving countries. It was also recommended that preference-giving countries grant deeper tariff cuts aimed at duty-free treatment. The Committee urged preference-giving countries to reduce a priori limitations and restrictions on preferential imports and impart stability and predictability to the schemes. It also recommended that safeguard measures should be based on objective criteria and transparent procedures and that preference-giving countries continue to simplify and improve their rules of origin. The Committee agreed that special consideration should be given to products of export interest to LDCs, in particular by providing duty-free access, while undertaking measures in the field of GSP.

Concerning technical co-operation, the Committee called upon countries to provide resources for their support, with special attention to the needs of LDCs, and invited UNDP to provide adequate financial resources for UNCTAD's GSP technical assistance programme. It called upon UNDP to provide funding support for the proposed project for providing exporters and importers with consolidated computerized information on GSP.

In agreed conclusions [12(XVII)] on the harmonization and improvement of the rules of origin, the Committee agreed that its Sessional Committee of the whole should examine item-by-item the initiatives proposed by the secretariat to improve the existing rules. It noted the adoption of the Harmonized Commodity Description and Coding System (HS) by all preference-giving countries. The Committee agreed that, in the next review, the definitions of "substantial transformation", namely the process criterion and the

percentage criterion, should be examined. In the course of that review, preference-giving countries should examine both definitions in the light of their experience over two decades and exchange views thereon during a future session of the Committee.

On 12 October, TDB took note of the report of the Special Committee on Preferences and endorsed its resolution and agreed conclusions.

Technical co-operation

Delivery of technical co-operation activities in connection with GSP remained high in 1990, due mainly to increased demand for such assistance and to the resources provided by UNDP-financed regional projects and support from the UNCTAD GSP programme financed by trust funds [TD/B/C.5/135]. In 1990, total extrabudgetary funding for GSP activities amounted to slightly over \$1 million, of which UNDP accounted for \$500,000. Trust fund contributions amounted to \$521,400, of which trust funds for specific purposes totalled \$324,300, in-kind contributions \$93,700, and central trust funds \$103,400.

The UNCTAD technical co-operation programme on GSP and other trade laws consisted of two UNDP-financed regional projects, a UNDP-financed national project in Indonesia, and an interregional project financed by Japan. The UNCTAD programme provided logistical, administrative and technical support to all projects.

During the year, 50 activities were undertaken in all regions. They included 24 training seminars/workshops and 7 advisory missions. In all, 1,107 participants from 24 preference-receiving countries benefited from training activities.

Growing training activities in Africa and Eastern Europe were creating an increased awareness and interest in GSP, and were particularly important for developing countries with newly emerging export supply capabilities where GSP could assist them to increase foreign-exchange earnings to attain their development objectives.

Trade among countries having different economic and social systems

In response to a 1989 TDB request [YUN 1989, p. 368], the UNCTAD secretariat submitted to TDB's March session a report on trends and policies in trade and economic co-operation among countries having different economic and social systems [TD/B/I243 & Add.1]. The report discussed economic developments in the socialist countries of Eastern Europe, inter-systems trade and economic co-operation, and principal factors and prospects in inter-systems trade. It also discussed UNCTAD follow-up to requests made in the Final

Act of UNCTAD VII with regard to inter-systems trade.

The report stated that the prospects for inter-systems trade depended on the success of the restructuring process in the socialist countries, the overall developments in the world economy, and the measures that were being taken or might be taken in the future to support and promote inter-systems trade, in particular East-South trade, in the general framework of measures to promote world trade. It was proposed that TDB recommend, among other things, the formulation of further guidelines for the elaboration of a programme to further promote inter-systems trade on the basis of the outcome of the Intergovernmental Group of Experts on Further Promotion of Inter-Systems Trade held in 1989 [YUN 1989, p. 368].

Following informal consultations on the issue, the TDB President read out a statement indicating the Board's understanding that the UNCTAD Secretary-General would use his discretion in orienting and adjusting the work programme as he considered appropriate in the light of developments and taking into account the views expressed during the session. The Board took note of the statement on 23 March.

On 12 October, TDB, during consideration of the agenda for the second part of its thirty-seventh (1991) session, endorsed the understanding read by its President concerning future treatment by the Board of trade issues pertaining to the countries of Eastern Europe. The President recalled that during the Board's March session and consultations at the current session, a general view had emerged that, in the light of policy changes in the countries of Eastern Europe, future consideration of relevant issues should be dealt with in the context of the overall *Problématique* of international trade and economic co-operation. It was therefore the view of Member States that a separate item on trade relations among countries with different economic systems was no longer required. It was noted that the UNCTAD Secretary-General was making the necessary adjustments to the work programme and organization of the UNCTAD secretariat and that would be reflected in the programme budget.

TDB authorized the Secretary-General, in consultation with its President, to adjust the provisional agenda of the second part of the thirty-seventh session of the Board in the light of developments.

Trade expansion among developing countries

At its October session, TDB had before it an UNCTAD secretariat report on trade expansion among developing countries: constraints and

measures to overcome them [TD/B/1260]. The report examined the main trends in South-South trade relations; structural obstacles to South-South trade, including weakness of the transportation network, marketing and distribution, direct foreign investment and trade financing; trade policy constraints; complementarities in South-South relations; and measures and prospects for South-South trade expansion.

The report stated that new and more vigorous measures would have to be adopted to give new momentum to South-South trade. That would be facilitated by the three decades of experience acquired by developing countries, and by a better understanding of achievements and past policy errors. Action would have to be taken to: overcome structural obstacles resulting from inadequate infrastructures (marketing, telecommunications and transportation); revise or reduce trade and fiscal policy barriers; establish new institutions to facilitate clearing and trade arrangements; and introduce improved legislation to attract capital and promote investments. Measures would also have to be adapted to the new economic environment resulting partly from structural adjustment programmes and the adoption of market-oriented policies. There was a general need to strengthen economic incentives to promote intra-developing-country trade and improve co-ordination between national policies and integration objectives, and for close co-ordination between trade concessions negotiated, productive capacity and transport facilities.

TDB, in a 12 October decision [A/45/15 (dec. 385(XXVII))], called upon the UNCTAD Secretary-General to assist developing countries and their groupings through technical assistance to promote the expansion of intra-developing-country trade, including advice on the preparation, conduct and evaluation of trade negotiations among developing countries. He should undertake, in co-operation with member States, an in-depth study on the main impediments and disincentives that adversely affected the expansion of trade among developing countries, exploring those measures and alternatives of relevance with specific recommendations for future consideration by TDB through the Committee on Economic Co-operation among Developing Countries.

Trade promotion and facilitation

International Trade Centre

During 1990, UN bodies continued to assist developing countries to promote their exports and to facilitate the movement of goods in international commerce. The International Trade Cen-

tre (ITC), under the joint sponsorship of UNCTAD and the General Agreement on Tariffs and Trade (GATT), played a leading role in the delivery of technical co-operation projects in that area.

ITC's expenditures on technical co-operation rose by 21 per cent (\$6.1 million) in 1990 over the 1989 level to reach \$35.7 million, stated the annual report covering ITC's activities in 1990 [ITC/AG(XXIV)/126]. The share of UNDP-funded activities was 51 per cent; the remaining 49 per cent was financed by trust fund donors.

ITC assistance with regard to institutional infrastructure for trade promotion at the national level was geared towards encouraging the optimal reallocation of functions, the adoption of clearer and better strategies for export development, and improving the mechanism for co-ordination between governments and business organizations. Important changes in the trade promotion policies of developing countries were monitored. A major interregional project on trade development support for structural adjustment was completed and a report based on studies carried out under the project-Trade Development Support for Structural Adjustment-was issued. Reviews of trade promotion organizations and national trade promotion programmes were carried out in countries such as Bangladesh, Cape Verde, Morocco, Sri Lanka and Uganda. In view of the fundamental changes taking place in Eastern Europe, ITC carried out fact-finding and programming missions in several countries in order to formulate technical assistance projects emphasizing the creation of export-support institutions or the transformation of existing bodies into effective sources of assistance for exporters.

Under the export market development sub-programme, which encompassed trade information, product and market development and export development of commodities, ITC continued to monitor the export performance of developing countries and regions with a view to identifying products suitable for export promotion. Considerable effort was made to assess the factors likely to shape the environment for trade and trade promotion in developing countries in the 1990s. Research focused on new products and new markets. Under advisory and training services, ITC, at the request of the Group of 77, undertook preparatory work for a large-scale project to establish regional/subregional information networks between chambers of commerce and industry in developing countries. A UNDP-financed interregional project was initiated in co-operation with UNCTAD to collect and disseminate computerized trade statistics and information on trade control measures, GSP, importers, and other market aspects.

Within the specialized national trade promotion services subprogramme, ITC continued to provide assistance in export packaging. Its activities in that area were being influenced by environmental issues and the proliferation of packaging and labelling regulations, particularly in the industrialized target markets. Assistance was also provided in export financing, costing and pricing for export, trade promotion communications, export quality management, national commercial representation abroad, legal aspects of foreign trade, export co-operation schemes for small and medium-sized enterprises and export-oriented joint ventures, and international physical distribution.

Other technical assistance subprogrammes dealt with commodity promotion, which focused on jute products and sisal agricultural twine; human resource development for trade promotion, which continued to emphasize the strengthening of training institutions, development of training materials and direct training; import operations and techniques; the special programme of technical co-operation with least developed countries (LDCs); and technical co-operation with chambers of commerce and other business organizations.

The Centre also carried out work on the participation of women in trade promotion activities, and economic and technical co-operation among developing countries.

During 1990, 19 ITC projects were evaluated—seven interregional, three regional (two in Africa and one in Asia), and nine were country projects related to seven recipient countries (three in Asia, two in Africa and two in the Middle East). Eleven were financed from trust funds, seven by UNDP and one jointly by UNDP and voluntary contributions.

The evaluations demonstrated that the vast majority of projects produced most of the specified outputs. Shortfalls were generally due to incorrect or over-optimistic assumptions at the design stage and to external factors. In about half of the national and regional projects, the sustainability of project results was affected by the less than full use of the outputs achieved because of limited absorptive capacity, lack of counterpart personnel, or the need for prior action at the institutional or policy level. It was decided to expand the evaluation function to place more emphasis on the follow-up of findings and recommendations of evaluation missions.

JAG action. The Joint Advisory Group (JAG) on ITC held its twenty-third session in Geneva from 23 to 27 April [ITC/AG(XXIII)/122]. It had before it the annual report on ITC activities during 1989

[ITC/AG(XXIII)/119 & Add.1]; an evaluation of the ITC programme elements export packaging and export quality control [ITC/AG(XXIII)/117]; a report of the technical meeting on the ITC 1989 programme evaluation and on its Medium-Term Plan 1992-1997 (22-24 January) [ITC/AG(XXIII)/120]; and the draft section on trade promotion and export development of the Medium-Term Plan for 1992-1997 [ITC/AG(XXIII)/118/Rev.1 & Add.1].

In general recommendations, JAG suggested that future annual reports should show increased problem-orientation; give greater attention to issues of priority interest, such as the environment and women in development; be more specific in reporting on follow-up actions by the secretariat on JAG recommendations and difficulties encountered in the process; and provide an introductory overall review and present a more thorough discussion at the country level of the Centre's relations with other international organizations. In addition, the report should provide a statement of human and financial resources allocated per subprogramme; quantitative figures on programme and project implementation; and information on administrative costs.

ITC should consider, when planning and executing projects in all subprogrammes, how they reflected JAG's concern for environmental protection, the strengthened role of women, human resource development and the special needs of LDCs. It should also develop a specific strategy regarding the environmental aspects of trade.

In reviewing ITC activities by subprogramme, JAG recommended that ITC should promote the sharing of trade information systems and capabilities, encourage their harmonization, and undertake fund-raising efforts to support sub-regional and regional trade information systems. It should expand its product and market development support to developing countries. Those efforts should be co-ordinated with activities of other international, regional and national bodies and consideration given to the role played by transnational corporations in research and development, marketing and trade financing. ITC should provide technical assistance in the area of trade in services, complementing the work of UNCTAD and GATT, and strengthen technical co-operation support on commodities, seeking close alignment with the Second Window of the Common Fund for Commodities. The Centre's training programme should be strengthened, with emphasis on enterprise-oriented training, the training of women entrepreneurs and implementation of a foundation course for LDCs and smaller developing countries. It should involve more specialists from developing countries in

planning and implementing training activities and give increased attention to developing regional and subregional training programmes to accommodate urgent training needs of countries not being otherwise assisted. With regard to technical assistance in import operations and techniques, the Centre should aim to optimize the use of foreign exchange resources and contribute to an increase in export earnings through better management of imported inputs. Import assistance projects should reflect specific conditions of supply and the Centre should ensure that appropriate and up-to-date technology was part of development project packages. The Centre should continue to assist developing countries in assessing market opportunities for their products in Eastern and Central European countries and seek the equitable participation of developing country women in all ITC technical co-operation activities, including integrated approaches to that effect. The institutional infrastructure for trade promotion at the national level should be evaluated in 1991 for discussion by JAG in 1992. The Centre should undertake follow-up actions recommended in evaluation reports on ITC's programme elements on export packaging and export quality control, taking into account the views and recommendations of the technical meeting in that connection and report to JAG.

On 9 October, TDB took note of the JAG report on ITC.

Restrictive business practices

At its ninth session (Geneva, 23-27 April) [TD/B/1261], the UNCTAD Intergovernmental Group of Experts on Restrictive Business Practices had before it the UNCTAD secretariat report on the comprehensive review of the implementation of the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices (known as the Set) [TD/B/RBP/69], and proposals by regional groups and individual States for the improvement of the Set [TD/B/RBP/73 & Add.1]. Among other documents, the Group of Experts also considered the draft provisional rules of procedure of the Conference to review all aspects of the Set, to be held later in the year (see below) [TD/B/RBP/70].

In agreed conclusions, the Intergovernmental Group of Experts requested the UNCTAD secretariat to prepare for the review conference a report containing proposals for enhancing implementation of the provisions of the Set to ensure transparency in restrictive business practices matters, including a compilation of information concerning restrictive business practices already existing in member countries, and a list of re-

strictive business practices control authorities and channels through which such information was obtainable. It should also prepare a report containing proposals for the definition of consultation procedures, including the identification of elements that might assist member States, especially the developing countries, to address requests for information and co-operation concerning restrictive business practices control to other States, and to hold consultations on restrictive business practices control issues in accordance with the provisions of the Set. Another report should be prepared on technical assistance on restrictive business practices control issues to ensure the efficient use of resources, which should include: a descriptive review of technical assistance already carried out, its contribution to the control of restrictive business practices and its costs, specified on an individual programme basis; a list of the requests for technical assistance; and proposals for a framework for a technical assistance programme with regard to restrictive business practices control.

The Group annexed to its report a draft decision on preparations for the review conference submitted by the Group of 77 developing countries, and draft recommendations to the review conference, proposed by Group B (the developed market economies).

On 12 October, TDB took note of the report of the Intergovernmental Group of Experts on Restrictive Business Practices on its ninth session and endorsed the agreed conclusions adopted at that session.

UN Conference to review principles and rules to control restrictive business practices

In accordance with General Assembly resolution 41/167 [YUN 1986, p. 500], the Second United Nations Conference to Review All Aspects of the Set of Multilaterally Agreed Equitable Principles and Rules for Control of Restrictive Business Practices was held under UNCTAD auspices in Geneva from 26 November to 7 December [TD/RBP/CONF.3/9].

The Conference had before it UNCTAD secretariat reports on proposals on transparency and consultation procedures in restrictive business practices [TD/RBP/CONF.3/3 & Add.1]; technical assistance, advisory and training programmes and restrictive business practices [TD/RBP/CONF.3/4 & Corr.1]; preparations for a handbook on restrictive business practices legislation [TD/RBP/CONF.3/5]; and the report of the Intergovernmental Group of Experts on Restrictive Business Practices on its ninth session [TB/B/1261].

The Conference adopted a resolution on strengthening the implementation of the Set, by

which it called on States to implement fully all provisions of the Set to ensure its effective application. States were called upon to adopt, improve and enforce appropriate legislation and to implement judicial and administrative procedures. To that end, it suggested that States without any legislation to control restrictive business practices should request information on such legislation and seek consultations with those developed and developing countries experienced in introducing such laws and technical assistance, which should include seminars for government officials and academics as well as business and consumer-related circles. Those States in the process of drafting legislation or that had recently done so should also request the necessary information and technical assistance, which might consist of advisory services and assistance, training workshops and seminars for national officials for implementing restrictive business practice control legislation and on-the-job training with restrictive business practice control authorities in countries with that experience. Those States that had adopted such legislation and sought to enforce those laws more effectively, as well as other States, should seek information on general matters of legislation, issues of importance to enforcement authorities and technical assistance. Any State so addressed should give full consideration to such requests.

The Conference requested the UNCTAD Secretary-General to issue a directory of restrictive business practices authorities and to update it regularly. States were asked to supply the UNCTAD secretariat annually, or as it became available, information concerning restrictive business practice legislation or amendments to existing laws; a report on their activities, including details of the more important cases; and any relevant studies, guidelines or published reports on restrictive business practices matters. The UNCTAD secretariat should maintain its database and make it available to States upon request; disseminate that information through appropriate publications; and complete and update the handbook on restrictive business practices legislation.

The Conference requested the UNCTAD secretariat to prepare a checklist of possible steps to follow in preparing a case, and in requesting consultation, with explanations of reasons for the request and details of the behaviour or activity about which the consultation was requested. It also requested the Intergovernmental Group of Experts to serve as the forum for exchanges of information and consultation.

With regard to the UNCTAD secretariat's proposed framework for technical assistance, the

Conference concluded that it contained useful elements. To facilitate a meaningful evaluation of the proposed framework, the secretariat should suggest priorities from among the different types of technical assistance, taking into account the three types of countries requesting assistance: States without any legislation to control restrictive business practices; those in the process of drafting legislation; and those having already adopted legislation. The UNCTAD secretariat was asked to take their costs into account and the most effective use of resources and undertake a regular evaluation of its technical assistance activities in order to determine their effectiveness. The Conference invited the secretariat to continue organizing national, regional and sub-regional seminars, workshops and symposia, including with respect to regional grouping of States willing to adopt restrictive business practices control systems. The Conference urged intergovernmental organizations and financing programmes, in particular UNDP, to provide the resources for those activities and appealed to States, in particular developed countries, to increase voluntary financial contributions and to provide expertise for the implementation of the activities.

The Conference recommended to the General Assembly that a Third Review Conference be convened in 1995.

Interregional co-operation in trade facilitation

The Economic and Social Council, by resolution 1990/74 of 27 July, decided to support the implementation by participating African States of the project proposal on interregional co-operation for the facilitation of interregional trade, prepared by the regional commissions and UNCTAD (see PART TWO, ChapterV).

Commodities

The World Economic Survey, 1990 stated that primary commodities continued to be the mainstay of a fair number of developing countries. The overall index of dollar prices of non-fuel commodities showed no increase in 1989 over the 1988 level and could register a 5 per cent decline in 1990. In contrast to 1988 when a large number of developing countries enjoyed an increase in their primary export prices, the combined dollar index of non-fuel commodity prices fell steadily during 1989, so that in the fourth quarter the index was some 6 per cent lower than in the first quarter. A variety of primary commodities did not behave in a similar fashion in 1989. The index of food commodity prices increased almost 6 per cent and the overall price index for agricultural

raw materials held firm. At the other end of the spectrum, the prices of beverages, vegetable oil-seeds and oils, and minerals either declined (beverages and oils) or held steady (minerals). The prices of both categories of commodities were affected by supply factors and slack demand.

The Trade Trade Development Report, 1990 said that from the point of view of the developing countries, the overriding elements of the commodity market situation were the collapse of cocoa and coffee prices, high prices for basic foods and the short duration of the copper and aluminium price boom. For many developing countries in Africa, in particular those that relied on imports for much of their basic food requirements, foreign exchange difficulties were exacerbated.

Report of UNCTAD Secretary-General. In response to General Assembly resolution 44/218 [YUN 1989, p. 372], the UNCTAD Secretary-General submitted in October 1990 a report on world commodity trends and prospects, with particular reference to the situation of commodity-dependent developing countries [A/45/442 & Corr.1]. The report gave an overview of the world commodity situation and examined the short-term outlook for commodities. It also discussed world commodity trends, trends in international trade of commodities, developing countries' commodity dependence and price and income trends.

The report stated that since 1970 there had been an increase in world production of commodities, especially in agriculture in the developing countries. Commodity prices, except for petroleum, declined relative to manufactured goods prices. For the majority of developing countries whose dependence on exports continued, problems associated with price and export earnings instability were aggravated by the generally low levels of prices by historical standards. Although price instability had been somewhat less since 1982, significant shortfalls in export earnings still occurred, causing difficulties in implementing long-term development or adjustment programmes. The demand for natural raw materials also decelerated over the period. However, consumption would vary with the level of industrial activity, particularly in the capital goods industry for metals and minerals.

Agricultural production and trade policies of developed countries involving high levels of support for domestic producers had exacerbated surpluses in competing exports from developing countries. That had limited market opportunities for developing exporters in both developed countries and third country markets. Moreover, food production for domestic consumption had

been discouraged by the availability of cheap imports in a number of developing countries. There were signs that policies in developed countries leading to high levels of production, in particular of foodstuffs, might be changing. A new concern was the impact on commodities trade of the changes taking place in Eastern Europe. However, that region accounted for only 7 per cent of world commodity imports.

In relation to the short-term outlook for commodities, demand for industrial raw materials was expected to be less buoyant, since the slow down in the economies of industrialized countries that had started in 1989 continued in 1990. Economic adjustment in Eastern Europe, other than the German Democratic Republic, could reduce demand for industrial raw materials by that region. The demand for basic foods and tropical beverages seemed likely to increase in response to unfilled consumer demand. German unification was likely to boost demand for raw materials in the short term.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/200.

Commodities

The General Assembly,

Recalling its resolution 1995(XIX) of 30 December 1964, as amended, on the establishment of the United Nations Conference on Trade and Development, Conference resolutions 93(IV) of 30 May 1976 on the Integrated Programme for Commodities, 124(V) of 3 June 1979 and 155(VI), 156(VI) and 157(VI) of 2 July 1983, the Final Act adopted by the Conference at its seventh session held at Geneva from 9 July to 3 August 1987, and the Agreement Establishing the Common Fund for Commodities, which entered into force on 19 June 1989,

Recalling also its resolutions 41/168 of 5 December 1986, 43/27 of 18 November 1988 and 44/218 of 22 December 1989,

Recognizing that commodity exports continue to play a key role in the economies of developing countries as a whole, as a major source of export earnings, investment and livelihood,

Noting that the changes in Central and Eastern Europe may have important effects on commodity production and trade and that these developments, as well as the potential for expanding South-south trade in commodities, should be fully explored,

Concerned that the problems associated with instability and shortfalls in export earnings are aggravated by commodity prices that, by historical standards, are at generally low levels,

Noting with concern that significant shortfalls in export earnings of commodities have caused serious difficulties in implementing long-term development plans and objectives, as well as in pursuing adjustment efforts,

Concerned about the difficulties experienced by developing countries in financing and implementing diversification programmes,

Bearing in mind the fact that the upstream and downstream linkages between the commodity sector and the national economy need to be strengthened in many developing countries,

Considering that a particularly important role is played by the export of commodities in the economies of the least developed countries,

1. Takes note of the report of the Secretary-General of the United Nations Conference on Trade and Development on world commodity trends and prospects, with particular reference to the situation of commodity-dependent developing countries;

2. Emphasizes the importance of maximizing the contribution of the commodity sector to economic growth and transformation in commodity-dependent developing countries by ensuring that developments in the commodity sector contribute effectively to the generation of growth and development in other sectors of the economy, as well as to the eradication of poverty and, in this context, also stresses the importance of the diversification efforts of commodity-exporting developing countries;

3. Urges the increased active participation in and better use of forums of consumers and producers as a means of exchanging information on, inter alia, investment plans, prospects and markets for individual commodities and as a means of facilitating direct contacts among the partners involved, and urges the establishment, where appropriate and feasible, of such forums for commodities for which they do not yet exist;

4. Expresses its conviction that supportive international policies to improve the functioning of commodity markets through greater transparency and to create more stable and predictable conditions in commodity trade contribute significantly to the efforts of commodity-dependent developing countries to revitalize their development;

5. Recognizes that, as a means of strengthening the national economies of commodity-dependent developing countries, national and international efforts should, inter alia, be based on the following:

(a) A clear assessment of both the agricultural and the minerals potential and the integration of the commodity sector in the overall development strategy;

(b) A better understanding and strengthened complementarity of industry and market structures and of marketing systems at both national and international levels, having regard to the advantages of regional trade;

(c) Increased access to finance, technologies and markets;

(d) The elaboration and implementation of diversification programmes, including programmes for greater self-sufficiency in food;

6. Also recognizes the urgent need to strengthen efforts to address the grave problem of shortfalls in the commodity-export earnings of developing countries and notes, in this regard, the outcome of the sixteenth special session of the Trade and Development Board, devoted to compensatory financing, and takes note of the decision of the Committee on Commodities of the United Nations Conference on Trade and Development that the issue of export-earning shortfalls and

compensatory financing should figure as a specific issue for discussion at its next session;

7. Stresses that decisions on diversification are primarily the responsibility of developing countries, and emphasizes, in that context, the need for continued implementation of their diversification programmes, bearing in mind the long-term evolution of market conditions and the linkage between diversification efforts and market access, and invites developed countries, international financial institutions and other relevant organizations to extend financial support to such diversification programmes;

8. Reiterates its conviction that more stable market conditions for commodities would be conducive to the social and economic development of developing countries and could, inter alia, contribute to the international campaign against illicit production of, trafficking in and abuse of narcotic drugs, thus supporting the efforts undertaken by countries to combat such illicit activities;

9. Urges all the parties involved to meet their agreed commitments and to work for a balanced outcome to the multilateral trade negotiations within the Uruguay Round so as to ensure that the successful conclusion of the negotiations brings about further expansion and liberalization of trade in commodities, taking into account the special and differential treatment for developing countries, as well as all other principles contained in the Ministerial Declaration on the Uruguay Round;

10. Notes the establishment of the Common Fund for Commodities, the voluntary contributions pledged by countries that are members of the Common Fund and of the hope expressed by the member countries that further contributions will be forthcoming;

11. Notes also that it is the desire of the members of the Common Fund that countries, particularly major exporters and consumers of commodities, that have not yet ratified the Agreement Establishing the Common Fund for Commodities should do so as soon as possible;

12. Stresses that international commodity agreements and arrangements can have an important role to play in resolving commodity problems, where they involve the participation of all major producers and consumers and where they are aimed at improving transparency and better functioning of commodity markets, and, in this context, calls for the implementation of the relevant provisions of the Final Act adopted by the United Nations Conference on Trade and Development at its seventh session;

13. Urges the Conference at its eighth session to address all aspects of commodity problems in a comprehensive manner and requests the Secretary-General of the United Nations Conference on Trade and Development to submit to the General Assembly at its forty-seventh session a report on world commodity trends and prospects, with particular reference to the situation of commodity-dependent developing countries, in the light of the outcome of the eighth session of the Conference, bearing in mind the relevant conclusions of the Committee on Commodities at its fourteenth session;

14. Decides to include the question of commodities in the provisional agenda of its forty-seventh session.

General Assembly resolution 45/200

21 December 1990 Meeting 71 Adopted without vote

Approved by Second Committee (A/45/849/Add.3), 11 December (meeting 54); draft by Vice-Chairman (A/C.2/45/L.84) based on informal consultations on draft by Bolivia for Group of 77 (A/C.2/45/L.47); agenda item 79 (b).

In resolution 45/178 B, the Assembly invited the international community, including the African Development Bank, to strengthen its support of Africa's efforts to diversify its commodity sector, bearing in mind the relevant operational mechanisms.

Committee on Commodities

The UNCTAD Committee on Commodities held its fourteenth session in Geneva from 12 to 20 November [TD/B/1281]. It had before it an UNCTAD secretariat report [TD/B/C.1/309] on the commodity situation and outlook 1990, which examined the main recent developments in commodity trade, particularly of developing countries; commodity supply and demand; economic conditions affecting the supply of commodities; and factors affecting demand.

The Committee also considered the report of the third session of the Working Party on Diversification, Processing, Marketing and Distribution, including Transportation [TD/B/C.1/314], which met in Geneva from 5 to 9 November.

In agreed conclusions, the Working Party requested the UNCTAD secretariat to submit to the Committee on Commodities its suggestions for specific studies on the impact on diversification of various market access conditions, government policies, structural adjustment programmes, and the forms and methods of trading for primary and processed commodities. The UNCTAD secretariat was requested to submit to the Committee on Commodities suggestions for specific studies on experience with diversification across countries. The Working Party took note of two UNDP projects being executed by UNCTAD: a programme to promote commodity processing in developing countries; and policies for improving commercialization of commodities by developing countries. It agreed that there was a need for increased international co-operation to improve information flows and called on Governments and industry in developing and developed countries to increase participation in and make better use of producer-consumer forums to exchange information on investments, prospects and markets for individual commodities, and to exchange views. It encouraged international agencies and donor countries to support Governments of developing countries in updating, completing and improving the contents of the assessments of their natural resource bases. Bilateral donors,

UNDP and other UN organizations were invited to provide financial support to improve information flows, co-ordinate information systems and assist developing countries through training and development of analytical tools for better use of existing information.

The Working Party requested the UNCTAD secretariat to provide technical assistance to developing countries to assist them in collecting, processing, disseminating and making full use of information to help them make decisions on investment in viable diversification activities; to analyse and disseminate publicly available information on industry and market structures for individual commodities of major export interest to commodity-exporting countries, especially low-income commodity-dependent developing countries; to draw up criteria for evaluating diversification projects to facilitate the work of the decision-making bodies in producing countries; and to continue to develop a micro-computer-based commodity information and analysis system.

It was agreed that financial resources for diversification should include financial assistance from existing resources for pre-investment assistance to elaborate diversification programmes and to identify projects attractive for foreign investors, and adequate resources for investment in the identified diversification activities, particularly in countries highly dependent on exports of a few commodities. It was also agreed that: multilateral financial institutions should be encouraged to emphasize diversification in their financial programmes; further voluntary contributions to the Second Account of the Common Fund for Commodities could assist in diversification efforts; every effort should be made to create and increase domestic resources in developing countries and to channel them into diversification activities; developed and developing countries should continue policies, measures and incentives to encourage private investment flows for diversification activities in developing countries and to create a more favourable external environment; and financial resources for diversification and their modalities should continue to be reviewed by the UNCTAD secretariat. The Working Party invited Governments and international organizations to continue to provide available information.

In agreed conclusions adopted on 20 November [TD/B/1281(26(XIV))], the Committee on Commodities stated that the possible effects of the changes in Central and Eastern Europe for commodity production and trade, and the potential for expanding South-South trade in commodities, should be explored. It called for a better un-

derstanding of the impact of the debt problem of developing countries on the supply and demand of commodities and for the link between economic growth and commodity demand to be further explored. In the light of the commodity situation and outlook, the Committee suggested that the following could be explored during the preparatory process for and at UNCTAD VIII: structural disequilibria in commodity markets and actions to bring about a better supply and demand balance, giving attention to efforts to improve demand; access to markets following the outcome of the Uruguay Round of multilateral trade negotiations; the relationship between sustainable development and relevant aspects in the commodities area; diversification in the context of the contribution of the commodity sector to overall development, including financial aspects; domestic and international investment flows and the creation of a competitive favourable enabling environment for development, including social and physical infrastructure; strengthened producer/consumer co-operation; complementarity between domestic and international commodity policies; and lasting solutions to deal effectively with short-, medium- and long-term problems in the commodity area. The Committee agreed that the causes and instruments for dealing with the problem of commodity export earnings shortfall, including the improvement of existing instruments, should be considered, that the issue should form part of its ongoing work and, together with compensatory financing, should figure as a specific issue for discussion at the next session.

Having considered the report of the Working Party on Diversification, Processing, Marketing and Distribution, including Transportation, the Committee agreed that the subject was a priority element in its future activities. It endorsed the Working Party's agreed conclusions, noting that particular attention should be paid to identifying practical measures and actions, especially for highly-commodity-dependent and low-income developing countries. It agreed that due attention should be paid to the specific problems of the least developed countries, in the light of the relevant parts of the Programme of Action adopted by the Second United Nations Conference on the Least Developed Countries (see PART THREE, Chapter I).

Common Fund for Commodities

The 1980 Agreement Establishing the Common Fund for Commodities [YUN 1980, p. 621], a mechanism intended to stabilize the commodities market by helping to finance buffer stocks of

specific commodities and to find commodity development activities, entered into force in 1989 and became operational later that year.

During 1990, EEC, Mauritania and Turkey ratified the Agreement, bringing the total number of parties to 106.

Individual commodities

Agricultural commodities

Cocoa. The International Cocoa Agreement, 1986 [YUN 1986, p. 502] was due to expire on 30 September 1990. On 30 March, the International Cocoa Council decided to extend the Agreement "in part" for two years from 1 October 1990 and to maintain the buffer stock during the period of extension. The economic provisions of the Agreement were not extended, except for certain provisions relating to the maintenance of the buffer stock. In adopting that decision, the members of the Agreement stated that they were convinced of the necessity of continuing international co-operation in all sectors of the world cocoa economy and appreciated the need to continue the search for adequate solutions to the problems of the world cocoa economy in the framework of a new international cocoa agreement.

Coffee. UNCTAD, in collaboration with the Ministry of External Economic Relations of the USSR and the All-Union Academy for Foreign Trade, convened in Moscow from 15 to 19 October a workshop to explore the possibilities for expanding trade in coffee between developing countries and Eastern European countries.

Rubber. The International Natural Rubber Council held its twenty-first session in July 1990. It revised the reference price downward by 5 per cent and agreed to a refund amount to members who so requested.

Sugar. The International Sugar Agreement, 1987 [YUN 1987, p. 482], which was due to expire by the end of 1990, was extended for one year by the International Sugar Council at its eighth session.

Tropical timber. On 23 May, at its eighth session, the International Tropical Timber Council adopted the International Tropical Timber Organization Guidelines for Sustainable Management of Natural Tropical Forests and commended them as an international reference standard to members and the international community in general and as a major contribution towards the sustainable utilization and conservation of tropical forests and their genetic resources.

Minerals and metals

Bauxite. In May 1990, bauxite producing countries, meeting in Kingston, Jamaica, at the invitation of the International Bauxite Association, agreed on the need for a permanent forum to promote discussion between producers and consumers on all questions related to the bauxite/alumina/aluminium industry. They adopted a resolution requesting the UNCTAD Secretary-General to convene an ad hoc review meeting of government experts to discuss exchange of information, market transparency, promotion of consumption, exchange of information on new and available technologies, research and development, human resource development and the environment.

On 3 July, at a second consultation with consuming countries, it was agreed that an informal producer/consumer consultation should be held to discuss further the issues raised in the resolution adopted by the bauxite producing countries. The UNCTAD Secretary-General was requested to convene the ad hoc review meeting of government experts early in 1991.

Copper. The Terms of Reference of the International Copper Study Group were due to enter into force by 30 June 1990. As of 31 July, Chile, China, Finland, Greece, Peru, Poland and the United States, accounting for 28.4 per cent of the world trade in copper, had accepted the Terms of Reference. The membership goal set by the United Nations Conference on Copper, 1988 [YUN 1988, p. 411] for entry into force was States accounting for 80 per cent of trade in copper for definitive application of the Terms of Reference and 60 per cent for provisional application.

Iron ore. TDB, on 23 March, decided [A/45/15 (dec. 382(XXXVI))] that UNCTAD's work on iron ore should be maintained and that regular intergovernmental meetings of experts should be convened, with the participation of industry advisers, to exchange views on the iron ore situation and to review and enhance iron ore statistics.

The International Group of Experts on Iron Ore held its fourth session in Geneva from 22 to 24 October [TD/B/C.1/313 & Corr.1]. It had before it an UNCTAD secretariat review of the current situation and outlook for iron ore—1990 [TD/B/C.1/IRON ORE/2]; iron ore statistics from 1980 to 1989 [TD/B/C.1/IRON ORE/3/Rev.1]; and an annotated bibliography on iron ore—1990 [TD/B/C.1/IRON ORE/4].

With regard to statistics and estimates for 1990 and 1991, the Group of Experts agreed that a mini-questionnaire should be sent to national focal points with a view to gathering information for rapid and regular dissemination. It should

contain information on production of iron ore, metallics and crude steel, as well as imports and exports of iron ore. The Group deferred consideration of a proposal by Canada that it organize working sessions to review and enhance the statistics prepared by the UNCTAD secretariat with a view to improving their quality, coverage and timeliness.

Nickel. At a meeting in Geneva on 23 May [TD/NICKEL/13], the International Nickel Group noted that 12 States accounting for 61 per cent of the world trade in nickel had notified the UN Secretary-General of their intention to become members of the Group. Accordingly, it decided to put its Terms of Reference into force among themselves in whole as of that date and requested the UNCTAD Secretary-General to convene the inaugural meeting of the Group. The inaugural meeting of the Study Group was held in The Hague, Netherlands, from 25 to 28 June. The Group established its headquarters in The Hague and entrusted its Standing Committee to appoint a Secretary-General and approve the budget.

Tin. As at 31 July the Terms of Reference of the International Tin Study Group, which were established by the United Nations Tin Conference in 1989 [YUN 1989, p. 373], had been accepted by Greece, Indonesia, Malaysia, Nigeria and Thailand. On 3 October, TDB noted that the International Tin Council had ceased to exist as at 31 July 1990 [A/45/15].

Tungsten. The Committee on Tungsten held its twenty-second session in Geneva from 10 to 14 December [TD/B/C.1/317]. It had before it UNCTAD secretariat reports on the short-term outlook in the tungsten market [TD/B/C.1/TUNGSTEN/84]; review of existing research and development programmes to promote new applications for tungsten and a survey of industry and government views on the need for additional programmes [TD/B/C.1/TUNGSTEN/86]; and a list of different definitions and methodologies used in major tungsten-producing countries [TD/B/C.1/TUNGSTEN/85].

The Committee adopted a proposal to formally seek designation of the Committee as an international commodity body for the purpose of the Second Account of the Common Fund on Commodities.

Services

At the second part of its thirty-sixth session (Geneva, 12-23 March), the Trade and Development Board (TDB) of the United Nations Conference on Trade and Development (UNCTAD) discussed services within the mandate of UNCTAD as

defined in the Final Act of the seventh (1987) session of the Conference (UNCTAD VII) [YUN 1987, p. 465].

The Board had before it an UNCTAD secretariat report [TD/B/1241] on the problematics of trade in services and technological change. The report examined the problems confronting the liberalization of trade in services, including market and legal issues. It concluded that the liberalization of service imports could have a dynamic effect on the development process in developing countries through the stimulation of efficiency, access to technology and support to exports, if carried out within the appropriate regulatory framework. However, care should be taken to ensure that imports of services did not undermine the ability of developing-country governments to carry out strategic national objectives, nor result in stifling the development of higher skills, knowledge-based services and information resources. Access to services to ensure their ability to compete in foreign markets should not result in developing country producers or consumers becoming "captive" to foreign service suppliers, nor in exacerbating balance-of-payments disequilibria. For the liberalization of trade in services to benefit developing countries, their firms would have to acquire capacities of firms in the developed market-economy countries, which might only be possible in the context of solutions to more general problems of debt and infrastructure development. The growing concentration of ownership and market power in many service sectors could create barriers to entry for newcomers, particularly for firms of developing countries, and promote a geographical concentration of service production. Barriers to trade could also be created by government and corporate measures restricting access to information and technology.

There was a need for greater transparency by Governments with respect to laws, regulations and administrative practices and on the part of corporations trading in services to obtain a clearer idea of the market structure in the various service areas, to ensure that their activities were consistent with the objectives of greater efficiency and the development of developing countries and expansion of their service exports. Transparency could also contribute to improved statistics on trade in services. Liberalization would have to address the adverse effects of regulation and not aim at deregulation per se. The acceptance of commitments with respect to liberalization of the movement of factors of production within the definition of trade in services, as envisaged in the Uruguay Round, would call for a resolution of legal issues with respect to the treat-

ment of foreign persons. In that context, the application of trade policy concepts to trade in services would require extreme care. Liberalization within the context of integration schemes among developing countries could, in addition to furthering the overall integration process, provide an opportunity for developing country firms to strengthen their competitive positions and reinforce the eventual ability of developing countries to accept broader commitments to liberalize trade in services within the multilateral framework.

In a 23 March resolution [A/45/15 (res. 380(XXXVI))], TDB recognized UNCTAD's contribution to a better understanding of the problematics of trade in services from the point of view of developing countries and in the context of overall development objectives. It requested the UNCTAD Secretary-General to continue specific studies on sectors of priority interest to developing countries, particularly with a view to building and improving infrastructure and capabilities with the objective of developing efficient and competitive industries in those countries, thereby strengthening their export potential. It took note of the appreciation of recipient countries for UNCTAD technical co-operation activities in the area of services in support of developing countries. TDB urged Governments to assist technologically weak countries, especially developing countries, to participate fully in technology-led growth in international trade in terms of product innovation, export supply and market penetration capabilities, and affirmed the need for pursuing policies in the areas of technology which furthered the goal of trade expansion for the benefit of trading partners, particularly developing countries, and which promoted investment, innovation, absorption, utilization and development of technological and entrepreneurial capabilities.

Consumer protection

In response to Economic and Social Council resolution 1988/61 [YUN 1988, p. 413], the Secretary-General submitted a May 1990 report [E/1990/76], in which he reviewed the implementation of the 1985 guidelines for consumer protection [YUN 1985, p. 571, GA res. 39/248 annex]. Having outlined the recommendations adopted at a 1987 regional seminar on consumer protection for the Latin American and Caribbean region and other activities undertaken for the implementation of the guidelines, the report concluded that international co-operation in consumer protection could be of great value by enabling countries to draw upon the experience of others and avoid duplication of effort. Co-operation could take pace through the development of product safety

standards and testing procedures, or in the export of harmful products. At the global level, factors that needed to be taken into account included environmental issues, the global debt crisis and its impact on financial services, the effect of the growth of advertising and the mass media on information available to consumers, as well as the globalization of manufacturing, production and distribution systems. Areas identified for assistance to Governments included the elaboration of detailed and more targeted guidelines in financial services and children's product services. At the regional level, said the report, it could be useful to organize further seminars on consumer protection for government officials, with follow-up by regional commissions.

The United Nations system should give greater focus to the issue of consumer protection and structured consultations among various bodies might be needed to consider how best to assist Governments. The Secretary-General recognized the importance of non-governmental organizations (NGOs) in disseminating and promoting the implementation of the guidelines and the growing awareness by the private sector of the benefits of consumer policies. Meaningful progress in implementing the guidelines could be achieved through regional seminars and follow-up to their recommendations; workshops on topical issues to elaborate guidelines in those areas; analytical work to identify areas of emerging concern; and the development of greater co-ordination in the UN system to best answer the needs of Governments in the protection of consumers, through an ad hoc co-ordinating mechanism, including subject-oriented inter-agency consultations.

In a later addendum [E/1990/76/Add.1], the Secretary-General submitted the recommendation adopted at the United Nations Regional Seminar on Consumer Protection for Asia and the Pacific (Bangkok, Thailand, 19-22 June) (see PART TWO, Chapter V).

ECONOMIC AND SOCIAL COUNCIL ACTION

The Economic and Social Council, on 27 July, adopted resolution 1990/85.

Consumer protection

The Economic and Social Council,

Recalling General Assembly resolution 39/248 of 9 April 1985, in which the Assembly adopted guidelines for consumer protection,

Recalling also its own resolution 1988/61 of 27 July 1983, in which Governments were urged to implement the guidelines for consumer protection and the Secretary-General was requested to provide assistance to Governments in that regard,

Noting with satisfaction the recommendations of the United Nations Regional Seminar on Consumer Protection for Asia and the Pacific, held at the headquar-

ters of the Economic and Social Commission for Asia and the Pacific, Bangkok, from 19 to 22 June 1990,

Aware that the need for assistance in the area of consumer protection, particularly in developing countries, still remains great,

Recognizing the role of non-governmental organizations in promoting the implementation of the guidelines and the growing awareness by the private sector of the benefits of consumer policies,

Noting the efforts currently being undertaken within the United Nations system in promoting the implementation of the guidelines on consumer protection,

1. Commends the Secretary-General for his report on consumer protection, prepared pursuant to Council resolution 1988/61;

2. Urges all Governments to continue their efforts to implement the guidelines for consumer protection and establish appropriate means to co-ordinate policies and programmes for consumer protection;

3. Encourages Governments to collaborate, as appropriate, in joint efforts for the protection of consumers, including the development of product safety standards and testing procedures, and in the exchange of information and advisory services;

4. Requests the Secretary-General, in co-operation with the development funds and programmes of the United Nations, the regional commissions and other relevant bodies and agencies of the United Nations system, to continue to provide assistance to Governments, in particular those of developing countries and other interested countries, in implementing the guidelines on consumer protection, and to develop a programme of action for the next five years on the implementation of the guidelines; such a programme, to be reviewed on the occasion of the tenth anniversary of the adoption of the guidelines, should be implemented subject to the availability of extrabudgetary resources and should involve specific activities such as the convening of regional seminars and follow-up activities, a survey of consumer protection measures undertaken within the framework of the guidelines for consumer protection, the provision of advisory services to Governments, in particular those of developing countries, at their request, and the elaboration of specific guidelines in areas of emerging concern;

5. Also requests the Secretary-General to report to the Economic and Social Council at its second regular session of 1992 on the implementation of the present resolution.

Economic and Social Council resolution 1990/85

27 July 1990 Meeting 37 Adopted without vote

Approved by Third Committee (E/1990/116), 24 July (meeting 171); 16. nation draft (E/1990/C.3/L.10/Rev.1), orally revised; agenda item 10.

Environment and trade

The UNCTAD secretariat submitted to the first part of TDB's thirty-seventh session (Geneva, 1-12 and 17 October) an August report on sustainable development and UNCTAD activities [TD/B/1267]. The report analysed the interface between sustainable development and the four main areas of UNCTAD's work: commodities; trade policy; technology; and development finance. With respect

to commodities, the report indicated the need for new research to support negotiations and policy decisions concerning renewable resources. It also stated that the roles of economic incentives and regulatory measures needed to be better recognized and that concern for sustainable development was raising new questions about the pricing and rate of exploitation of non-renewable resources. It further pointed out the implications for developing countries of subjects like biodiversity or climate.

Concerning trade policy, the report drew attention to the need for a better understanding of the role environmental considerations might be playing in the redeployment of industry or other economic activities. It also raised the issue of environmental considerations as a source of trade distortion or an argument for trade restriction. Questions in that area called for permanent monitoring, to which the UNCTAD Trade Control Measures Information System could make a useful contribution. The report also referred to the argument that protectionism might aggravate the sum total of unsustainability in the world economy. That deserved to be studied in support of the search for a strong and equitable international trading system.

As to the relationship between technology and sustainable development, the report noted that the concern in developed countries for sustainable development could make it even harder for developing countries to gain access to the technology they needed to be competitive in the world economy. On the other hand, some developed countries might be anxious to encourage developing countries to replace technologies that threatened the global environment by acquiring from them environment-friendly ones. Developing countries needed to ensure that they had a fair role to play in developing biotechnology, given that they were major suppliers of its raw material.

In terms of development finance, the debt burden was driving some developing countries to generate foreign exchange in ways that could damage their environment and that of the globe. There was need to be alert to creditors using the debt burden as a lever for environmental conditionality in aid or to facilitate their access to genetic resources. However, there were examples of positive linkages between debt reduction and environmental conservation. Concern for the global environment was prompting the study of new funds and mechanisms to transfer additional financial resources to developing countries in order to encourage a more sustainable global economy. It was important that those mechanisms respected the same principles of economic equity, efficiency and additionality.

In a 12 October decision [A/45/15 (dec. 384 (xxxvii))], TDB decided that the objective of sustainable development, particularly the reduction of poverty, should be incorporated into all areas of UNCTAD'S work at the intergovernmental level and that its respective committees should consider related activities in the context of their work programme. It invited the UNCTAD Secretary-General to ensure that the concept of sustainable development was integrated in the ongoing work of the secretariat, in particular in the area of trade, commodities, technology and finance for development, which should contribute to innovative thinking and increased awareness of environmental development economics. TDB encouraged continued co-operation between the secretariats of the United Nations Conference on Environment and Development (UNCED) and UNCTAD in preparations for UNCED, to be held in 1992 (see PART THREE, Chapter VIII), on issues within UNCTAD'S mandate. It requested the UNCTAD Secretary-General to prepare an analysis of sustainable development, in particular the reduction of poverty and its interface with policies and mechanisms in environmentally sensitive sectors, such as agriculture, energy, industry and transport, as well as with structural policies such as those relating to the enterprise sector. In promoting dialogue on the interlinkages between environmental and trade policies, the UNCTAD Secretary-General should adjust the Trade Control Measures Information System to monitor environmental regulations for possible protectionism and to monitor non-tariff measures that had a bearing on the environment. Specific attention should be paid to the needs of LDCs, including small island States. International development agencies and donor countries were invited to provide voluntary budgetary resources for technical assistance.

GENERAL ASSEMBLY ACTION

The General Assembly, in resolution 45/210 of 21 December, requested the UNCTAD Secretary-General, in co-operation with the UNCED Secretary-General and relevant United Nations bodies, to prepare and submit to the Preparatory Committee for UNCED at its third session a comprehensive analytical study on the present situation and future trends regarding the relationship between environmental issues and international trade. The study should consider trade and environment in the light of sustainable development, particularly poverty reduction, and adjustment of the UNCTAD Trade Control Measures Information System to monitor environmental regulations and non-tariff measures having a bearing on the environment.

Finance

Financial policy

The World Economic Survey, 1990 [Sales No. E.90.II.C.1] stated there were strains on public finances everywhere that were significant to an assessment of the international agenda. In a time of slow growth, even Governments in the richest countries were overcommitted domestically and found it difficult to mobilize resources for use in foreign policy.

In contrast to the impoverishment of Governments, there had been a large increase in the international capital market and the supply of private financial resources. The problems of indebted developing countries were greatly magnified by their reliance on that market in the 1970s and their loss of credit in the 1980s. That had left them with lingering debts on borrowed capital that did not produce the growth of output from which the debts were expected to be repaid. That situation had produced a sharp drop in net financial transfers (see below). The question was whether to make up for the loss by increasing official financial and domestic savings as an alternative to the reliance on private capital markets. The answer was that, in the short run, there was no alternative to the use of official sources to restore order and consolidate debts in a manner that made it possible to resume growth and regain creditworthiness. However, in the long run, developing countries should be keyed into the pool of the international financial market, if only because that was where the money was. Official funds should still accomplish a catalytic role. In particular, they would remain important for the weakest and poorest countries, which were so far inhibited by their production structures from participating fully in the world economy.

The Trade and Development Report, 1990 [Sales No. E.90.II.D.61] stated that one of the principal characteristics of the world economy in recent years had been the rapid pace at which financial activity had grown and become international in character. As restrictions on their movement had been relaxed, funds increasingly flowed back and forth across national boundaries. As capital learned to operate globally, restrictions on its behaviour had progressively lost their force. At the same time, trade in financial services and assets of varying maturities, both nationally and internationally, far exceeded the expansion of production and trade in goods. However, the process of internalization remained incomplete, particularly with regard to the developing countries and the actors involved. Most developing countries

maintained restrictions on capital movements and the bulk of purely domestic transactions generally remained in the hands of domestically owned institutions. Restrictions on the right of establishment and differential treatment of foreign and domestic institutions had been important factors in preventing banks from increasing their presence and participation in financial markets abroad as they wished. For developing countries, the question of foreign access to domestic financial markets remained closely connected to the issue of financial openness generally, including the ability to control capital movements and conduct autonomous monetary and financial policies directed at their own development.

Net transfer of resources from developing to developed countries

In response to a 1989 Economic and Social Council request [YUN 1989, p. 376, ESC res. 1989/112], a chapter of the World Economic Survey, 1990 was devoted to international finance and the net transfer of resources. The Survey noted that the international pattern of financial transfers in 1989 was typical of that in recent years. By far the largest net absorption of resources was that of the United States. However, the \$95 billion net transfer to the United States was more than a third below the 1987 peak of \$154 billion. In addition, the United Kingdom absorbed about \$30 billion in financial resources from the rest of the world in 1989 for the second year in a row. The Federal Republic of Germany and Japan were the largest suppliers of financial transfers, as in previous years, although the smaller developed market economies and Eastern Europe also transferred financial resources abroad. The USSR became a net recipient of resources from market economies in 1989 and the Eastern European countries seemed poised to see their net resource outflow turn into inflow owing to several major international policy initiatives.

As a whole, the developing countries were still transferring resources abroad, as they had since 1984. However, they fell into three separate categories. One was the energy-exporting countries, which had been net recipients of financial transfers from abroad since 1982, as weakening oil prices and a major military conflict in the Gulf area cut deeply into their ability to transfer resources abroad. However, with more peace in the region and a rebound of oil prices in 1989, that group again became exporters of capital. The second group comprised four small Asian economies (Hong Kong, the Republic of Korea, Singapore and Taiwan Province of China) which were very successful exporters of manufactures. Their

aggregate net transfer of financial resources was some \$16 billion in 1989, down from \$23 billion the year before, owing mainly to the sharp cut-back in the trade surplus of the Republic of Korea. The third group, designated capital-importing developing countries, had made net resource transfers abroad since 1984, but in a totally different context. Although the drop in investment and growth in that group of countries had various causes, the role of the reduction in the net transfer of resources seemed firmly established. The steep drop in the transfers to them was brought about by a curtailment of imports and a redirection of output towards exports, in a context of depressed domestic economic conditions.

ECONOMIC AND SOCIAL COUNCIL ACTION

The Economic and Social Council, on 26 July, adopted resolution 1990/56.

Trends in the transfer of resources to and from developing countries and their impact on the economic growth and sustained development of those countries

The Economic and Social Council,
Recalling General Assembly resolution 44/232 of 22 December 1989,

Recalling also its own resolution 1989/112 of 28 July 1989 on the net transfer of resources from developing countries and its impact on their economic growth and development,

1. Takes note with appreciation of the World Economic Survey, 1990, in particular chapter IV entitled "International finance and net transfer of resources", containing statistics and analyses of causes and factors underlying the phenomenon of the transfer of resources to and from the developing countries;

2. Requests the Secretary-General to include in his report to be submitted to the General Assembly in response to paragraph 4 of Assembly resolution 44/232, a review and analysis of the issues and problems, at both the national and international levels, raised by that phenomenon.

Economic and Social Council resolution 1990/56

26 July 1990 Meeting 36 Adopted without vote

Draft by Vice-President (E/1990/L.52) based on informal consultations on draft by Bolivia for Group of 77 (E/1990/L.39); agenda item 2.
Meeting numbers. ESC 32,36.

In decision 1990/265 of 26 July, the Council recommended that the General Assembly consider in 1991 a draft resolution on entrepreneurship as a means of attracting non-debt-creating flows of capital (see PART THREE, Chapter I).

Report of Secretary-General. In response to General Assembly resolution 44/232 [YUN 1989, p. 376] and in accordance with the above Economic and Social Council resolution, the Secretary-General submitted an October 1990 report on net transfer of resources from developing countries

[A/45/487]. The report examined trends in the net financial transfer of the developing countries and its composition; terms of trade and their relationship to net financial transfers; net transfer, adjustment and growth; and policy implications.

The report stated that the prolonged and large outward transfers of resources from developing countries and its association to low or negative growth had been a feature of the 1980s. Investment had suffered in indebted countries and the debt crisis and the pattern of financial flows it engendered continued to be a major obstacle to recovery and development in most indebted countries, particularly in Africa and Latin America. It also had adverse repercussions on the exports of many industrial countries. The internal resource mobilization that the outward transfer implied and the actual policy response for the need of such mobilization was a main factor in the budget crisis of several developing countries. Throughout the 1980s, the severity of the adjustment to the shift in financial flows had been compounded by adverse changes in the terms of trade. In assessing those trends, the international community had recognized that, during the 1980s, the large net transfer of resources to the developed countries had deprived developing countries of much needed resources for development.

Given the diversity of factors determining the sharp fall in net financial transfers to many developing countries and the difference in the ability of countries to cope with those changes, a mix of policy measures in various areas was required. It would have to include further fiscal adjustments and measures towards diversification, combined with efforts to create a climate of confidence to increase domestic savings and productive investments, such as foreign direct investment and return of flight capital. However, the main contribution to a reduction of the excessive outward transfer of resources from developing to developed countries would come from a concerted public solution to the debt problem. Official debt, including to international financial institutions, would have to be part of that solution. Debt relief for most least developed and other low-income developing countries, particularly in Africa, remained critical. Debt forgiveness from bilateral creditors was particularly important for those countries that faced serious debt-servicing difficulties.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/192.

Net transfer of resources between developing countries and developed countries

The General Assembly,

Recalling its resolution S-18/3 of 1 May 1990, the annex to which contains the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries,

Recalling also its resolution 44/232 of 22 December 1989 and Economic and Social Council resolution 1989/112 of 28 July 1989, and taking note of Council resolution 1990/56 of 26 July 1990,

1. Takes note with interest of the report of the Secretary-General on the net transfer of resources from developing countries;

2. Requests the Secretary-General to include in the World Economic Survey 1991 an update of the section concerning causes of and factors related to the net transfer of resources between developing and developed countries and its impact on the economic growth and sustained development of developing countries, and to submit to the General Assembly at its forty-seventh session a comprehensive and analytical report with a view to halting and reversing this phenomenon.

General Assembly resolution 45/192

21 December 1990 Meeting 71 Adopted without vote

Approved by Second Committee (A/45/849/Add.1), 11 December (meeting 54); draft by Vice-Chairman (A/C.2/45/L.94) based on informal consultations on draft by Bolivia for Group of 77 (A/C.2/45/L.31); agenda item 79.

Meeting numbers. GA 45th session: 2nd Committee 19-21, 42, 54; plenary 71.

Debt problems of developing countries

TDB action. At its October session, TDB held an integrated discussion on the interdependence of problems of trade, development finance and the international monetary system, and debt and the problems of developing countries. It had before it the Trade and Development Report, 1990, which stated that the perceived low creditworthiness of most debtor countries had been strongly influenced by the continuing lack of evidence of sustained improvement in their external financial positions. For net debtor countries as a whole and for the group of 15 highly indebted countries, the ratios of external debt to exports continued to decline in 1989 but were still above the 1982 level, while for sub-Saharan Africa the ratio increased. The ratios of interest payments to exports rose slightly for the highly indebted countries, but changed little or not at all for net debtor countries as a whole and sub-Saharan Africa.

The rescheduling of developing countries' official debt continued in 1989 and early 1990 at a higher pace, with 22 meetings taking place in 1989 at the Paris Club (where bilateral official debts were rescheduled) in comparison with an average of 16 during 1983 to 1988. That was a symptom of the short-term approach of the Paris Club whereby the consolidation period (when debt service payments to be rescheduled fell due)

was only 12 to 18 months. Moreover, debt service due on previously scheduled debt had become an increasingly important portion of the consolidated amount, reflecting the inadequacy of the terms of the original agreement. Implementation of the options of the 1988 Toronto Economic Summit (of the Group of Seven major industrialized countries) agreement on concessional relief to developing countries [YUN 1988, p. 417] had revealed a number of shortcomings. The scale of the relief was extremely limited. Only debts meeting certain criteria could be rescheduled, and until recently, only debt service payments falling due during a relatively short period benefited from the new terms, so that recourse was still necessary to time-consuming and costly repeated reschedulings. There was a return to multi-year reschedulings in 1989-1990 for Bolivia, Mali, Mexico, Mozambique and the Philippines. In each case the length of the consolidation period was covered by an International Monetary Fund programme. The preceding year had also witnessed the application of so-called "Venice terms" (longer maturities than the standard 10-year period) agreed to at the 1987 Group of Seven summit. Under that new policy, Guyana received a 21-year maturity, and a 15-year maturity was agreed for Cote d'Ivoire. However, the Venice terms did not provide the debt and debt service reduction required by countries that were not yet beneficiaries of concessional debt relief.

The issue of official bilateral debt reduction for middle-income countries received increasing attention from creditor countries. In June 1990, President François Mitterrand of France announced measures to lower interest rates on non-concessional loans by France to Cameroon, Congo, Côte d'Ivoire and Gabon. Also, President George Bush of the United States launched a programme aimed at reducing the official debt obligations of Latin American countries to the United States, within the framework of the "Enterprise for the Americas" initiative. The United States initiative envisaged substantial cancellation of concessional loans and the payment of interest in local currency to be used to support environmental projects. The financial problems of the lower middle-income countries with high levels of official debt were also considered by the Houston Summit of the Group of Seven in July 1990. Although no new global initiative was agreed upon, the Group encouraged the Paris Club to lengthen the repayment period for those countries and to continue reviewing additional options to address debt burdens.

There was a significant rise in arrears on debt service to commercial banks, which reached \$18

billion in March 1990 compared to \$6.5 billion at the end of 1988.

Also before TDB was an UNCTAD secretariat note [TD/B/1272] containing a preliminary assessment of the economic consequences of the crisis in the Persian Gulf area (see PART TWO, Chapter III). The report examined how the continuing crisis might affect the world economy, in particular the developing countries. It discussed the consequences of the cut in exports of crude oil and refined products and identified the main channels through which the cut in Iraqi and Kuwaiti imports and payments would affect developing countries. The note concluded with some policy suggestions, in which it noted that the correct policy response to a payments imbalance due to an abnormal situation was financing, not adjustment. It also emphasized the need to reduce oil price volatility, since it accentuated financial instability, and the need for industrialized countries to avoid further increases in interest rates.

TDB, in a 17 October resolution [A/45/15 (res. 388 (XXXVII))], agreed that further action through the international debt strategy was needed to achieve durable, equitable and mutually agreed solutions to the problems of indebtedness with a view to promoting the revival of growth and sustained development in developing countries. That would require intensified efforts by industrial countries to bring about a more favourable international economic environment conducive to non-inflationary growth and development by adopting an appropriate mix of fiscal and monetary policies conducive to a decline in interest rates; by promoting the stability of exchange markets; by facilitating adequate financing of adjustment programmes; by encouraging the flow of foreign direct investment and other non-debt-creating flows to developing countries; and by contributing to a timely and successful outcome of the Uruguay Round of multilateral trade negotiations that would result in the liberalization and expansion of world trade to the benefit of all countries, especially developing ones. Further action to combat indebtedness would also require: strengthening by debtor countries of their growth-oriented adjustment policies, including sound macro-economic and structural policies; and measures to consolidate national savings, attract foreign direct investment and other non-debt-creating flows, and reverse capital flight. Intensified efforts were needed to review the terms of official debt reschedulings to bring debt-service obligations in line with what heavily indebted countries could be expected to pay without jeopardizing their adjustment efforts, economic growth and the satisfaction of basic social needs, through consideration of recent pro-

posals by creditor Governments concerning the reduction of official bilateral debt and debt service owed by low-income countries, and consideration of options by creditor countries to lighten the debt burden of middle-income countries with significant official debt. Also required was implementation of the strategy to extend to additional eligible countries the reduction of debt and debt-service owed to commercial banks, with financial support from official sources. Multilateral financial institutions, development funds and donor countries needed to consider measures to alleviate the burden of multilateral debt owed by LDCs, as recommended by the Second United Nations Conference on the Least Developed Countries (see PART THREE, Chapter I). Further action should also include adequate financial assistance by donors to developing countries making efforts to cope with overdue obligations to multilateral financial institutions to help clear arrears and finance structural adjustment programmes through a co-operative approach. Due consideration should be given by creditors to those developing countries with substantial debt burdens which had not yet restructured their debt and had remained current in servicing their external obligations, while carrying out sound macro-economic policies. TDB urged multilateral financial institutions and donor countries to assist developing countries adversely affected by the latest crisis, by responding promptly, flexibly and with expanded resources to the needs of the situation and by mobilizing additional assistance.

In another resolution [387(XXXVII)] of the same date on the interdependence of the problems of trade, development finance and the international monetary system, TDB recommended that countries pursue structural adjustment efforts, in accordance with their priorities, objectives, capacities, specific conditions and needs, making use of market signals. The opportunity to restore a long-term approach to development and move beyond short-term adjustments must be seized, said the Board. Governments and international institutions were invited to support the development efforts of developing countries by additional resources and to continue to address the debt problem. The international community should support adjustment policies in developing countries in the spirit of reinforced partnership. TDB invited industrialized countries to contribute to the necessary actions in accordance with their capacities and their economic power and the international financial institutions to further enhance their aid to developing countries and improve its quality. TDB appealed to Governments engaged in the Uruguay Round to

reaffirm their determination to achieve balanced results, opening the way to increased liberalization and sustained growth in world trade for the benefit of all countries, especially the developing ones. It also invited countries to increase their level of savings so as to release extra financial resources commensurate with investment and development needs. The additional resources thus released should be used to achieve sustained growth and sustainable development. All countries should continue to establish conditions favourable to national and foreign investment, the reduction of flight capital and its repatriation. There was a crucial need for co-operation in a number of important areas, notably: the dialogue on commodities; the reduction of internal and external imbalances; and the stability of the international monetary system through co-ordination of economic and monetary policies.

Reports of Secretary-General. By an 8 October note [A/45/380 & Corr.1], the Secretary-General transmitted to the General Assembly the report by his Personal Representative on Debt (Bettino Craxi, Italy). In a series of conclusions, the report stated that, for many developing countries, the debt burden represented a major obstacle to their economic and social growth. Hence, there was a need to continue on the path on which the Group of Seven had embarked to bring the debt burden of developing countries into line with their capacity to pay and thus create conditions permitting their renewed growth in the future. The report stated that the problem of extricating countries and regions with heavy debt burdens from the debt crisis required the participation of all creditors, including banks, Governments and multilateral institutions. The Brady Plan (proposed in 1989 by then United States Treasury Secretary Nicholas Brady) should be strengthened and provided with more resources and co-ordinated management from an agency within the international financial institutions, working closely with regional banks. Following the Paris (1989) and Toronto (1988) summits of the Group of Seven major industrialized countries, it should be possible to obtain further debt relief, differentiated according to the level of development and indebtedness of the various types of debtors. That should be achieved through long-term debt rescheduling (30-40 years) and greater concessionality on debt service. Debt-service should be fully written off only in the case of the poorest countries (International Development Association-only group) and only for soft loans under official bilateral assistance programmes. It should be made possible for countries to pay interest on bilateral debt into trust funds in indexed local currencies, to be used for the financ-

ing of development projects for environmental protection and human resources development. An intermediate group of debtor countries, between the poorest and the middle-income countries, should be defined with a view to increasing the degree of concessionality of their debt, applying as a first measure the Toronto terms to their rescheduling at reduced interest rates. There should be a commitment to guarantee an adequate flow of public and private funds to developing countries. The case-by-case approach should be maintained but a distinction should be made between different categories of debt. Developing debtor countries and Eastern European countries should adopt cohesive policies of domestic adjustment in collaboration with the international financial institutions. Adjustment programmes should be selective and growth-oriented and take into account the needs of the less favoured groups of the population. Private banks should be encouraged to reduce the interest on private debts, with tax and accounting regulations revised to favour those banks that reduced interest and provided new financial flows to developing countries. The resources of international financial institutions should be increased and used to finance operations under the Brady Plan and for a special drawing right (SDR) allocation to enlarge the funds available for debt reduction, interest subsidy and bridging loans. Incentives should be provided for swap operations that would set up joint ventures and promote the participation of external capital in privatized public enterprises. Commodity bonds should be given public guarantees. Innovative approaches should be considered such as payment of part of debt service in bonds expressed in local currency and indexed on export commodities, with the option of using them to purchase shares and other marketable securities. A special effort should be made to provide financial backing to the countries of Eastern Europe during their transition to a market economy to avert serious social shocks. In debt relief, consideration should be given to innovative financing options and the conversion of debt into shares of privatized companies. Creditor countries should increase their aid budgets from 0.35 to 0.45 per cent of gross domestic product. Special attention should be given to the extension of the system of regional banks.

In response to Assembly resolution 44/205 [YUN 1989, p. 379], the Secretary-General submitted a 23 October update [A/45/656] to his 1989 report [YUN 1989, p. 378] on the recent evolution of the international debt strategy. He stated that from mid-1989 to mid-1990 important steps forward were made in implementing the debt strategy

called for by the Brady initiative and the Toronto agreement, with a number of individual debtor countries able to negotiate their debt on more favourable terms. Those developments occurred against the background of continued external financial difficulty and generally poor overall growth performance. The net transfer of resources associated with medium- and long-term borrowing by developing countries remained strongly negative, amounting to some \$35 billion in 1989.

By the end of 1989, the debt owed to official creditors by capital-importing countries had grown to about \$495 billion, accounting for almost half of the total medium- and long-term external debt. A notable event on the private debt front was the start made in implementing the Brady Plan. Agreements were reached with Costa Rica, Mexico, Morocco, the Philippines and Venezuela. Those agreements offered creditor banks various options of debt and debt service reduction and new money lending. Very few new restructuring agreements were signed outside the Brady framework and some concluded previously had become inoperative. Arrears on commercial bank debt continued to accumulate, almost trebling to \$18 billion between the end of 1988 and March 1990.

The Secretary-General concluded that for many of the heavily indebted developing countries, debt and debt service reduction had to be given prominence in the debt strategy and such reduction had to be implemented by a wider range of creditors. Policies to put that broadly shared view into effect had gathered momentum in the preceding 12 months with the wider application of the Toronto terms to low-income countries, the conclusion of a number of debt and debt service reduction packages under the Brady Plan, several unilateral initiatives by official creditors and the proposals by some creditor Governments involving further measures to reduce the official debt burden, thus broadening the scope for policy action. Nevertheless, progress in the implementation of the debt strategy had been limited. The amount of debt reduction that had been negotiated had been modest and had not led to the restoration of normal creditor-debtor relations, external viability or robust growth in the most indebted countries. There had been some progress in alleviating the debt burden of low-income countries to official bilateral creditors, and the Toronto agreement provided for the rescheduling of debt on concessional terms. However, the degree of relief granted was inadequate, falling short of what was needed to match the debt servicing capacity of low-income countries. Several proposals were

made by creditor Governments that pointed to the need for a much bigger reduction of debt service for those countries.

The issue of official debt of lower middle-income countries had also received attention by creditor countries. The new Paris Club policy for heavily indebted countries represented a major step in the right direction, but a timid one. That policy, adopted in September, included an extension of rescheduling maturities to 15 years for non-concessional loans and up to 20 years for official development assistance loans, with additional grace periods of up to 10 years. In addition, the new treatment allowed limited amounts of debt-equity swaps and other debt conversions. Many of the lower middle-income countries still needed reduction of their official bilateral debt. Expeditious consideration should be given to a French proposal calling for a more diversified menu incorporating options involving debt and debt service reduction.

Multilateral financial institutions and donor countries should give urgent consideration to implementing further measures to alleviate the burden of multilateral debt, while safeguarding their sound financial basis, as recommended by the Second United Nations Conference on the Least Developed Countries (see PART THREE, Chapter I) and should include the strengthening and widening of mechanisms such as interest rate subsidies or refinancing schemes funded by reflows or special trust funds. With regard to debt owed to commercial banks, the emphasis in financial packages for highly indebted countries should be on debt reduction rather than new lending.

National laws and regulations could also be directed more effectively towards achieving adequate levels of debt and debt service reduction, including the suggestion that creditors should qualify for tax deductions on their loan-loss provisions only to the extent that they would participate in debt reduction packages, and that creditors who failed to participate in such packages sanctioned by the International Monetary Fund (IMF) and the World Bank should be required to make special provisions on their loans and should not be eligible for tax relief on loans. The scale of consensual and debt service reductions needed to be enlarged if unilateral steps were to be avoided. However, the combination of additional incentives and disincentives to enlarge the scale of debt reductions should be tilted in favour of increased financial support from the World Bank and the regional development banks. Unless additional funds were put at their disposal, such support could reduce lending for new investment, which was the key to successful adjustment.

Introducing his report before the Assembly's Second (Economic and Financial) Committee on 23 October [A/C.2/45/SR.20], the Personal Representative of the Secretary-General said that as the debt crisis was systemic in nature, a solution had to involve all components of the system—banks, Governments and the international financial institutions. What was needed was an agency or a committee within the World Bank and IMF with the support, for each of the major indebted areas, of the regional development banks and other multilateral regional bodies, either already existing or to be created.

The Secretary-General, speaking before the Second Committee on 30 October [A/C.2/45/SR.26], stated that the continuing crisis of external indebtedness of developing countries reflected a deep-rooted malaise in international economic and financial relationships. It had become a major impediment to growth and development of most of the developing countries and to the revitalization of the global economy. The effects of the crisis were so serious and widespread that it was not possible to wait for conventional approaches to bring about a solution. Economic conditions in much of the third world demanded a dynamic and broad-based approach that would have a tangible impact. The scope and extent of the problem were further aggravated by the crisis in the Persian Gulf and the rise in oil prices to levels that were intolerable for most oil-importing developing countries, whose economies did not have the resilience to deal with the additional burden imposed by the higher cost of oil.

By a 20 September letter [A/45/531], Yugoslavia submitted to the Secretary-General the report on debt and development in the 1990s of the Round Table on Debt and Development, held at Sveti Stefan, Yugoslavia, on 28 and 29 June.

GENERAL ASSEMBLY ACTION

The General Assembly, on 21 December, adopted resolution 45/214.

International debt crisis and development:
enhanced international co-operation towards
a durable solution to the external debt
problems of developing countries

The General Assembly,

Recalling its resolutions 41/202 of 8 December 1986, 42/198 of 11 December 1987, 43/198 of 20 December 1988 and 44/205 of 22 December 1989,

Recalling also the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries, contained in the annex to its resolution S-18/3 of 1 May 1990, and the International Development Strategy for the Fourth United Nations Development Decade, contained in the annex to its resolution 45/199 of 21 December 1990, and taking note of the

Programme of Action for the Least Developed Countries for the 1990s, adopted by the Second United Nations Conference on the Least Developed Countries on 14 September 1990.

Recalling further Trade and Development Board resolutions 165(S-IX) of 11 March 1978, 222(XXI) of 27 September 1986, 358(XXXV) of 5 October 1988 and 375(XXXVI) of 13 October 1989, and taking note of Board resolution 388(XXXVII) of 17 October 1990,

Recognizing that for many indebted developing countries an early and durable solution of the external debt problems is not achievable without, *inter alia*, a significant reduction in the stock and service of debt, and, in that context, welcoming the willingness of several creditor countries to reduce and/or write off debt stock or service on the bilateral official debt of many developing countries,

Emphasizing that it is essential for debtor developing countries to continue to pursue and intensify their efforts to raise savings and investment, reduce inflation and improve efficiency, taking into account their own individual characteristics and the vulnerability of the poorer strata of their populations,

Stressing that measures for debt reduction also need to be accompanied by vigorous efforts to improve the international economic environment in order to facilitate the reactivation of the growth and development of developing countries,

Noting with appreciation the recent developments in the evolving debt strategy,

Noting also the proposals made by developing countries and regional organizations, including the Organization of African Unity and the Latin American Economic System,

Stressing the urgent need for rapid and broad implementation of recent initiatives and measures to reduce the stock and service of external debt and to provide debt relief,

Concerned at the decline in the flow of financial resources to developing countries for development and at the large net transfer of resources from many of those countries, which deprives them of the much-needed resources for their growth and development,

Convinced that a durable solution to the debt problems of developing countries continues to require the full participation and full co-operation of Governments of creditor and debtor countries, multilateral financial institutions and private banks.

Stressing the need for urgent and full implementation of the commitments and policies contained in the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries, particularly those pertaining to the problem of external debt, as well as of the relevant provisions of the International Development Strategy for the Fourth United Nations Development Decade and of the Programme of Action for the Least Developed Countries for the 1990s.

Recognizing the need for the continuation of efforts by all the parties concerned to resolve the severe debt crisis and to forestall its proliferation and prevent its further aggravation,

Recognizing also the role of the multilateral financial institutions in dealing with debt problems of develop-

ing countries and the need to safeguard the high standing of those institutions in financial markets,

1. Expresses its appreciation to the Secretary-General for his efforts to promote understanding among debtor and creditor countries and multilateral financial institutions, with a view to contributing to a solution to the external debt problems of developing countries and, in that regard, stresses the need for the continuation of his efforts;

2. Takes note with interest of the reports of the Secretary-General and of his Personal Representative on Debt, as well as the introductory statements made before the Second Committee by the Secretary-General on 30 October 1990 and by his Personal Representative on 23 October 1990;

3. Acknowledges the recent initiatives and measures taken in the context of the evolving debt strategy with a view to contributing to the solution of the debt problems;

4. Also acknowledges the various proposals made by developing and developed countries with a view to finding a durable solution to the external debt problems, and draws the attention of the international community to those proposals;

5. Welcomes the willingness of several creditor countries to reduce and/or write off the stock and debt servicing of many developing countries;

6. Stresses the urgent need for the broadest and most expeditious implementation of the recent initiatives and for building upon them;

7. Recognizes that for a large number of developing countries external indebtedness impedes their economic growth and development, which threatens their economic, social and political stability;

8. Stresses, therefore, the need to continue to strive to achieve, through dialogue and shared responsibility, during the initial years of the present decade, a durable, equitable and mutually agreed growth- and development-oriented solution to the debt problems of developing countries, taking into account their particular circumstances, including those of the countries whose debt is mainly to official creditors or to multilateral institutions;

9. Recognizes that the economic growth and development of developing countries is essential for generating the resources necessary to enable them to service their debt;

10. Also recognizes that there is a close interrelationship between the external debt problems of developing countries and the global economic environment, which needs to be markedly improved through the adoption of an appropriate mix of fiscal, monetary and trade policies by all countries in accordance with their respective capacities and impact on the world economy;

11. Further recognizes that debtor countries should continue their efforts to attain efficiency and return to a path of sustained growth by adopting appropriate national economic policies;

12. Takes note of the ongoing efforts to address the debt problems of the least developed countries, and stresses the need to intensify ongoing efforts to find an effective solution to the problem of external indebtedness of those countries;

13. Welcomes the steps taken to forgive or reduce the official development assistance debt of the low-income countries, and urges that further appropriate action be

taken in that regard, particularly for the countries in Africa;

14. Emphasizes that measures for the reduction of official debt stock and service should be implemented, taking into account the need for debtor countries to benefit from increased new financial flows, particularly official development assistance;

15. Invites the multilateral financial institutions to continue to provide support for debt and debt-service reduction packages, with the necessary flexibility under their established guidelines, and urges that serious attention be given to continuing to work towards a growth-oriented solution of the problems of developing countries with serious debt-servicing problems, including those whose debt is mainly to official creditors or to multilateral financial institutions;

16. Recognizes that increased co-operation between the International Monetary Fund, the World Bank and other multilateral financial institutions is welcomed but should not lead to cross-conditionality;

17. Emphasizes the need to provide substantial concessional resources to the developing countries, with a view to promoting the revival of economic growth and sustained development, and in that regard emphasizes that developed countries should implement their undertakings to attain the agreed international target of devoting 0.7 per cent of gross national product to official development assistance, as well as the agreed targets established at the Second United Nations Conference on the Least Developed Countries;

18. Recognizes that a durable solution to the debt problems involves, inter alia, a substantial improvement in the access of the products of developing countries to the markets of developed countries and in their terms of trade, as well as diversification of their exports, and reaffirms, in this context, the urgent need for a balanced and successful outcome of the Uruguay Round of multilateral trade negotiations that would result in the liberalization and expansion of world trade to the benefit of all countries, especially developing countries;

19. Urges the multilateral financial institutions and the donor countries to take appropriate steps to assist effectively those developing countries adversely affected by the situation between Iraq and Kuwait; in particular, the multilateral financial institutions are invited to respond promptly, flexibly and with expanded resources to the needs arising from the present situation and to play a catalytic role in mobilizing additional assistance;

20. Recognizes that the external indebtedness of some other countries with serious debt-servicing problems also gives rise to considerable concern, and invites all those involved to take into account, as appropriate, the provisions of the present resolution in addressing those problems and in working towards an early growth-oriented solution to the external debt problems;

21. Takes note with appreciation of the very useful efforts made by the Personal Representative of the Secretary-General on Debt in producing a wide-ranging analysis and in producing recommendations, and, in this context, encourages Governments to give them appropriate consideration, as a new impulse to better understanding of the different aspects of the debt problem;

22. Requests the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

General Assembly resolution 45/214

21 December 1990 Meeting 71 Adopted without vote

Approved by Second Committee (A/45/853) without vote, 11 December (meeting 54); draft by Vice-Chairman (A/C.2/45/L.97), based on informal consultations on 59-nation draft (A/C.2/45/L.44); agenda item 83. Meeting numbers. GA 45th session: 2nd Committee 20, 25-28, 30, 31, 44, 54; plenary 71.

By decision 45/447 of 21 December, the Assembly deferred to its 1991 session consideration of a draft decision on the establishment of an advisory commission on debt and development [A/C.2/45/L.5]. By that draft, which had also been deferred in 1988 [GA dec. 43/444] and 1989 [GA dec. 44/445], the Assembly would have established an advisory commission to develop innovative approaches and specific proposals related to all types of debt.

Development finance

The Secretariat, by a 12 September note [A/C.2/45/L.4], transmitted to the General Assembly the text of a draft resolution deferred from 1989 [YUN 1989, p. 382], by which the Assembly would have requested the Secretary-General to undertake consultations with a view to convening an intergovernmental committee to start the preparatory process for an international conference on money and finance for development. By decision 45/441 of 21 December, the Assembly deferred consideration of the draft text until its 1991 session.

Trade-related finance

Invisibles and trade financing

The Committee on Invisibles and Financing related to Trade held the first (Geneva, 5-9 February) and second parts (Geneva, 30 April-8 May) of its thirteenth session in 1990. By a 9 February resolution [TD/B/1249 (res. 33(XIII))], the Committee urged developing countries to intensify their efforts to promote and consolidate their domestic insurance sectors so that a strong and healthy insurance industry would continue to play its vital economic role. It invited them to consider measures, including multilateral co-operation, to increase the financial strength of the companies in their markets and the role and effectiveness of the supervisory system. The Committee called on the UNCTAD secretariat to: review developments in insurance markets and to analyse their impact in order to provide new insights that could prove useful to policy-makers in developing countries; study effective prudential insurance regulation and supervision in developing countries; prepare a detailed programme for education and training of qualified personnel of supervisory offices in developing countries; and

study the possibilities for increasing insurance awareness in developing countries and in particular for extending insurance coverage to productive entities in the traditional sector, with particular reference to agricultural production, by devising insurance covers and taking into account work done in other organizations. The Committee stressed the need to establish closer co-operation between the insurance supervisory services of developing countries, as well as between their insurance training institutions, on a regional and/or subregional basis. It invited developing countries to envisage ways to co-operate among themselves with a view to increasing business exchange in insurance and reinsurance. All countries and NGOs in a position to do so were invited to continue to provide technical assistance to developing countries in insurance and reinsurance, and particularly for implementing training courses and seminars for staff of insurance supervisory offices; and to support and co-operate in organizing regional meetings for insurance supervisors and educators for the purpose of exchanging information and experience regarding market changes, insurance supervision and training programmes. The Committee called on UNDP to continue to support those activities on a national, subregional and regional basis and invited all members to co-operate with the UNCTAD secretariat in the collection and dissemination of information concerning their insurance and reinsurance markets, insurance legislation and education, so that the information could be made available to all interested countries, especially developing countries.

By an 8 May resolution [TD/B/1262(res.34(XIII))], the Committee underscored the importance of a concerted effort by all countries to enhance the financing of development, thereby contributing to the success of structural adjustment and the reactivation of economic growth and development. In that regard, special attention would be required to enhance the mobilization of official resources and to foster and attract private resource lending and non-debt-creating flows, especially in the implementation of structural development reforms for long-term development, including measures to alleviate the adverse social consequences for poor and vulnerable groups. Substantial additional aid would be required in view of the development requirements. The Committee also underscored: the importance of continued efforts by major industrialized countries to sustained non-inflationary growth and to narrow imbalances to the benefit of all countries; continued efforts by developing countries to bring about sustained growth by pursuing development-oriented macro-economic stabiliza-

tion and structural adjustment reform; and achieving a durable and broad solution to the external debt of developing debtor countries by an improved and strengthened debt strategy.

The Committee decided to consider at each of its future sessions a general item and a specific and well-defined issue.

On 12 October, TDB took note of the reports of the Committee on Invisibles and Financing related to Trade on the first and second parts of its thirteenth session and endorsed the provisions of the resolutions annexed thereto.

Compensatory financing of export earnings shortfalls

By a 9 March decision [A/45/15 (dec. 379 (S-XVI))], adopted at its sixteenth special session, TDB took note of the report of the 1989 meeting of the Intergovernmental Group of Experts on Compensatory Financing of Export Earnings Shortfalls [YUN 1989, p. 382]. It invited countries other than the European Community members and Switzerland to consider introducing commodity-related schemes and encouraged further co-operation among such schemes. The Board decided that the problem of commodity export earnings shortfalls of developing countries arising from market instability, as well as the question of compensatory financing of export earnings shortfalls, should be kept under review by UNCTAD as part of ongoing work of the Committee on Commodities. The UNCTAD Secretary-General was asked to follow developments in various compensatory financing schemes and their implications for the development of developing countries. The Board decided that the first review of the compensatory financing of export earnings shortfalls by the Committee on Commodities should take place prior to UNCTAD VIII in 1992.

Taxation

The Economic and Social Council, by decision 1990/276 of 27 July, took note of the report of the Secretary-General on the work of the Ad Hoc Group of Experts on International Co-operation in Tax Matters at its fifth meeting in 1989 [YUN 1989, p. 382].

Transport

Maritime transport

In 1990, the total volume of international seaborne trade continued to expand for the fifth consecutive year, reaching a record-breaking 4

billion tons. That was a 3 per cent increase over the previous year, said the Review of Maritime Transport, 1990 [Sales No. E.91.II.D.16]. Developed market-economy countries continued to dominate world seaborne trade, generating 44.3 per cent of all goods loaded, a decrease of 0.1 per cent from 1989. They accounted for 67.3 per cent of all goods unloaded, an increase of 0.2 per cent from 1989. The share of countries of Eastern Europe decreased slightly for both goods loaded and unloaded and stood at 5.4 per cent and 4.1 per cent respectively, while the share of the socialist countries of Asia remained unchanged at 2 per cent for goods loaded and 2.1 per cent for goods unloaded. Developing countries expanded their seaborne trade exports in 1990. Their share of all goods loaded increased by 0.4 per cent to reach 48.3 per cent. With respect to goods unloaded, the share of developing countries remained at the 1989 level of 26.5 per cent.

Committee on Shipping

The UNCTAD Committee on Shipping, which held its fourteenth session in Geneva from 21 to 29 June 1990 [TD/B/1264], focused on developments in multimodal transport, and economic co-operation among developing countries in the field of shipping, ports and multimodal transport. It also considered a number of items relating to its work programme. The Committee adopted four resolutions.

In a 29 June resolution [TD/B/1264(res.65(XIV))], the Committee urged the international community, particularly developed countries, to promote increased participation by developing countries in world maritime and multimodal transport and to assist them in meeting the challenges posed by ongoing structural and technological changes and developments in the maritime sector. It requested the UNCTAD secretariat to analyse structural and technological developments in the maritime sector and to identify the scale and nature of the technology gap experienced by developing countries. The secretariat was also asked: to study prevailing ship-financing arrangements and assess their adequacy in meeting the requirements of developing countries; to monitor the problem of the imbalance between supply and demand and make recommendations to the Committee; and to continue monitoring developments in world shipping, giving special attention to world liner shipping developments, and report thereon in the annual Review of Maritime Transport.

With regard to the protection of shippers' interests, the Committee requested the secretariat to monitor institutional and market developments in liner shipping and their impact on

shipper/shipowner relations and to report periodically to the Committee. In that connection, the secretariat should study the problems faced by shippers and shippers' organizations in consulting with conferences and shipping lines. The Committee also requested the secretariat to monitor the establishment and operation of consultation mechanisms for shippers' organizations; to assist developing countries with the establishment and operation of shippers' organizations that were capable of assisting shippers in their day-to-day commercial activities as well as consulting with all relevant providers of transport services; and to assist those organizations to improve consultation machinery in liner shipping.

The Committee on Shipping further requested the UNCTAD secretariat to prepare studies on maritime transportation of selected commodities that were of particular interest to developing countries as well as analyses of the impact of conditions of ocean transport services, particularly ocean freight rates, on exports of selected manufactured goods from developing countries, and on exports in trades between those countries.

The secretariat was asked to continue to monitor developments in trade in shipping services and to provide technical assistance to developing countries in the process of negotiations on trade in shipping services.

The Committee also requested the UNCTAD secretariat to continue to carry out its mandates in ports development, international maritime legislation and technical co-operation and training.

On 12 October, TDB took note of the report of the Committee on Shipping on its fourteenth session and endorsed the resolutions annexed thereto.

Multimodal transport

The Committee on Shipping had before it a report of the UNCTAD secretariat on developments in multimodal transport [TD/B/C.4/328]; a report [TD/B/C.4/315 (Part II) & Corr.1] on the economic and commercial implications of the entry into force of the United Nations Convention on the Carriage of Goods by Sea (Hamburg Rules) [YUN 1978, p. 956] and the United Nations Convention on International Multimodal Transport of Goods [YUN 1980, p. 1020]; an inventory of existing mandates and a new draft programme of work in the fields of multimodal transport and technological development [TD/B/C.4/323]; a review of developments in standardization of containers and related activities [TD/B/C.4/329]; and information material for shippers to make the most efficient use of multimodal transport [TD/B/C.4/330].

By a 29 June resolution [TD/B/1264 (res. 67 (XIV))], the Committee requested the UNCTAD Secretary-General to convene in 1991 a group of experts to discuss developments in the field of multimodal transport and containerization wherever there was a sea link; to take stock of the problems experienced by users and providers of multimodal and/or container transport, taking account of problems identified by UNCTAD as rendering the introduction of modern transport technology difficult in developing countries, including inadequate transport infrastructure, non-availability of investment, lack of qualified expertise and information of officials concerned, inadequate legislation, unbalanced flow of container traffic, and reducing the technology gap between developed and developing countries. It invited those member States that had not yet done so to become contracting parties to the United Nations Convention on International Multimodal Transport of Goods and to the Hamburg Rules.

Ports

In a 29 June resolution [TD/B/1264 (res. 65(XIV))], the Committee on Shipping requested the UNCTAD secretariat to continue to implement its mandates in the field of ports, including training and technical co-operation, taking into account any recommendations that the Ad Hoc Intergovernmental Group of Port Experts might make, and to report thereon to the Committee.

As requested by the Committee on Shipping in 1988 [YUN 1988, p. 420], the Ad Hoc Intergovernmental Group of Port Experts on the Development, Improvement and Operation of Ports met in Geneva from 24 to 28 September 1990 [TD/B/C.4/337]. The Group considered port development and management, including operations, administration, training and technical co-operation. It had before it UNCTAD secretariat reports on: co-operation among ports in developing countries [TD/B/C.4/AC.7/8]; the establishment of trans-shipment facilities in developing countries [TD/B/C.4/AC.7/10]; and the role of UNCTAD in port development [TD/B/C.4/AC.7/7].

The Group noted that ports were evolving into service centres that could become one of the driving forces in the trading activities of the country or region. Governments and ports were recommended to anticipate those changes, to prepare for them and to facilitate their implementation when it was in the interest of the country. Since new services at some ports included trans-shipment, the Group recommended that regional and international port associations and the UNCTAD secretariat continue to work towards establishing co-operation agreements on a re-

gional basis to avoid excessive competition leading to investments too large for their purpose and under-utilized. Port authorities were invited to involve shipping lines in the construction of trans-shipment facilities since they were the principal users. The Group recommended that UNCTAD step up its efforts in the area of data processing and the use of computers. It also recommended that priority be given to the training of personnel and urged financing institutions to assist UNCTAD in carrying out in developing countries the training programme presented at the meeting. It was also recommended that port authorities promote the development of computerized systems for electronic data interchange (EDI). The Group made specific recommendations concerning technical assistance and training activities and the secretariat's future study programme. The secretariat was asked to prepare studies on modern port organization and management, development of service centres in ports, human resources development, port regulations and legislation, strategic planning, tariffs and port finance, relations between the city and the port, and trans-shipment.

International maritime legislation

The Working Group on International Shipping Legislation held its twelfth session in Geneva from 22 to 30 October 1990 [TD/B/C.4/338]. The Working Group had before it an UNCTAD secretariat report containing a comparative analysis of charter parties [TD/B/C.4/ ISL/55], which examined the use of certain standard charter party forms and problems and complications arising from their use. The analysis demonstrated that a number of clauses were ambiguous, uncertain in their operation, or variously interpreted by national courts. Recommendations were made for the modernization and harmonization of charter party core clauses and the drafting of rules covering certain aspects of chartering practices.

The Working Group was unable to arrive at a consensus as to the future work on the matter. The Chairman of the Group said he hoped that the Working Group's report and its annexes containing the two draft resolutions proposed by the Group of 77 and by the States members of Group B (developed economies) and his own compromise text would assist the Committee on Shipping to achieve a decision on follow-up work on charter parties.

Maritime fraud

In a 29 June resolution [TD/B/1264 (res. 65 (xiv))], the Committee on Shipping recommended that States members of UNCTAD urge the relevant

commercial parties to utilize the services of the Maritime Advisory Exchange as a means of combating maritime fraud and invited member Governments and private enterprises to provide financial assistance to the Exchange to ensure its continued functioning. The UNCTAD secretariat was asked to promote the services provided by the Exchange, to monitor its progress and to report thereon to the Committee. The secretariat was also asked to continue to monitor the work on the subject of sea waybills, in liner and tramp shipping, being carried out by the relevant international organizations and to report on progress made.

Maritime liens and mortgages

The Committee on Shipping, at its June meeting, had before it the final report of the Joint UNCTAD/International Maritime Organization Intergovernmental Group of Experts on Maritime Liens and Mortgages and Related Subjects [TD/B/C.4/327&Corr.1].

The Committee [TD/B/1264 (res. 66(XIV))] endorsed the recommendations of the Group of Experts and proposed to TDB that it recommend to the General Assembly the convening of a conference of plenipotentiaries to consider adoption of the draft convention on maritime liens and mortgages as contained in the final report of the Group of Experts.

Conventions

The Committee on Shipping, in a 29 June resolution [TD/B/1264 (res. 65 (XIV))], requested the UNCTAD secretariat to continue to provide assistance to Governments concerning the implementation of conventions adopted under UNCTAD auspices and to monitor progress made towards the ratification and implementation of the conventions or their provisions and to report periodically to the Committee.

Technical assistance and training

During 1990, a total of 43 projects of technical co-operation in shipping, ports and multimodal transport were executed, involving expenditure of \$3.67 million (as against \$3.61 million in 1989).

The TRAINMAR training programme, which had as its objective the reinforcement of local training activities, entered a consolidation phase. UNDP agreed to finance a new inter-regional project to implement an action plan that stemmed from an evaluation of the previous year. The on-the-job training project, JOBMAR, continued and by the end of the year 23 candidates had been placed. Development and implementation of an Advance Cargo Information

System (ACIS), particularly its Railtracker component, progressed. A module enabling shipping lines to transit manifest data electronically was successfully tested and harbour master and gate pass modules were developed and implemented on a pilot basis. A sub-regional multimodal transport project was initiated, in collaboration with the Commission of the Cartagena Agreement, for the Andean Pact countries to help institutionalize multimodal transport and harmonize shipping policy. The first phase of a multimodal transport project in Ethiopia to help facilitate cargo movements between Assab and Addis Ababa was completed.

The Committee on Shipping, having considered an UNCTAD secretariat evaluation of the technical co-operation programme in maritime and multimodal transport [TD/B/C.4/331 & Add.1], adopted a 29 June resolution [TD/B/1264 (res. 65 (XIV))] in which it requested the UNCTAD secretariat to maintain and expand its training programmes, including the TRAINMAR, JOBMAR and improving port performance (IPP) programmes and, in consultation with other international organizations, to promote international co-operative mechanisms for the preparation and dissemination of training materials in shipping, ports and multimodal transport and to implement the TRAINMAR Action Plan. The secretariat was also asked to update and make available information on technical assistance, training activities and advisory services in shipping, ports and multimodal transport and to evaluate the present and future need for training in those fields by developing countries. The Committee recommended that UNCTAD strengthen its collaboration with other agencies such as the International Labor Organization (ILO) and the International Maritime Organization (IMO), and to ensure that developing countries obtained the maximum benefits from those organizations' scarce resources.

Economic co-operation among developing countries

The Committee on Shipping, having considered economic co-operation among developing countries (ECDC) in the field of shipping, ports and multimodal transport, adopted a 29 June resolution [TD/B/1264 (res. 64(XIV))] in which it invited shipowners and their associations and shippers of developing countries to create and/or strengthen structures to establish and improve operational co-operation. Developing countries were invited to provide for an adequate framework promoting co-operative action among shipowners, shippers, ports and multimodal transport operators and national and international

organizations concerned with economic and social development plans, and bilateral and multilateral funding organizations were invited to give priority to projects and assistance in shipping and multimodal transport. The Committee requested the UNCTAD Secretary-General to assist in organizing regional and interregional meetings to improve co-operation among Governments and economic operators in maritime transport. In technical assistance activities, he was asked to place emphasis on activities fostering ECDC and promoting implementation of the recommendations of the 1989 meeting of the Group of Experts on ECDC in Shipping, Ports and Multimodal Transport [YUN 1989, p. 383].

The Committee requested the UNCTAD secretariat to prepare surveys on progress achieved by developing countries in co-operation among themselves and to report on the implementation of the recommendations agreed among the experts and make additional recommendations on improving co-operation. The secretariat was asked to collaborate with UN regional commissions and other subregional and regional organizations dealing with shipping, ports and multimodal transport in its work aimed at implementing ECDC. The Committee invited operators of shipping and multimodal enterprises, particularly from developed countries, to assist in solving operational problems of co-operation and to strengthen their co-operative programmes with operators of shipping and multimodal enterprises from developing countries.

Transport of dangerous goods

The Committee of Experts on the Transport of Dangerous Goods (sixteenth session) met in Geneva from 3 to 12 December [ST/SG/AC.10/17 & Adds. 1-6]. The Committee of Experts considered the activities of international organizations concerned with regulations or recommendations on the transport of dangerous goods, including ILO, the International Organization for Standards, the European Community, IMO, the International Civil Aviation Organization, and the United Nations Environment Programme. It also considered the work and recommendations of its Sub-Committee of Experts on the Transport of Dangerous Goods, together with subsequent proposals in the areas of explosives, gases, flammable solids, infectious substances, packaging provisions and other matters. Concerning infectious substances, in particular genetically modified organisms or micro-organisms, the Committee agreed on provisions to be included in the sixth revised edition of the Recommendations on the Transport of Dangerous Goods. It also examined

other outstanding or new proposals to amend the Recommendations. The Committee adopted its programme of work for 1991-1992. It agreed to request the Economic and Social Council to consider setting up a special fund to support the

Committee's activities utilizing, inter alia, income from the sale of its publications. The Committee agreed to a draft resolution on its work and funding for submission to the Economic and Social Council in 1991.

Chapter V

Transnational corporations

In 1990, the activities of transnational corporations (TNCs), in view of their impact on international development and global investment flows and trade, continued to attract the attention of the international community. The United Nations continued to support efforts to formulate a code of conduct on TNCs, but no consensus was reached on its final form. In December, the General Assembly requested its President, with the support of the Secretary-General, to arrange for intensive consultations to achieve an early agreement on the code.

During its sixteenth session (New York, 2-11 April), the Commission on Transnational Corporations reviewed developments related to TNCs, recognizing the potential of positive contributions they could make to the world economy and its further integration.

The Commission also considered the report on the eighth session of the Intergovernmental Working Group of Experts on International Standards of Accounting and Reporting, which dealt with developments in accounting from a global perspective, discussing accounting implications arising from the continued instability in financial markets, European economic integration and glasnost, as well as accounting for environmental protection measures.

The report and recommendations of the Panel of Eminent Persons established to conduct the second public hearings on TNC activities in South Africa and Namibia, which contained an assessment of their role in the South African economy, as well as of the possible strengthening of sanctions to accelerate political change in that country, was also before the Commission. The Economic and Social Council condemned TNCs that continued to collaborate with the racist minority regime in South Africa and called for a prohibition of all collaboration by TNCs with that regime.

The Centre on TNCs, the secretariat for the Commission, provided a wide range of information and advisory services mainly to developing countries, as well as to the newly emerging democracies of Eastern Europe. The Economic and Social Council expressed its support of Centre activities, requesting it to continue developing programmes of support for co-operative activities of small and medium-sized enterprises in developing countries.

Commission on TNCs

The Commission on TNCs held its sixteenth session in New York from 2 to 11 April [E/1990/26] and reconvened a special session on 24 May on the draft code of conduct. Among the subjects discussed other than the draft code were other international arrangements and agreements; international standards of accounting and reporting; TNCs in South Africa and Namibia; TNCs and issues relating to the environment; the role of TNCs in services, including transborder data flows; strengthening the negotiating capacity of developing countries in their dealings with TNCs; the Centre on TNCs; and ongoing and future research. At its regular session, the Commission had before it reports of the Secretary-General on recent developments related to TNCs and international economic relations [E/C.10/1990/2]; TNCs and development: policies to stimulate the transfer of investment capital, technology and skills to developing countries in the 1990s [E/C.10/1990/3]; home country incentives for investment in least developed countries [E/C.10/1990/4]; progress made in the code of conduct on TNCs [E/C.10/1990/5]; international arrangements and agreements related to TNCs [E/C.10/1990/6]; measures related to trade, finance, investment and technology transfer to South Africa [E/C.10/1990/8]; foreign direct investment in Africa and strategies to encourage TNCs to respond positively to the improved investment climate [E/C.10/1990/9]; TNCs and the environment [E/C.10/1990/10]; transnational banks and external indebtedness [E/C.10/1990/11]; transnational service corporations and the Uruguay Round of multilateral trade negotiations [E/C.10/1990/12]; trade-related aspects of intellectual property rights and trade-related investment measures [E/C.10/1990/13]; experience gained in technical co-operation activities with respect to the formulation and implementation of foreign investment policies [E/C.10/1990/14]; information services provided by the UN Centre on TNCs to developing countries [E/C.10/1990/15]; activities of the Centre on TNCs and the activities of the joint units established with the regional commissions [E/C.10/1990/16]; and non-conventional TNCs [E/C.10/1990/18].

The Commission reviewed developments related to TNCs, recognizing the potential of positive contributions that TNCs could make to world development and to a further integration of the world economy. During the session, the rapidly changing attitudes and policies of developing countries towards TNCs and foreign direct investment were noted. However, also noted were the falling share of world-wide foreign direct investment flows to developing countries and the failure of developing countries to have wide access to capital and technology.

The Commission recommended to the Economic and Social Council three draft resolutions on the activities of TNCs in South Africa, on the code of conduct on TNCs and on the activities of the UN Centre on TNCs—and a draft decision on the provisional agenda and documentation for its seventeenth (1991) session. Two decisions adopted by the Commission were brought to the Council's attention—on the report of the Intergovernmental Working Group of Experts on International Standards of Accounting and Reporting and on follow-up to a survey of accounting needs in Africa.

On 27 July, the Economic and Social Council took note of the Commission's report (decision 1990/275) and approved the provisional agenda and documentation for its 1991 session (decision 1990/273).

Draft code of conduct

Efforts to formulate a code of conduct on TNCs, as an essential instrument in strengthening international co-operation for the sustained growth of the world economy, continued in 1990. Informal consultations on the code intensified. In a January report [E/C.10/1990/5], the Secretary-General reviewed the progress made in the work on the code, analysed a changing investment environment and outlined prospects for an early conclusion of the code. The report of the Hague symposium on the UN code, under the sponsorship of the Centre on TNCs and the International Law Association's Committee on the Legal Aspects of the New International Economic Order, held in September 1989, was annexed to the report. At the symposium, a group of international lawyers suggested some prescriptions for the resolution of the outstanding issues in the code.

The results of the consultations conducted by the enlarged Bureau in January, April and May 1990 were considered by the Commission at its April session and at its special session on 24 May, reconvened in accordance with Economic and Social Council decision 1990/204 of 9 February,

with a view to concluding the work on the formulation of the code of conduct. In its report [E/1990/91] to the Council, the Commission stated that the special session could not reach agreement on the code's formulation and concluded that the Council should decide on the future course of action. As requested by the Commission at its special session, the Secretariat in June identified the major outstanding issues regarding the code of conduct [E/1990/96].

Although no agreement was reached on a final draft code, a number of amendments were made to the draft prepared by the Secretary-General in 1988 [E/1988/39/Add.1]. In May, the Chairman of the special session transmitted to the Economic and Social Council the amended text of the draft code [E/1990/94].

On 27 July, the Council, by decision 1990/274, took note of the report of the Commission on the status of the negotiations on the code of conduct [E/1990/91] and decided to transmit the report to the General Assembly, together with the proposed draft text and the June Secretariat note on major outstanding issues.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/186.

Code of conduct on transnational corporations

The General Assembly,

Recognizing the desirability of reaching an early agreement on the formulation of a code of conduct on transnational corporations, and reaffirming the interest of Member States in resolving the remaining outstanding issues,

Confirming that there is substantial provisional understanding on the contents of the draft code of conduct as presented to the President of the Economic and Social Council by the Chairman of the Commission on Transnational Corporations at its reconvened special session

to request the President of the General Assembly, with the support of the Secretary-General, to arrange for intensive consultations aimed at achieving an early agreement on a code of conduct on transnational corporations, for presentation to and adoption by the General Assembly at its forty-sixth session.

General Assembly resolution 45/186

21 December 1990 Meeting 71 Adopted without vote

Approved by Second Committee (A/45/848) without vote, 10 December (meeting 53); draft by Vice-Chairman (A/C.2/45/L.71) based on informal consultations on draft by Mexico (A/C.2/45/L.24/Rev.1); agenda item 12.

Meeting numbers. GA 45th session: 2nd Committee 13-16, 28, 44, 53; plenary 71.

International arrangements related to TNCs

In a February report to the Commission on TNCs [E/C.10/1990/6], the Secretary-General reviewed several methods, notions and standards

which had been developed with respect to international investment and which, he felt, might be useful for discussing possible concepts and standards related to international trade in services. He examined instruments such as bilateral investment protection agreements, treaties of friendship, commerce and navigation, and treaties for the avoidance of double taxation. The principal legal standards for the treatment of persons, products and services of foreign origin, as well as such notions as exceptions, derogations and safeguards, which defined the limits of general standards, were also examined.

Concluding his survey, the Secretary-General said it showed that the experience accumulated in international framework agreements could be of immediate usefulness in other international negotiations, as the development of an instrument might be greatly helped by knowledge of how it compared to others in related or overlapping fields. One of the major such instruments was the draft code of conduct on TNCs, which, although not yet formally adopted and despite some disagreement as to some of its provisions, was remarkable for its structure, the number of its provisions that had found consensus in all groups of countries, its comprehensiveness and its practical concern with concrete problems of operations rather than abstract issues of law.

The draft code's approach usefully complemented any eventual instrument and provided guidance to enterprises as to appropriate policies and activities; it also acknowledged the central role of TNCs in the pursuit of international development and sought to enhance its positive effects, and covered a significant area of international economic relations, providing a balance to framework agreements moving solely at the level of intergovernmental relations and dealing exclusively with the rights and duties of Governments.

In April, the Commission took note of the Secretary-General's report and requested him to update it for its 1991 session.

TNCs in South Africa

The Commission on TNCs, at its April session, had before it a 1989 report and recommendations [YUN 1989, p. 389] of the Panel of Eminent Persons established to conduct the second public hearings on the activities of TNCs in South Africa and Namibia, which contained an assessment of the role of TNCs in the South African economy; the impact of sanctions; the possible strengthening of such sanctions so as to accelerate political change; South Africa's partial success in reducing the sanctions' impact and the role of other

Governments in that; and the shape of "post-apartheid" South Africa.

The Commission also considered a report [E/C.10/1990/8] of the Secretary-General reviewing measures relating to the activities of TNCs in three areas-international trade, disinvestment, and technology transfer and foreign finance-including proposed measures or bills awaiting legislative approval and not yet enacted into laws. According to the report, an increasing number of TNCs, most of them based in the United States, had disposed of their South African investments. While oil continued to reach South Africa in ample quantities, the oil as well as arms embargoes had forced it to build up an armaments and oil industry of its own, at high costs. The most effective corporate sanctions against South Africa had been the measures taken by transnational banks in 1985 to cease all new lending, which required the country to repay significant amounts of commercial debt each year. The Secretary-General concluded that the measures against South Africa had slowed down the economy, lowered living standards of the white population and affected the morale of the business community. According to the South African Reserve Bank, real average incomes were 15 per cent lower than they would have been without sanctions and disinvestment.

The Commission took note of both reports and requested the Centre on TNCs to prepare, for its 1991 session, a report on the activities of TNCs in South Africa, including a review of the responsibilities of home countries with respect to TNCs engaged in such activities, and also the results of the feasibility study for a comprehensive training programme for black South Africans.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 27 July, the Economic and Social Council adopted resolution 1990/70.

Activities of transnational corporations in South Africa

The Economic and Social Council,

Recalling its previous resolutions on the activities of transnational corporations in South Africa, in particular resolution 1988/56 of 27 July 1988, in which it urged all transnational corporations to stop immediately all forms of collaboration with the racist minority regime in South Africa and called for specific actions by Member States and transnational corporations to end such collaboration,

Noting with grave concern the brutal perpetuation of the inhuman system of apartheid in South Africa and the continued denial of the civil and political rights of the majority of the population in that country,

Welcoming the Declaration on Apartheid and its Destructive Consequences in Southern Africa, adopted by the General Assembly in its resolution S-16/1 of 14 De-

cember 1989, which contains guidelines on how to end apartheid in a peaceful manner,

Bearing in mind the fact that continued investments, trade, technological co-operation and other forms of covert or overt activity by transnational corporations inside and outside South Africa sustain apartheid,

Noting with deep regret the unfriendly decision of the Government of the United Kingdom of Great Britain and Northern Ireland to lift unilaterally the ban of the Commission of the European Communities on new investments in South Africa, contrary to the political consensus in the Declaration on Apartheid and its Destructive Consequences in Southern Africa that existing measures aimed at encouraging the South African régime to eradicate apartheid should not be relaxed until there was clear evidence of profound and irreversible change,

Also noting with deep regret the unprincipled decision of the Government of Hungary, a founding member of the Special Committee against Apartheid, to initiate commercial and economic contacts with the apartheid Régime of South Africa,

Recalling that some transnational banks and other international financial institutions have rescheduled South African loans in contemptuous disregard for the overwhelming interest of the international community in dismantling apartheid peacefully and speedily,

Also recalling that some transnational companies that have supposedly departed from South Africa have actually maintained non-equity links, such as franchises, licences and royalty agreements, with former subsidiaries,

Having examined the report of the Secretary-General concerning the responsibilities of home countries with respect to the transnational corporations operating in South Africa in violation of the relevant resolutions and decisions of the United Nations,

1. Reiterates its abhorrence of apartheid, which is a crime against humanity, and condemns the South African regime for its perpetuation of apartheid and its direct and indirect acts of military and economic destabilization of the neighbouring independent States;

2. Welcomes the emerging political climate in South Africa, which has the potential to create an atmosphere conducive to negotiations aimed at the eradication of apartheid and at the creation of a non-racial, democratic and united South Africa;

3. Urges the Government of South Africa to work speedily to create the conditions necessary for the establishment of genuine democracy in South Africa, based on the guidelines provided in the Declaration on Apartheid and its Destructive Consequences in Southern Africa;

4. Condemns those transnational corporations that continue to collaborate with the racist minority regime in South Africa, in defiance of resolutions of the United Nations and international public opinion and, in many cases, in violation of measures adopted by their home countries;

5. Welcomes as an initial step the measures taken by certain Governments to impose restrictions on investments, bank loans and other economic activities in South Africa, and the divestment by certain transnational corporations of their equity investments in South Africa;

6. Deeply regrets that the measures taken so far fall short of the comprehensive and mandatory sanctions against the racist régime in South Africa called for in resolutions of the General Assembly;

7. Calls upon the Governments of the home countries of transnational corporations to implement fully the provisions of Economic and Social Council resolution 1988/56 and to consider adopting further measures to prohibit all forms of collaboration by transnational corporations with the racist minority régime in South Africa, including not only direct investments but also services, non-equity forms of business arrangements, technology, licensing, distribution and franchising agreements and other such activities;

8. Condemns the decision of the Government of the United Kingdom of Great Britain and Northern Ireland to lift &laterally the ban of the Commission of the European Communities on new investments in South Africa, which serves to embolden the apartheid régime to entrench apartheid at this critical moment in the struggle for democratic change in South Africa;

9. Calls upon the Government of the United Kingdom of Great Britain and Northern Ireland to rescind its decision without delay;

10. Condemns the reprehensible decision of the Government of Hungary to initiate commercial, economic and political links with the apartheid régime, a move completely inconsistent with the principled stand that Government has been known to take in such matters;

11. Calls upon the Government of Hungary to return to its traditional position of opposing racism and to abandon any links with the apartheid régime that would serve to sustain that regime;

12. Urges all transnational corporations to stop immediately any operations in South Africa and all forms of trade and economic links with the racist minority régime;

13. Calls upon all multilateral financial and development institutions to cease immediately any kind of support or other form of collaboration with the racist régime in South Africa;

14. Takes note with appreciation of the report and recommendations of the Panel of Eminent Persons established to conduct the second public hearings on the activities of transnational corporations in South Africa;

15. Requests the Secretary-General:

(a) To continue the useful work of collecting and disseminating information on the activities of transnational corporations in South Africa, including the list of transnational corporations still conducting operations there;

(b) To prepare studies on the level and form of operation by transnational corporations in South Africa, including their non-equity business arrangements and their involvement in particular sectors of the South African economy, and an updated study on the responsibilities of home countries with respect to the transnational corporations operating in South Africa in violation of relevant resolutions and decisions of the United Nations;

(c) To report annually to the Commission on Transnational Corporations, the Economic and Social Council, the General Assembly and the Security Council on the implementation of the present resolution.

Economic and Social Council resolution 1990/70

27 July 1990 Meeting 37 34-14-2 (recorded vote)

Approved by First Committee (E/1990/108) by roll-call vote (29-12-1). 23 July (meeting 10); draft by Commission on TNCs (E/1990/26); agenda item 7 (d).

Recorded vote in Council as follows:

In Favour: Algeria, Bahamas, Bahrain, Brazil, Burkina Faso, China, Colombia, Cuba, Ecuador, Ghana, Guinea, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Lesotho, Liberia, Libyan Arab Jamahiriya, Mexico, Nicaragua, Pakistan, Rwanda, Saudi Arabia, Thailand, Trinidad and Tobago, Tunisia, Ukrainian SSR, USSR, Venezuela, Yugoslavia, Zambia,

Against: Canada, Finland, France, Germany, Federal Republic of, Greece, Ireland, Italy, Japan, Netherlands, New Zealand, Portugal, Sweden, United Kingdom, United States.

Abstaining: Bulgaria, Czechoslovakia.

Foreign direct investment

For its consideration, the Commission on TNCs had before it reports of the Secretary-General on foreign direct investment in Africa and strategies to encourage TNCs to respond positively to the improved investment climate [E/C.10/1990/9]; on experience gained in technical co-operation activities with respect to the formulation and implementation of foreign investment policies [E/C.10/1990/14]; and on the 1989 activities of the Centre on TNCs and of the joint units established with the regional commissions [YUN 1989, p. 393].

The Director of the Advisory and Information Services Division of the Centre informed the Commission that the Centre's technical assistance had been avidly sought by an ever-increasing number of countries in a wide range of projects related to TNCs, including assistance in negotiating strategic transactions with TNCs, particularly in the natural resources sector; in providing critical information and advice in evaluating investment projects; and in restructuring and liberalizing government policies towards TNCs, particularly in newly open-door economies.

Referring to the Secretary-General's report on technical co-operation and foreign investment policies, he pointed out that the liberalization process was meaningful only if accompanied by a package of broad economic reforms, including liberalization of foreign exchange regimes and of the financial markets, price liberalization reforms, tax reforms and trade policy reforms. With regard to the Centre's technical assistance in that area, requests generally fell under the following categories: countries with restrictive investment regimes moving towards a new policy to attract investments; countries successful in attracting foreign investments but whose policies needed streamlining to achieve a greater degree of efficiency; countries that were adopting a more export-oriented strategy; and countries successful in attracting foreign investment but in which the transfer of technology was not commensurate with the transfer of capital.

With regard to the Secretary-General's report on foreign direct investment in Africa, the Direc-

tor pointed out the familiar trend that Africa's share of investment flows was insignificant despite the determined changes African Governments had taken to improve their investment climate.

The Commission, in April, took note of the three reports and requested the Secretary-General to report to it in 1991 on experience gained in technical co-operation activities.

Standards of accounting and reporting

During its eighth session, which took place in New York from 13 to 23 March 1990 [E/C.10/1990/7] according to Economic and Social Council decision 1990/202 of 9 February, the Intergovernmental Working Group of Experts on International Standards of Accounting and Reporting considered developments in accounting from a global perspective. In particular, it discussed accounting implications arising from the continued instability in financial markets, European economic integration and glasnost. The group also took up such technical subjects as accounting by and for joint ventures, accounting for pension commitments, accounting for intangibles and accounting for environmental protection measures. The Group had before it reports of the Secretary-General on current developments at the global [E/C.10/AC.3/1990/2] and national [E/C.10/AC.3/1990/3] levels in the field of accounting and reporting by TNCs; an international survey of financial statements published by TNCs and other enterprises [E/C.10/AC.3/1990/4]; information disclosure relating to environmental measures [E/C.10/AC.3/1990/5]; accounting for pension commitments [E/C.10/AC.3/1990/7]; accounting for and by joint ventures [E/C.10/AC.3/1990/8]; accounting for intangible assets [E/C.10/AC.3/1990/9]; further steps to be taken in relation to the development of a comprehensive information system [E/C.10/AC.3/1990/10]; ways and means of improving education, research and practical training in the field of accounting and reporting in member States: result of the survey on Africa [E/C.10/AC.3/1990/11]; and appropriate measures to give effect to the work of the Group [E/C.10/AC.3/1990/6]. The Group also had before it recommendations for better accounting and reporting for environmental measures [E/C.10/AC.3/1990/L.3].

The Group observed that while environmental protection measures were in the first instance the Government's task, accountants had a modest contribution to make. Most Group members, however, were of the view that further work was necessary in that area before the Group could arrive at conclusions concerning information dis-

closure and accounting methods. The Group called on the Commission on TNCs to request the Centre to undertake follow-up action. Lastly, the Group considered it appropriate to re-examine its objectives in the light of the changes in the global economy and requested the Centre to prepare a proposal on the subject.

On the Group's recommendation and following consideration of its report, the Commission on TNCs on 9 April adopted two decisions, approving [E/1990/26 (dec. 1990/1)] the Group's work and inviting [dec. 1990/2] the Centre on TNCs to take follow-up action on the survey of accounting needs in Africa, by holding regional meetings to identify long-term and comprehensive strategies to strengthen accounting development. Among participants of such meetings should be representatives of the World Bank, the International Labour Organisation (ILO) and the United Nations Development Programme (UNDP), as well as regional and bilateral agencies and professional organizations.

The Economic and Social Council, in resolution 1990/71, took note of the 1988 Conclusions on Accounting and Reporting by Transnational Corporations [Sales No. E.88.II.A.18], prepared and agreed to by the Working Group, noting that those conclusions might be useful for both preparers and users of financial statements. The Council commended the Group on its work on international accounting and reporting standards, and called on the Secretary-General to ensure that resources were made available so that the Group and the Centre could effectively carry out their work in that field.

TNCs and the environment

Pursuant to Economic and Social Council resolution 1989/25, and a request of the Commission on TNCs, the Secretary-General submitted in March 1990 a report [E/C.10/1990/10] exploring the role of TNCs in sustainable development, with particular reference to climate change. The report also reviewed issues related to TNCs and environmental protection in developing countries, and considered selected transnational issues on the agenda for the 1992 UN Conference on Environment and Development. The report contained three annexes on criteria for sustainable development management; the status of current work being done in the UN system on dissemination of information on hazardous technologies and safer, cleaner alternatives to them; and a proposed directory on such technologies and their alternatives.

The Commission took note of the Secretary-General's report and requested him to prepare

for its 1991 session a comprehensive and analytical report with a view to making a significant contribution to the preparatory work of the 1992 Conference.

Transnational services

Transnational banks

In February 1990, the Secretary-General presented to the Commission on TNCs a report [E/C.10/1990/11] exploring the close correlation between the transnationality of banks and the international debt problem, examining the past and new role of transnational banks and considering possible options for further action to solve the problem.

According to the report, the key players were 25 large transnational banks with far-flung networks of branches, subsidiaries and affiliates, as well as large holdings of foreign assets and deposits; those banks accounted for well over 80 per cent of bank loans to developing countries.

From the onset of the debt crisis in 1982 through 1988, transnational banks made some contribution to debt reduction and/or cash-flow relief, through negotiated interest reduction, re-scheduling of principal repayments, informal acceptance of interest arrears and debt conversions through cash buy-backs, debt/equity, debt-for-nature and other forms of swaps. Those efforts cumulated in some reduction of commercial bank claims on 17 major debtor countries, but the claims in 1988 were \$56 billion more than in 1982. Debt service as a proportion of exports of goods and services continued to be high, the report stated, exceeding 40 per cent in some cases. Against that background, the Brady plan announced in March 1989 envisaged a number of measures aimed explicitly at a reduction of debt. The plan marked a major step forward in the management of the debt problem; however, there were legitimate concerns about the extent to which it would actually contribute to a solution. The Secretary-General concluded that the plan had set debt policy on a rational but slow track towards a solution and that additional steps would need to be taken by all parties, including debtor countries, to bring about any significant debt reduction in the near future.

The Commission, in April, took note of the report and requested the Centre on TNCs to continue further studies on the subject.

Role of TNCs in other services

In a March report [E/C.10/1990/12] to the Commission on TNCs, the Secretary-General examined the questions of international transactions

in services and foreign direct investment and TNCs in selected service industries, as well as the relevance of the code of conduct on TNCs to negotiations on services. The report focused on foreign-direct-investment issues related to the negotiations on trade in services in the Uruguay Round of multilateral trade negotiations, outlining the principal modes of international delivery of services and reviewing them from the point of view of the definitions of cross-border transactions and foreign direct investment used by international organizations and major home and host countries. The report highlighted some aspects of the role of foreign direct investment and TNCs in those service industries which had been examined by the Group of Negotiations on Services, and the implications and applicability of key concepts and principles for trade in those industries.

In April, the Commission took note of the report and requested the Secretary-General to conduct further in-depth research and technical co-operation in the area of services and to report to the Commission in 1991.

Centre on TNCs

Acting as the main Secretariat unit for TNC-related matters, the UN Centre on Transnational Corporations continued to provide assistance to the Commission on TNCs and to carry out a wide range of activities, which were described in a February 1990 report [E.C.10/1990/16] of the Secretary-General.

In 1989, the Economic and Social Council had adopted eight substantive resolutions which invested the Centre with additional mandates relating to a number of key developmental, investment and international economic co-operation issues. Further expansion of the mandated activities required extensive efforts to maintain co-ordination with other UN entities and organizations that undertook work in the areas of relevance and subject-matters addressed by the Commission and the Centre. The Centre also co-operated with the International Monetary Fund and the Organisation for Economic Co-operation and Development. In the area of accounting and reporting, the Centre had fruitful collaboration with the International Accounting Standards Committee and the International Federation of Accountants. Jointly with the World Bank and the International Labour Organisation, the Centre undertook a survey of accounting needs in Africa (see above).

The Centre continued to strengthen its technical co-operation arrangements within and outside the UN system, in identifying technical co-operation needs, fielding experts and executing advisory, training and information services in developing countries, and continued its co-operation with the international academic community.

The Centre expanded its information dissemination efforts (see below) and continued to prepare documentation and provide substantive services to the Intergovernmental Working Group of Experts on International Standards of Accounting and Reporting (see above). It examined, monitored and analysed multilateral, regional and bilateral agreements relating to TNCs, analysed general trends in the nature and extent of TNC operations, as well as laws, regulations and policies relating to TNCs, and studied TNCs in selected sectors.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 27 July, the Economic and Social Council adopted resolution 1990/71.

Activities of the United Nations Centre on
Transnational Corporations
The Economic and Social Council

1. Requests the Secretary-General to prepare a report containing concrete proposals on ways of promoting foreign direct investment as a complement to domestic investment in the developing countries, giving due consideration to the special needs of the least developed countries;

2. Also requests the Secretary-General to study, in co-operation with the United Nations Conference on Trade and Development and other organizations, the interrelationship of investment, trade and development, with a view to identifying ways and means of encouraging and enhancing the contribution of transnational corporations to the development of developing countries through trade and investment.

II

1. Requests the Executive Director of the United Nations Centre on Transnational Corporations to prepare, based on the provisions of General Assembly resolution 44/228 of 22 December 1989 on the United Nations Conference on Environment and Development, in accordance with the requirements established by the Preparatory Committee for the Conference, in co-operation with the United Nations Environment Programme and other relevant organs and bodies of the United Nations and in consultation with the Secretary-General of the Conference, a comprehensive and analytical study for submission to the Commission on Transnational Corporations at its seventeenth session, with a view to helping the Commission make a significant and action-oriented contribution to the preparatory work of the Conference;

2. Also requests the Executive Director of the Centre, in preparing the study requested, to focus on the role

of transnational corporations and other commercial entities of a similar nature in promoting access to and transfer of environmentally sound technologies to developing countries, in accordance with General Assembly resolution 44/228, in particular section I, paragraph 15 (m) thereof, to include specific and innovative proposals to strengthen such transfer and, in co-operation with the United Nations Conference on Trade and Development, the United Nations Industrial Development Organization, the United Nations Environment Programme, the United Nations Educational, Scientific and Cultural Organization, the World Intellectual Property Organization and other relevant organs and organizations of the United Nations system, to investigate the issue as well as other measures that could further encourage and mobilize transnational corporations and other commercial entities of a similar nature to protect and enhance the environment in relation to development;

3. Takes notes with appreciation of the report of the Secretary-General on transnational corporations and issues relating to the environment, including the criteria for sustainable development management set out in annex I of the report, and requests the Executive Director of the Centre, pursuant to Economic and Social Council resolution 1989/25 of 24 May 1989 and General Assembly resolution 44/228, in co-operation with the United Nations Environment Programme and other relevant organs and bodies of the United Nations and in consultation with the Secretary-General of the United Nations Conference on Environment and Development, and taking full account of other ongoing work, to continue to examine those issues, including concrete ways and means of strengthening the participation of transnational corporations and other commercial entities of a similar nature in the efforts to increase environmental protection and provide business enterprises and governmental agencies in developing countries with access to information on cleaner technologies, to examine the feasibility of financial mechanisms that would encourage transnational corporations and other enterprises of a similar nature to contribute to the protection and enhancement of the environment of developing countries, and to report to the Commission on Transnational Corporations at its seventeenth session, with a view to assisting the Commission in its contribution to the Preparatory Committee for the Conference.

III

1. Requests the Secretary-General to continue to explore ways and means of promoting regional economic integration and co-operation among developing countries through joint ventures and the potential impact of regional economic integration processes among developed countries, including the impact on regional economic integration processes in developing countries, as called for in Economic and Social Council resolutions 1989/21, 1989/22 and 1989/23 of 24 May 1989;

2. Supports the technical co-operation activities of the United Nations Centre on Transnational Corporations, and requests the Centre to continue its efforts to develop its programmes of support for co-operative activities of small and medium-sized enterprises in developing countries;

3. Requests the Secretary-General to prepare further studies on the role of transnational corporations in other services, including financial services, and on strengthening the negotiating capacity of developing countries in their dealings with transnational corporations, and to report on other ongoing and future research of the Centre to the Commission on Transnational Corporations at its seventeenth session;

4. Also requests the Secretary-General, taking into account the other work being carried out in the United Nations, to prepare an updated report on the role of transnational banks related to the external indebtedness of developing countries, giving particular attention to the obstacles and problems that transnational banks have faced with regard to debt reduction, for submission to the Commission on Transnational Corporations at its seventeenth session;

5. Further requests the Secretary-General to prepare an analytical report on debt-equity swaps, taking into account the work already carried out by the Centre, on the effect that swaps could have on foreign direct investment and the overall development of host countries, as well as the experience of countries that have developed such schemes;

6. Takes note of the suggestion to undertake country-specific studies on the contribution of foreign direct investment to development, with a view to analysing and stimulating the flow in investment capital, technology and skills to host countries and identifying proposals for technical assistance designed to support their development objectives, on the understanding that those studies should be undertaken only upon the request of Governments, with their participation and for their use only.

IV

1. Takes note of the Conclusion on Accounting and Reporting by Transnational Corporations, prepared and agreed to by the Intergovernmental Working Group, of Experts International Standards of Accounting and Reporting, and further notes that the conclusions may be useful for both preparers and users of financial statements;

2. Commends the Group on its work on international standards of accounting and reporting, and calls upon the Secretary-General to ensure that, without affecting other activities, resources are made available so that the Group and the Centre may effectively carry out their work on international accounting and reporting.

Economic and Social Council resolution 1990/71

27 July 1990 Meeting 37 Adopted without vote

Approved by First Committee (E/1990/108) without vote, 23 July (meeting 10); draft by Commission on TNCs (E/1990/26); agenda item 7 (d). Financial implications. S-G, E/1990/26/Add.1.

Joint units with regional commissions

The joint units established by the Centre on TNCs with the five regional commissions continued to serve as focal points for the Centre's activities in the respective regions, promoting research, training, advisory services, data collection and liaison with Governments and international organizations, according to a report [E/C.10/1991/15 & Corr.1] of the Secretary-General

on the 1990 activities of the Centre and the joint units. The joint units made important contributions to the Centre's programme implementation.

The Joint Unit established with the Economic Commission for Europe (ECE) focused its research on a study on the petrochemical industry in the Persian Gulf countries and the role of TNCs; input to the Centre's study on TNCs and sustainable development, particularly to the discussion of options for facilitating access by and transfer to developing countries of environmentally sound technologies; and a project on Japanese direct investment in Europe. In the area of technical assistance, the Joint Unit contributed to the establishment of the Romanian Agency for the Promotion of Foreign Investments and Economic Assistance. It also represented the Centre at various international meetings and conferences held in Geneva and continued its liaison work for the Centre with international organizations, Governments and governmental agencies in Europe. It further continued work on setting up in Geneva the Regional Documentation Unit on TNCs.

The Joint Unit established with the Economic and Social Commission for Asia and the Pacific (ESCAP) collected, analysed and disseminated information and data, particularly on laws, regulations and policies relating to the operations of TNCs; foreign direct investment flows and non-equity arrangements; data sources for research activities; and information services. It provided technical and information assistance to countries of the region and disseminated information to ESCAP member States and ESCAP's 13 focal points. The Joint Unit undertook the following research projects: impact of TNCs on the international trade of primary commodities (funded by the Netherlands); transnational technology towards the year 2000 (funded by the Republic of Korea); TNCs and selected services industries of developing countries in the Asia and Pacific region (funded by Japan); and evaluation of TNCs' contribution to technology transfer in the export processing zones and science parks in developing countries of Asia and the Pacific (funded by the Netherlands). The Joint Unit organized a symposium on transnational technology towards the year 2000 in the ESCAP region (Bangkok, Thailand, 23-26 April).

The Joint Unit established with the Economic Commission for Latin America and the Caribbean undertook research on national experiences and policy alternatives with regard to foreign direct investment; industrial restructuring and international competitiveness; and activities

of transnational banks and the financial sector. The Unit made an important input to the Centre's Handbook on Foreign Direct Investment by collecting and analysing data on Latin America and by arranging for co-operative links with a variety of national institutions in the region. A project was under development on setting up a regional system on exchange of national information and experiences on foreign direct investment, with a view to enhancing the contribution of foreign capital to national development and to strengthening national decision-making capacity in that area.

The Joint Unit established with the Economic Commission for Africa, in the context of the United Nations Programme of Action for African Economic Recovery and Development (see PART THREE, Chapter III), focused its research efforts on the role of TNCs in African least developed countries; TNCs in the services sector; and development of an African information system on TNCs. The Unit collected data on TNCs in Africa for the Handbook on Foreign Direct Investment and initiated two case-studies on intra-African mechanisms for promoting foreign direct investment in selected subregions. During 1990, missions were undertaken to Ethiopia, Ghana, Nigeria and the United Republic of Tanzania to review issues relating to less developed countries, to assess the role of TNCs in the services sector, and to collect data on the operations of those corporations and foreign direct investment.

The Joint Unit established with the Economic and Social Commission for Western Asia, in co-operation with ECE, prepared a draft of the first part of a technical study on Arab petrochemicals and rising protectionism in the developed market economies: the case of the European Community. The operation of the Unit was suspended in August owing to the prevailing situation in Baghdad.

Research

During 1990, the Centre on TNCs finalized volume VIII of the series National Legislation and Regulations relating to Transnational Corporations [ST/CTC/105]. As part of the preparation of the Handbook on Foreign Direct Investment, the legal framework for TNCs in some 100 countries was documented. The Centre also began a study on intellectual property rights and foreign direct investment. It completed two studies entitled "National policies in foreign direct investment flows". Another study, on trade-related investment measures and their impact on trade and development, was being completed in co-operation with the United Nations Conference on Trade

and Development. In line with Economic and Social Council resolution 1990/71 of 27 July, which encouraged the Centre to undertake country-specific studies on the contribution of foreign direct investment to development, two assessment studies on Bangladesh were undertaken.

The Centre published in two volumes the full proceedings of the second (1989) public hearings on the activities of TNCs in South Africa and Namibia [Sales Nos. E.90.II.A.6 & E.90.II.A.12]. It also conducted a survey of the corporate environmental policies, programmes and procedures of about 1,000 TNCs. A study on regulations governing the disclosure of risk information by industry, including TNCs, and the lessons for industrial environmental protection in developing countries was finalized as a United Nations technical paper [ST/CTC/III]. The Centre contributed to the fifth edition of the consolidated list of products whose consumption and/or sale had been banned or restricted, in co-operation with the World Health Organization and the Department of International Economic and Social Affairs. Before the Commission in 1990 was a comprehensive analytical study [E/C.10/1990/3] identifying ways the Commission could make an action-oriented contribution to the preparations for the 1992 UN Conference on Environment and Development. With extrabudgetary support from Sweden, the Centre initiated a research project on accounting and reporting for sustainable development, which examined current practices on environmental information disclosure by TNCs; analysed the ways business enterprises could be more efficient in their natural resource use and waste disposal methods; and sought to develop internationally comparable standards that would assure consistency in the disclosure of TNCs' environmental practices. A study on global climate change and the role of TNCs was completed.

A guide for decision makers on debt equity conversions [Sales No. E.90.II.A.22] was completed. Issues relating to the impact of transnational service corporations on host developing countries were examined in studies entitled *Transnational Corporations, Services and the Uruguay Round* [Sales No. E.90.II.A.11] and *New Issues in the Uruguay Round of Multilateral Trade Negotiations* [Sales No. E.90.II.A.15]. A study entitled *Transborder Data Flows and Mexico* [Sales No. E.90.II.A.17] examined the role played by TNCs in the growing telematics and data services markets in that country.

The Centre submitted a comprehensive report on TNC activities in least developed countries to the Second United Nations Conference on Least Developed Countries (see PART THREE, Chapter I). It published a paper entitled *Foreign Direct Investment, Debt and Home-country Policies* [Sales No.

E.90.II.A.16], which drew on reports submitted to the Commission on recent developments [E/C.10/1990/2], home-country incentives for investment in least developed countries [E/C.10/1990/4] and transnational banks [E/C.10/1990/11].

The Centre worked on a study [ST/CTC/79] which examined the determinants of foreign direct investment, particularly in developing countries. The impact of regional economic integration on foreign direct investment and implications for developing countries were analysed in *Regional Economic Integration and Transnational Corporations in the 1990s: Europe 1992, North America and the Developing Countries*. [Sales No. E.90.II.A.14]. The implications of free economic zones for foreign direct investment were examined in *The Role of Free Economic Zones in the USSR and Eastern Europe* [Sales No. E.90.II.A.5] and *The Challenge of Free Economic Zones in Central and Eastern Europe: International Perspectives* [ST/CTC/108].

A study on "Recent developments related to transnational corporations and international economic relations: the Triad of foreign direct investment" [E/C.10/1990/2], which examined the pattern of foreign direct investment stocks and flows in the "Triad" (the European Community, Japan and the United States) and the extent to which other countries, most of them developing, were linked to them through foreign investment flows, was before the Commission in 1990. Together with the UN Centre on Human Rights, the Centre on TNCs began a project aimed at identifying TNCs operating on indigenous peoples' land.

Ongoing and future activities

In the context of the Centre's ongoing and future research activities, the Commission on TNCs in April considered two reports of the Secretary-General, on trade-related aspects of intellectual property rights and trade-related investment measures [E/C.10/1990/13], and on non-conventional TNCs [E/C.10/1990/18]. Introducing the first report, the Centre's Executive Director said the Centre had sought to examine the impact of intellectual property protection on technology and investment flows and of trade-related investment measures on the behaviour of investors and on economic development in countries. The second report focused on the growing phenomenon of small and medium-sized TNCs, as well as TNCs from developing countries and enterprises based in Eastern Europe and the USSR with investments abroad, categorized as non-conventional TNCs.

The Commission took note of the reports and requested the Secretary-General to report to it in 1991 on the Centre's ongoing and future research efforts.

Technical co-operation

The Centre on TNCs continued to provide technical assistance in matters relating to foreign investment and technology transfer to developing countries in Africa, Asia and Latin America, as well as to countries in Central and Eastern Europe. The efforts of those countries to increase substantially the flow of foreign investment, albeit under certain terms and conditions, led to a considerable increase in the demand for the Centre's advisory, information and training services.

Advisory and information services were rendered to 43 individual countries at an average of 2.4 projects for each country. A slightly higher average was achieved in Africa, where 17 countries benefited from 42 advisory projects. Of the advisory and information services projects, 69 per cent were related to the formulation of foreign investment regimes; design of investment promotion strategies; drafting of model contracts and agreements; and establishment and streamlining of institutional mechanisms and administrative frameworks. The remaining 31 per cent of the advisory projects related to specific contractual arrangements with TNCs. There were significant reductions in the number of projects on hard-rock mining and on petroleum, while projects related to manufacturing, finance and banking increased.

The Centre continued to provide advice in three areas of negotiation: investment agreements for new commercial projects; renegotiation of existing investment agreements; and privatization. Technical assistance continued to be provided to countries that had recently liberalized their policies towards foreign investment. The Centre initiated or implemented advisory assistance to Afghanistan, Angola, Cuba, the Democratic People's Republic of Korea, Ethiopia, Mongolia, Mozambique, Myanmar and Nicaragua. Several countries were assisted in the drafting of legislation on investment. Namibia was assisted in its drafting of a basic investment code. The Centre in 1990 provided technical assistance to a number of countries in Africa and the Pacific region in the formulation of petroleum laws. It was requested by at least two West African countries, one East African country, one southern African country and two island countries of the Pacific region for assistance in reviewing and redrafting their mining legislation. The Centre's work in formulating a régime of Multinational Industrial Enterprises for the 18 countries of the Preferential Trade Area of Eastern and Southern African States (PTA) culminated in November 1990 when PTA unanimously adopted a Charter on such Enterprises.

During the year, the Centre organized 34 training activities—23 workshops, 5 seminars for institutions of higher learning, and 6 study tours and fellowships. Of the workshops, 9 were held in six African countries; 6 in four countries of the Association of South-East Asian Nations, including 2 subregional workshops; 4 in three Latin American and Caribbean countries, including 1 regional workshop; and 3 in two countries of Central and Eastern Europe. One interregional workshop was held on negotiations in the mining and construction sectors. Other workshops dealt with issues of finance, such as foreign exchange policies and debt management; technology transfer; joint ventures and management contracts; general foreign investment issues, divestiture and privatization; and transfer pricing. EMPRETEC, the Centre's comprehensive, multi-stage technical co-operation programme, designed to promote the creation and growth of innovative small and medium-sized enterprises using linkages with TNCs, was extended to two African countries. The programme in Latin America was at an advanced stage of implementation and had shown visible and immediate impact. Under the EMPRETEC programme, 200 business plans were prepared and analysed by voluntary private-sector selection committees and over 50 businesses had been started; in addition, nearly 100 existing enterprises had expanded their activities and some 30 joint ventures, sales agreements and technology transfer arrangements had been generated.

Four national seminars were held in Africa to assist institutions of higher learning; another seminar, also held in Africa, was organized for participating institutions from Africa, Asia and Latin America and the Caribbean in the disciplines of business, economics and law. The Centre continued to assist in the organization of fellowships and study tours; in 1990, it arranged study tours and fellowships for officials from Angola, Ethiopia, Malaysia, Thailand and Zimbabwe.

Information system

Responding to a growing need for efficiently collected and processed data on TNCs and foreign direct investment, the Centre had created a comprehensive information system, as a major component of its research and technical co-operation activities, which became increasingly important to developing countries. The system comprised textual, financial, macro- and micro-economic data. In 1990, the Centre continued its work on a six-volume Handbook on Foreign Direct Investment, a major collection of foreign direct in-

vestment statistics, corporate data, legal information and bibliographic references. The Centre co-published *The Directory of the World's Largest Service Companies (Series One)* and continued to update a collection of existing national and regional laws and regulations relating to the activities of TNCs. Contracts and agreements negotiated between developing countries and TNCs were collected by the Centre and made available on governmental request. Data-base software and data were made available to several requesting institutions, primarily in Latin America, doubling the external user base of the previous year.

The Centre assisted users at the national level in the building and management of information resources on TNCs. It continued to respond to requests from Governments for assistance in developing and refining national information systems and made its studies available to qualified users free of charge.

During the year, use of the Centre's information services registered a marked increase, with requests for information reaching 2,610, marking a 25 per cent increase over 1989.

In a February report [E/C.10/1990/15], the Secretary-General gave an overview of the information services provided by the Centre within the context of its overall technical co-operation programme, which included drafting or revising policies and legislation, information on and selection of potential foreign investors, and assistance in negotiations. In addition, the report reviewed specific cases of assistance to developing countries from various regions in their develop-

ment and management of information systems on TNCs.

Concluding, the Secretary-General stated that, with the increased interest in TNCs world wide, there had been a virtual explosion in the information needs of host countries where information on specific industries, technologies, companies and transactions was not always easily available. The Centre's inputs therefore served a vital need.

The Commission on TNCs, in April, took note of the Secretary-General's report and requested him to report in 1991 on the experience gained in developing the Centre's comprehensive information system.

Financing

The resources for the implementation of the programme on TNCs were made available from the UN regular budget and from extrabudgetary funds provided by donor States. Regular budget allocations for the biennium 1990-1991 reflected post reductions effected in pursuance of the Secretary-General's decisions on staffing cuts.

Total extrabudgetary resources in 1990 amounted to \$6,119,066. Contributions to the Centre's Trust Fund were \$2,224,955 and interest income amounted to \$50,000. The Fund's closing balance in 1990 was \$2,979,908. Resources made available by UNDP totalled \$2,633,164.

Total expenditures in 1990 amounted to \$3,895,092, of which advisory projects accounted for \$1,629,684 and workshops and other training activities \$1,547,314.

Chapter VI

Natural resources, energy and cartography

Issues related to the use and conservation of natural resources and energy were considered by several UN bodies during 1990. The Committee on New and Renewable Sources of Energy, which met in March/April, had among its substantive themes the contribution of new and renewable sources of energy to integrated rural development and direct solar-to-electrical energy conversion. In December, the General Assembly urged that greater attention be given to the development and efficient use of new and renewable sources of energy for the rural sector, bearing in mind the depletion of the fuelwood supply taking place in many regions of the world.

In other energy-related action, the Assembly, having considered the Secretary-General's report on energy exploration and development trends in developing countries, stressed the need for comprehensive, national, bilateral and multi-lateral measures, particularly with regard to financing, investment, technology and training of national technical personnel, to accelerate the exploration and development of energy resources in developing countries, including new and renewable sources of energy.

With regard to natural resources, a number of projects, exploration for which had been supported by the United Nations Revolving Fund for Natural Resources [UNRFNRE], reached the production stage. Although the Fund's work was strongly supported by the developing countries, it continued to suffer from inadequate contributions. In order to reduce staff and other running costs, the Governing Council of the United Nations Development Programme decided that the supervisory functions of UNRFNRE and those of the United Nations Fund for Science and Technology for Development should be handled by a joint unit. With regard to increasing the numbers of people who had access to safe drinking water and suitable sanitation services, a report was submitted to the Assembly on the Global Consultation on Safe Water and Sanitation for the 1990s, held in New Delhi in September. The Assembly, which also had before it the Secretary-General's final assessment of progress made during the International Drinking Water and Sanitation Decade (1981-1990), welcomed the New Delhi Statement adopted at the Global Consultation, endorsed its guiding principles and recommen-

dations, and urged Governments to implement them.

The Director General of the International Atomic Energy Agency (IAEA) informed the Assembly that IAEA members, both individually and collectively, were pursuing efforts to strengthen the safety of nuclear activities, including waste disposal. The Assembly affirmed its confidence in IAEA's role in the application of nuclear energy for peaceful purposes and urged all States to strive for effective and harmonious international co-operation in carrying out the Agency's work.

Natural resources

Exploration

UN Revolving Fund for
Natural Resources Exploration

The United Nations Revolving Fund for Natural Resources Exploration [UNRFNRE] continued in 1990 to assist developing countries to search for and develop new mineral and geothermal sources. Established by General Assembly resolution 3167(XXVIII) [YUN 1973, p. 408] and administered by the United Nations Development Programme [UNDP], the Fund was financed from voluntary contributions and donations in cash and kind, and replenishment contributions were required to be made from successful exploration projects, based on the proceeds of production. However, by the end of 1990 no replenishments had yet been received.

In a report to the UNDP Governing Council [DP/1991/44], the Administrator said that, in 1990, a significant development had taken place in pre-investment follow-up activities for the Fund's successful mineral discoveries in Ecuador, Honduras, Peru and the Philippines. During the year, the Fund had five ongoing mineral exploration projects and nine projects were in the active pipeline. The Fund was also involved in preparing Environmental Guidelines for the Mining Sector, to be used in the appraisal of UNRFNRE projects.

A number of UNRFNRE projects supported in previous years resulted in follow-up activities in 1990: the Fund's discovery of a high-grade silver

deposit in Ecuador reached the production stage; the discovery of a gold-silver deposit in Honduras attracted investors and the Fund assisted the Government to determine the best way to develop the mine; following the discovery of a massive chromite deposit in the Philippines, the Government granted mining rights to a local company in 1990 and informed the Fund of its readiness to begin replenishment payments on a quarterly basis starting in 1991; and Peru arranged to purchase a dredge in order to exploit gold-bearing gravel discovered by UNRFNRE.

As to ongoing projects, field activities began in Bolivia in February to delineate an economic deposit of placer gold; the first phase of exploration of pyrophyllite deposits in China was completed, resulting in the identification of up to 10 million tonnes of good-grade pyrophyllite in two areas of Fujian Province; by the end of October, the minimum work phase of the exploration of a gold deposit in Guatemala had finished, with encouraging results; and in May a project agreement between the United Republic of Tanzania and the Fund to explore for gold was signed.

In response to requests from some developing countries for assistance in mineral exploration programmes, UNRFNRE had launched pipeline projects in the Democratic People's Republic of Korea, Ecuador, Guinea, the Lao People's Democratic Republic, Mongolia, Myanmar, Namibia, Sri Lanka, Viet Nam and Zimbabwe. An agreement for the exploration of gold in Zimbabwe was awaiting signature as was the agreement for a project to explore for heavy mineral beach sands rich in monazite, ilmenite, rutile and zircon in Sri Lanka. The pipeline also included geothermal projects in China, Costa Rica, Mexico and Nicaragua, the implementation of which were subject to the availability of funds. UNRFNRE also continued to assist Saint Lucia in attracting investment to produce electrical power from the Fund's discovery of a geothermal reservoir there.

By a 20 June decision [E/1990/29 (dec. 90/40)], the UNDP Governing Council noted the Administrator's approval of additional allocations for projects to explore for precious and base metals in Honduras and for base metals and gold in Peru. It also noted his approval of the minimum work for the project to explore for placer gold in the Suches area in Bolivia and of his intention to approve possible additional expenditure for that project.

Future of UNRFNRE

In response to a 1989 Governing Council request [YUN 1989, p. 398], the UNDP Administrator submitted a March 1990 report [DP/1990/59] containing proposals for the future of the United

Nations Fund for Science and Technology for Development (UNFSTD) (see next chapter) and UNRFNRE. He noted that UNRFNRE had completed 22 projects relating to minerals at a cost of \$60 million. Eight of the projects had resulted in successful discoveries, the value of which was \$1.5 billion. In addition, the discovery of Saint Lucia's geothermal reservoir had the potential to produce 5 megawatts of electricity and reduce the country's dependence on imported oil.

Although UNRFNRE's work was appreciated and strongly supported by the developing countries, it had continued to suffer from an inadequate level of donor support, thus restricting the volume of its activities and its impact. It was expected that if the Fund reached an annual level of project expenditures of about \$10 million for 20 to 25 years, it could begin to revolve, eliminating the need for further donor contributions. However, annual voluntary contributions had averaged only about \$2.5 million and the Fund was able to expand its activities solely by means of project-related co-financing.

In the absence of an adequate level of contributions, the Administrator concluded that the staff and other costs of running UNRFNRE and UNFSTD should be significantly reduced so that they would be in keeping with the level of resources attracted. He therefore proposed that the programming and programme supervision functions of the two Funds should be handled by a joint unit.

In a 20 June decision [E/1990/29 (dec. 90/39)], the Governing Council approved the Administrator's proposals to entrust the management of the two Funds to a single office. It noted with concern the financial situation of both Funds and the current imbalance between core and non-core funding. Interested Governments and other parties were invited to respond positively to the need for both Funds to increase the core resources and to consolidate and diversify co-financing arrangements.

Mineral resources

In a report to the UNDP Governing Council on its 1990 activities [DP/1991/41/Add.I], the UN Department of Technical Co-operation for Development (DTCO) stated that it had executed 96 projects in mineral resources during the year. Delivery totalled \$17.3 million, up from \$15.2 million in 1989. Advisory missions were undertaken in mineral-sector planning, programming, exploration, feasibility studies, mining, geophysical airborne surveys, institution strengthening, investment promotion, legislation and computer applications.

In Africa, greater interest in investment promotion prompted efforts to streamline mineral-sector management and update mining codes. A number of mineral exploration projects had legal assistance components: DTCD helped to formulate new mining codes in Guinea-Bissau and Togo; Gabon requested help to update its mining law; and a new project in Angola's minerals sector was reorganizing the country's technical departments and modernizing its legislative framework. Mauritania received help in assessing the sulphur potential of its coastal basin, while exploration projects in Burundi, Cameroon, Gabon and Togo yielded substantial results that were being followed up. Approximately \$5 million was allocated in 1990 for DTCD-assisted projects in Burkina Faso, Chad, Mali and Niger. At least one deposit of gold and/or base metal was discovered in Burkina Faso and Mali, and a new project assisted mineral-sector institutions and exploration in Niger. In Ethiopia, some \$1 million provided through four projects helped to train national geologists, geophysicists, geochemists and mining technicians, upgrade the graduate programme of the University of Addis Ababa, reinforce mineral development legislation and promote investments. In Mozambique, DTCD helped to train national experts, carry out field studies and evaluate the short-term economic potential of mineral occurrences. Efforts to develop mineral resources were made in Kenya, Uganda, the United Republic of Tanzania and Zimbabwe. In Ghana, the State Gold Mining Corporation was helped to enter into joint venture negotiations with a Canadian group for a mine in south-west Ghana. Another project strengthened the Mines Department in that country. A computerized mineral title management system was set up in Morocco, and an interregional seminar on computerized mineral title management and associated data bases was organized in Rabat in November and December 1990 by the Government, UNDP and DTCD, with support from France.

Assistance to Asia also covered a wide range of activities. In India, a new project in Nagpur helped to establish a National Drilling Training Centre in co-operation with the Mineral Exploration Corporation, which would provide training in the latest mineral, water and geothermal drilling techniques to institutions throughout the region. Testing of low-grade phosphate ore from western Iran identified a technically viable process for producing a marketable concentrate. In Malaysia, a new mining code, model agreement and mineral title system were developed and were expected to encourage mineral investments. In Malaysia's Sarawak state, technical mon-

itoring, quality control and training were provided for an airborne geophysical survey. DTCD provided advice and equipment for the evaluation and mining of small-scale gold deposits in western Nepal, and a feasibility study of a zinc-lead deposit in the Himalayas was launched. In Pakistan, a technically viable process for extracting sulphur from volcanic deposits in Baluchistan was confirmed by testing at a national laboratory, and a major study of the zinc-lead deposit, discovered through a DTCD-executed project north of Karachi, was approved by UNDP in December.

In the Arab States, the regional Yemeni Joint Project for Natural Resources neared completion of airborne geophysical surveys, interpretation of geophysical anomalies and satellite imagery for mineral resources evaluation. A new regional project in Jordan and Yemen would help to evaluate, promote and manage mineral resources development in those countries. Also in Yemen, a new project would establish a mining policy, revise mining legislation and strengthen the mineral sector of the newly unified State.

In the Americas, a project in Bolivia completed an evaluation of precious metals prospecting in three geological environments, and an investment promotion brochure was being prepared. In the industrial minerals sector, Jamaica received help in setting up a mining task force to open marble quarries, and a project in Paraguay identified and assessed resources for potential development and was instrumental in creating the Sub-secretariat of Mining, the first government office to be concerned with mineral resources development. The Dominican Republic was advised on legal issues and negotiation strategies in connection with petroleum exploration and production agreements. DTCD helped the State coal-mining firm of Colombia to appraise its global competitive position; the project completed an analysis of investment agreement options, as well as a manual for negotiating joint ventures and agreements for large-scale coal operations.

Water resources

International Drinking Water and Sanitation Decade

In response to General Assembly resolution 40/171 [YUN 1985, p. 681], the Secretary-General, in consultation with the UN organizations concerned, submitted a report [A/45/327] on progress achieved during the International Drinking Water and Sanitation Decade (1981-1990). The report reviewed changes in perceptions, attitudes

and policy directions that had already had, or were expected to have, a significant impact on the ability of Governments and the international community to accelerate their efforts towards providing adequate water supply and sanitation facilities for all. It also included a qualitative and quantitative comparative analysis of progress achieved during the Decade in terms of service coverage for drinking water supply and sanitation, and suggested proposals for action in the 1990s.

It was reported that some 1,348 million more people had been provided with safe drinking water supply in developing countries during the 1980s, 368 million in urban areas and 980 million in rural areas. Similarly, 748 million more people—314 million urban dwellers and 434 million people in rural areas—were provided with suitable sanitation services. Not surprisingly, there were significant variations in increases in service coverage achieved in the various regions. A factor common to all was the impact of high population growth resulting in an increasing number of people requiring services during the Decade, particularly in urban areas. The number of cities with a population size of 5 million or more increased from 24 in 1980 to 35 in 1990. Of those, 15 in 1980 and 24 in 1990 were in developing countries, particularly in Asia and Latin America. The population of 23 cities in Africa south of the Sahara grew from 21 million in 1980 to 36 million in 1990. In the region north of the Sahara, the population of 8 cities grew from 17 million in 1980 to 25 million at the end of the Decade.

An assessment of progress made towards the attainment of national targets established by Governments, as called for in the Mar del Plata Action Plan, adopted by the UN Water Conference in 1977 [YUN 1977, p. 555], indicated that, on average, the countries of Africa virtually achieved their Decade targets for urban water supply and sanitation. However, they fell short of the targets for rural water supply and sanitation by 15 and 27 percentage points, respectively. The Latin American and Caribbean region fell somewhat short of achieving its targets, although it attained its target for urban sanitation and the rural water supply target was surpassed. However, in the case of rural sanitation, with only 37 per cent of the population served, countries in the region fell short of their original objectives by 6 percentage points. In Asia and the Pacific, progress towards Decade goals in the urban areas was disappointing, while the targets for rural areas were surpassed. In Western Asia, the relatively slow progress reported in rural areas resulted in water supply coverage falling 17 percentage points

short of its target of 73 per cent, and in the level of sanitation services remaining static.

For the Economic Commission for Europe [ECE] region (including Canada and the United States), which comprised countries that, for the most part, already had high levels of water supply and sanitation services, the Decade stimulated interest in the sector. Those countries focused attention on raising the levels of water supply and sanitation coverage in rural areas, mostly in remote and topographically difficult areas. The Decade also coincided with an increased awareness that many of the old sewer systems were suffering from the ravages of time and that major rehabilitation work was required. As to drinking water, attention was directed towards the threat to the domestic supply posed by intensive agriculture and from the disposal of industrial wastes, and towards the health problems associated with old water distribution systems.

With regard to the 1990s, the Secretary-General concluded that the recommendations contained in the Mar del Plata Action Plan continued to be valid, as did those contained in subsequent deliberations of the General Assembly and other international forums, and that their implementation had acquired a greater sense of urgency, particularly with regard to the provision of services to rapidly growing urban populations. He urged Governments to: assess the current status of institutional structures in order to strengthen their capacity to plan and manage water development and sanitation programmes; assign greater priority to the allocation of development financing to water supply and sanitation; continue to improve operation and maintenance systems; increase the impact of existing financial resources; evolve a particular policy for research work in the development, management and conservation of water resources; and accord priority to conducting surveys to determine national needs for administrative, scientific and technical manpower in the water resources area. Experience acquired during the Decade amply demonstrated the need to develop government programmes to promote community involvement on a large scale and to expand women's involvement at the technical and decision-making level.

In support of national programmes, the activities of the external support community would need to be strengthened and co-operative programmes made more effective. The Secretary-General considered that the UN system must continue to act as a catalyst for accelerating water and sanitation programmes at the country level and as a focal point for promoting global initiatives on public awareness and co-ordinated strategies for water supply and sanitation devel-

opment. External support agencies needed to continue to seek ways and means to expand their financial and technical support to developing countries, said the Secretary-General. International and bilateral financing agencies should explore the possibility of increasing grants and low-interest-bearing loans, and accepting higher proportions of local costs, particularly for schemes directed at providing service to the urban and rural poor. As the availability of trained personnel and the inadequacy of institutions constituted two critical constraints, external support agencies might consider the case for developing a co-ordinated programme to assist developing countries to assess human resources needs and to formulate and implement human resources development programmes.

Global consultation. By a 10 October letter [A/C.2/45/3], India transmitted to the General Assembly the New Delhi Statement, which had been adopted by participants from 115 countries at the Global Consultation on Safe Water and Sanitation for the 1990s (10 to 14 September). The Statement contained four guiding principles recommended by the Consultation: the need to protect the environment and health; the need for institutional reforms (including the full participation of women); the need to promote community management of services; and the need to adopt sound financial practices and appropriate technologies. UNDP was invited to take a leading role in implementing the four guiding principles, in collaboration with other UN agencies.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/181.

International Drinking Water Supply and Sanitation Decade

The General Assembly,

Recalling its resolutions 32/158 of 19 December 1977, in which it adopted the Mar del Plata Action Plan, concerning drinking water supply and sanitation, and other agreements reached at the Conference, 35/18 of 10 November 1980, by which it proclaimed the period 1981-1990 as the International Drinking Water Supply and Sanitation Decade, and 40/171 of 17 December 1985 concerning the mid-term review of the Decade,

Bearing in mind that the Second United Nations Conference on the Least Developed Countries, held in Paris from 3 to 14 September 1990, the World Summit for Children, held at United Nations Headquarters on 29 and 30 September 1990, and the Global strategy for Shelter to the Year 2000, among others, reaffirmed the goals and objectives of providing safe water and sanitation for all,

Deeply concerned that, notwithstanding the achievements attained during the Decade, the current rate of progress remains slow and would leave a very significant number of poor people in urban and rural areas

without suitable and sustainable services in water and sanitation by the year 2000,

Recognizing that in most developing countries a lowering of the rate of population growth will relieve the strains on social services and infrastructures, including services relating to drinking water supply and sanitation,

Recognizing also that the 1990s will require an intensification of national efforts and international co-operation to provide adequate and safe drinking water and sanitation, which are crucial for health for all by the end of the century,

1. Takes note with appreciation of the report of the Secretary-General on the achievements of the International Drinking Water Supply and Sanitation Decade;

2. Welcomes the New Delhi Statement, adopted at the Global Consultation on Safe Water and Sanitation for the 1990s, which was held in New Delhi from 10 to 14 September 1990, hosted by the Government of India and organized by the United Nations Development Programme;

3. Endorses the four guiding principles, the actions recommended and the proposed follow-up, as enunciated in the New Delhi Statement, pertaining to the need to protect environment and health, the need for institutional reforms, including the full participation of women, the need to promote community management and the need to adopt sound financial practices and appropriate technologies;

4. Urges Governments, in their efforts to implement the recommendations contained in the report of the Secretary-General and in the New Delhi Statement, to stress the following important objectives:

(a) To assign greater priority to the allocation of development financing to water supply and sanitation by seeking a better integration of the sector within the overall development planning process and to allocate a greater proportion of resources to low-income urban and rural areas, while addressing the deteriorating economic, social and environmental conditions in those areas;

(b) To implement programmes aimed at expanding service coverage within the framework of integrated water resources and environmental planning and management, in the context of sustainable national social and economic plans and urban and rural development policies, and to orient them towards services that reflect community needs and are used by beneficiaries;

(c) To ensure appropriate utilization of existing financial resources and mobilize additional funds from national Governments, donors and non-governmental organizations, and to draw on the resources of the local communities;

(d) To assess and undertake institutional reforms to promote an integrated approach, including changes in procedure, attitude and behaviour, and the full participation of women at all levels in sector institutions;

(e) To assess the current status of institutions with a view to strengthening national capacities to plan and manage water supply and environmental sanitation programmes and to enable them to improve operational and financial efficiency;

(f) To increase their efforts to improve the efficiency and use of available financial resources by, inter alia, continuing to expand the use of cost-effective appro-

priate technologies, and to intensify South-South co-operation in that regard;

5. Calls upon the United Nations system and other relevant organizations to increase their financial and technical support to the national endeavours of developing countries;

6. Urges donor Governments, multilateral financial and development institutions and non-governmental organizations to give favourable consideration to requests for grants and concessional financing arrangements to support water supply and sanitation programmes in developing countries;

7. Emphasizes the importance of intensifying the co-ordination of national activities undertaken with the assistance of all relevant agencies in the field of water supply and sanitation through, in particular, the inter-agency Steering Committee for the International Drinking Water Supply and Sanitation Decade and the Water Supply and Sanitation Collaborative Council;

8. Decides to review, at its fiftieth session, the progress made during the first half of the 1990s, and requests the Secretary-General to submit a report, through the Economic and Social Council, on further progress made in attaining the ultimate goal of providing a safe water supply and sanitation for all, including proposals for the action needed for the remainder of the Decade, with special emphasis on the efforts made at the national level and on international co-operation.

General Assembly resolution 45/181

21 December 1990 Meeting 71 Adopted without vote

Approved by Second Committee (A/45/848), 5 December (meeting 51); draft by Chairman (A/C.2/45/L.65) based on informal consultations on draft by Bolivia for Group of 77 (A/C.2/45/L.8); agenda item 12.

Meeting numbers. GA 45th session: 2nd Committee 13-16, 22, 51; plenary 71.

Technical assistance

In 1990, DTCD assistance in the water resources sector focused on planning and management, including the conjunctive use and multi-objective planning of both surface and groundwater resources, with an emphasis on social, economic, legal and technical aspects [DP/1991/41/Add.1]. Within a framework of 116 projects, DTCD assistance totalled \$26.3 million, up from \$24.2 million in 1989. Multi-sectoral projects were carried out in China, Senegal, the Sudan and Yemen, and water resource master plans were developed in Cape Verde, Guinea-Bissau, Mali and Mauritania.

Projects increasingly used computer technologies for storing, checking, processing, retrieving and mapping data on variables such as rainfall, run-off, river flows, lake levels and aquifer characteristics, as well as for mathematical modelling in hydrology, hydrogeology and planning. DTCD developed, published and disseminated computer software on groundwater, and made use of existing data banks for computer-assisted mapping. Such activities were undertaken in Cape Verde, Guinea-Bissau, Haiti, Mali and the Niger.

Responding to increased government emphasis on environmental issues and on sustainable development of water resources in particular, DTCD developed an overall strategy in the sector comprising effective management, protection and monitoring of water quality; water-related aspects of environmental protection; clean-up of polluted bodies of water; and protection of marine and coastal environments. Water-related aspects of environmental protection were included in projects carried out in Bangladesh, the Central African Republic, Chad, Jordan, India, Madagascar, Morocco, Pakistan, Qatar, Somalia, the Sudan, Viet Nam and Yemen.

DTCD advisory missions on water legislation helped Mozambique to formulate a new water law, Yemen to modify existing legislation and the Bahamas to draft laws protecting groundwater. In co-operation with the World Bank, DTCD assisted Brazil and Venezuela in assessing legal and economic constraints on the proper use of water.

In 1990, in an effort to upgrade the skills of water resources professionals, DTCD co-sponsored an international workshop on water resources planning and management (Beijing, China, 2-6 April) and an interregional seminar on the mobilization of resources for optimal water development, allocation and conservation (Merida, Venezuela, 3-7 December). DTCD also supported two drilling schools in West Africa.

DTCD worked with other UN entities in various inter-agency teams. It assisted UNDP in reviewing the water sectors of Morocco and Namibia, and helped the World Bank to assess water resources in sub-Saharan Africa. Under a DTCD-executed project, the World Bank provided urban water sanitation and community development inputs to the water master plan for Guinea-Bissau.

Several projects on water resources assessment, planning and development were completed in the Caribbean in 1990, generating a total of \$46.5 million in follow-up investments.

Energy

Energy resources development

In response to General Assembly resolution 43/193 [YUN 1988, p. 439], the Secretary-General submitted a May 1990 report [A/45/274 & Corr.1-E/1990/73 & Corr.1] on energy exploration and development trends in developing countries. The report analysed trends in energy consumption and production in developing countries during the previous two decades and explored prospects

to the year 2010, with particular reference to energy-deficient developing countries.

The report stated that consumption of commercial primary energy in the developing countries during the period 1974 to 1988 grew at 5.5 per cent per annum, compared to 3.1 per cent in Eastern Europe and the USSR and 0.5 per cent in the developed market economies. With a population of over 3.9 billion, developing countries consumed 25 per cent of the world total oil equivalent in 1988, while per capita consumption was only 443 kilograms of oil equivalent as compared to 4,330 kilograms in the developed market economies.

Coal remained the most important commercial energy source in the developing world as a whole. However, it was dominant only in China and India, which together accounted for half of the population in the developing countries and 80 per cent of coal consumption. Oil was by far the most important energy source in other developing countries, accounting for 100 per cent of commercial energy consumption in 45 developing countries and territories.

In 1988, natural gas accounted for 14 per cent of overall commercial energy demand in developing countries, as compared to 42 per cent in Eastern Europe and the USSR and 22 per cent in the developed market economies.

During the 1980s, overall oil consumption in the developed market economies declined and 1988 levels were 4 per cent lower than in 1980. During the same period, however, consumption in the developing countries increased by 23.2 per cent, owing to strong growth in the use of aviation fuels and motor gasoline and to a lack of alternative sources of energy such as nuclear power or coal. The annual rate of growth in electricity consumption in developing countries was consistently strong even though, in many of those countries, shortages had caused serious damage to economic output and more than half of the population had no access to electricity at all.

The report forecast that world energy consumption was expected to grow by about 80 per cent during the period 1988-2010. Since the developing countries would account for half of that increase, their share of world energy consumption was expected to reach 35 per cent by the year 2010, compared to 25 per cent in 1988.

The report suggested the outline of a programme of action to accelerate the exploration and development of indigenous energy resources, to encourage oil and gas exploration, the application and promotion of mature technologies in new and renewable sources of energy, as well as efficiency in energy end-uses.

On 26 July, by decision 1990/270, the Economic and Social Council took note of the Secretary-General's report.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/209.

Development of the energy resources of developing countries

The General Assembly,

Recalling the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries, contained in the annex to its resolution S-18/3 of 1 May 1990, and the International Development Strategy for the Fourth United Nations Development Decade, contained in the annex to its resolution 45/199 of 21 December 1990,

Recalling also its resolutions 40/208 of 17 December 1985 and 43/193 of 20 December 1988 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 urgent measures by the international community to assist and support the efforts of the developing countries, in particular the energy-deficient among them, to develop 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,

Reaffirming also that the developing countries have the primary responsibility for their strategies and policies for the exploration and development of their energy resources, including the mobilization of financial resources, internal and external, in order to develop their national technical skills and capabilities in the energy sector,

1. Reaffirm its resolutions 40/208 and 43/193 and calls for the effective implementation of all their provisions;

2. Welcomes the report of the Secretary-General on energy exploration and development trends in developing countries and the outline of a programme of action for the acceleration of energy exploration and development in developing countries, contained therein;

3. Reaffirms that an adequate flow of external resources in support of the national efforts of energy-deficient developing countries is needed to finance their exploration and development of indigenous energy resources;

4. Welcomes the convening of symposia and other similar undertakings called for in resolution 40/208, 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;

5. Stresses the need for comprehensive national, bilateral and multilateral measures, particularly with regard to financing, investment and technology, as well as training of national technical personnel, to accelerate the exploration and development of energy re-

sources in developing countries, including new and renewable sources of energy;

6. Also stresses the need to take into consideration environmental and developmental concerns as they apply to all countries in accordance with their respective capabilities and their responsibilities for global environmental degradation;

7. Further stresses the importance of integrated energy strategies and the need for comprehensive conservation and efficient management of energy resources in developed and developing countries, bearing in mind trends in the energy markets;

8. Requests the Secretary-General to submit a comprehensive report on the implementation of the present resolution to the General Assembly at its forty-seventh session, through the Economic and Social Council at its second regular session of 1992.

General Assembly resolution 45/209

21 December 1990 Meeting 71 Adopted without vote

Approved by Second Committee (A/45/849/Add.7) without vote, 11 December (meeting 54); draft by Vice-Chairman (A/C.2/45/L.90) based on informal consultations on draft by Bolivia for Group of 77 (A/C.2/45/L.38), and orally revised: agenda item 79 (f).

Meeting numbers. GA 45th session: 2nd Committee 19-21, 43, 54; plenary 71.

Technical co-operation

During 1990, DTCD executed 106 projects in the energy field, with a delivery of \$18.8 million, compared with \$11.7 million in 1989 [DP/1991/41/Add.1]. Advisory missions were undertaken in such areas as energy policy; resource evaluation and exploration; project design and feasibility studies in petroleum, coal, natural gas, electric power, energy planning and conservation; geothermal, solar, wind and multi-source renewable energy packages; information systems; and microcomputer-based energy analysis. A \$6.8 million project was launched in China to assist in the drilling of two 6,000-metre demonstration wells and to help establish engineering capabilities in the completion of wells and in acidizing and fracturing techniques. In India, DTCD continued to provide assistance in strengthening capabilities in petroleum production technologies and seismic survey techniques.

Postgraduate programmes in petroleum engineering were initiated in Iran, where there was a serious shortage of petroleum specialists, and in Thailand, where they were practically non-existent.

In response to increasing attention in developing countries to the use of coal as an energy source, DTCD promoted clean-coal technologies and the alleviation of the negative environmental impact of coal combustion. Such projects were started in China and in Eastern Europe.

Conservation of energy was another focus of DTCD activities. Energy-saving measures in Peru saved 200,000 barrels of oil in that country in

1989-1990. Increased attention was paid to diminishing the negative environmental impact of energy production, conversion and use. Different types of projects in that regard were carried out in Bangladesh, Bolivia, China, Jordan, India, Kenya, Peru, Viet Nam and Zambia. Projects promoting solar and wind energy were under way in Afghanistan, Cape Verde, China, Cuba, Egypt, India, Iraq, Mongolia and the Sudan. Other projects using new and renewable sources of energy were also being carried out (see below).

In 1990, DTCD organized two interregional seminars: one on electrification and power generation for developing countries (Finland, 10-21 June), and the other on petroleum exploration in the Indian Ocean (Seychelles, 10-15 December). Three workshops on integrated energy planning were held at the United Nations Latin American Energy Organization (OLADE).

New and renewable energy sources

Committee on new and renewable sources of energy

The Committee on the Development and Utilization of New and Renewable Sources of Energy held its fifth session in New York from 26 March to 4 April 1990 [A/45/36 & Add.1].

In addition to discussing the implementation of the Nairobi Programme of Action, which was adopted by the UN Conference on New and Renewable Sources of Energy in 1981 [YUN 1981, p. 689], the Committee considered reports of the Secretary-General on: progress achieved in implementing the recommendations of the 1987 Castel Gandolfo (Italy) Colloquium of High-level Experts on New and Renewable Sources of Energy [YUN 1987, p. 579] and on information systems concerning those sources of energy [A/AC.218/1990/2]; activities carried out within the UN system concerning the contribution of new and renewable sources of energy to integrated rural development, direct solar-to-electricity energy conversion and the utilization of agricultural residues and urban wastes for energy production [A/AC.218/1990/5]; direct solar-to-electrical energy conversion [A/AC.218/1990/6]; the utilization of urban wastes for energy production [A/AC.218/1990/7]; progress achieved in resource mobilization (including consultative meetings) and inter-agency co-ordination [A/AC.218/1990/8] (see below); and on the status of implementation of project proposals of entities within the UN system [A/AC.218/1990/9] (see below). The Committee also had before it two notes of the Secretary-General, one on new and renewable sources of energy and the environment [A/AC.218/1990/3]

and the other on the contribution of new and renewable sources of energy to integrated rural development, including the utilization of agricultural residues for energy production [A/AC.218/1990/4] (see below).

In its conclusions and recommendations, the Committee stressed that the mobilization of additional and adequate financial resources was essential for the implementation of the Nairobi Programme of Action, and called for the strengthening of the United Nations Trust Fund for New and Renewable Sources of Energy. Emphasizing the paramount importance of promoting the financing of capital investment for new and renewable sources of energy in developing countries, the Committee called on the international community to assist the national efforts of those countries.

On 4 April, the Committee adopted two resolutions and one decision. In its resolution on enhancing the activities of the UN system to implement the Nairobi Programme of Action [A/45/36 res. I(v)], the Committee decided to include in the provisional agenda of its sixth (1992) session the themes: contribution of new and renewable sources of energy to decentralized energy systems and to specific multi-purpose medium- to large-scale applications; and promotion of rapid and effective transfer of technology in new and renewable sources of energy to developing countries in the fulfilment of the goals and objectives of the Nairobi Programme of Action, with a view to taking due account of the potential contribution of those sources to sustainable and environmentally sound development. Interested States were invited to inform the Committee's sixth session of ongoing practical and scientific activities and/or evaluations with regard to the selected substantive themes, and interested States and UN and other organizations were invited to convene technical and scientific meetings related to the substantive themes. The Committee requested the Secretary-General to prepare an analytical report for the sixth session based on an in-depth study of the current stage of achievements in States regarding the selected themes, to provide a report on the activities of the UN system in that regard and to prepare a comprehensive and analytical study with a view to providing a significant contribution to the UN Conference on Environment and Development, to be held in 1992, including recommendations for action to promote rapid and effective transfer of technology in new and renewable sources of energy to developing countries.

By another resolution [A/45/36 (res. 2(V))], the Committee inscribed the item "Commemoration

of the tenth anniversary of the adoption of the Nairobi Programme of Action for the Development and Utilization of New and Renewable Sources of Energy" in the agenda of its sixth session and decided to convene an intergovernmental expert group in 1991 to assess and review the process of the implementation of the Programme of Action.

By its 4 April decision [A/45/36 (dec. 1(V))], the Committee approved the provisional agenda and documentation for its sixth session.

On 26 July, by decision 1990/269, the Economic and Social Council took note of the Committee's report.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/208.

Report of the Committee on the Development and Utilization of New and Renewable Sources of Energy

The General Assembly,

Recalling its resolutions 36/193 of 17 December 1981, 37/250 of 21 December 1982, 38/169 of 19 December 1983, 39/173 of 17 December 1984, 41/170 of 5 December 1986 and 43/192 of 20 December 1988,

Recalling also its resolution 44/228 of 22 December 1989 on the United Nations Conference on Environment and Development,

Stressing the importance of the continued development of new and renewable sources of energy, taking into account, among other things, trends in energy sources supply and consumption, developments in energy technologies, the importance of environmental concerns and the developmental needs of the developing countries, despite short-term factors that could run counter to the need for the development of new and renewable sources of energy,

Emphasizing the need for the development of new and renewable sources of energy in accordance with the fundamental objectives of the Nairobi Programme of Action for the Development and Utilization of New and Renewable Sources of Energy,

Taking into account the fact that new and renewable sources of energy could constitute a more significant share of world energy supplies, in particular in developing countries,

Having considered the report of the Committee on the Development and Utilization of New and Renewable Sources of Energy on its fifth session,

1. Takes note of the report of the Committee on the Development and Utilization of New and Renewable Sources of Energy on its fifth session and endorses the resolutions and decisions contained therein;

2. Reaffirms the importance and validity of the principles and objectives of the Nairobi Programme of Action for the Development and Utilization of New and Renewable Sources of Energy and the urgent need to promote a higher degree of independent and environmentally sustainable new and renewable sources of energy for all countries;

3. Urges that greater attention be given to the development and efficient use of new and renewable

sources of energy for the rural sector and to their integration into the overall rural economy, bearing in mind the depletion of the fuelwood supply taking place in many regions of the world and, among other factors, the various trends in energy sources supply and consumption;

4. Recommends that the appropriate organs, organizations and bodies of the United Nations system assist the developing countries, upon request and within the context of their national policies, in identifying specific and viable projects in the area of their most pressing needs and in strengthening their national frameworks for new and renewable sources of energy and, to that end, prepare a set of updated or new proposals, within the framework of the goals and objectives of the Nairobi Programme of Action, for the consideration of the Committee on the Development and Utilization of New and Renewable Sources of Energy at its sixth session;

5. Reiterates the need to mobilize substantial adequate flows of financial resources commensurate with the needs of developing countries in the field of new and renewable sources of energy, emphasizes the need to utilize existing channels fully, including the United Nations Trust Fund for New and Renewable Sources of Energy, and urges donor countries to continue voluntary contributions to that Fund;

6. Reaffirms the importance of increasing inter-agency co-operation within the United Nations system, as well as co-ordination of development activities for new and renewable sources of energy at all levels;

7. Invites interested States to inform the Committee, at its sixth session, of their ongoing technical and scientific activities and/or evaluations with regard to selected substantive themes, and invites interested States, organizations of the United Nations system and other interested organizations to convene technical and scientific meetings, related to the substantive themes, that would contribute to the examination of such themes in depth, and to inform the Committee, also at its sixth session, of the results of those meetings;

8. Calls for the strengthening of the activities of the United Nations in the field of development and utilization of new and renewable sources of energy;

9. Requests the Secretary-General to prepare a comprehensive and analytical study on new and renewable sources of energy with a view to providing a significant contribution to the United Nations Conference on Environment and Development, through the Preparatory Committee for the Conference, to enable it to consider appropriate action, including funding and technology transfer, within its area of competence and within existing financial resources, not excluding voluntary contributions; and also requests the Secretary-General to submit a report to the Preparatory Committee at its fourth session and to the Committee on the Development and Utilization of New and Renewable Sources of Energy at its sixth session;

10. Requests the Committee on the Development and Utilization of New and Renewable Sources of Energy, drawing upon necessary expertise, to assess and review the implementation of the Nairobi Programme of Action and the results achieved so far, bearing in mind the need to pursue actively the goals and objectives contained therein;

11. Requests the Secretary-General to report to the General Assembly at its forty-seventh session on the implementation of the present resolution, including the ways and means available to the secretariat of the Committee on the Development and Utilization of New and Renewable Sources of Energy to fulfil its functions.

General Assembly resolution 45/208

21 December 1990 Meeting 71 Adopted without vote

Approved by Second Committee (A/45/849/Add.6) without vote, 11 December (meeting 54); Draft by Bolivia for Group of 77 (A/C.2/45/L.37/Rev.1), orally revised; agenda item 79 (e).

Financial implications: 5th Committee, A/45/873; S-G, A/C.5/45/71.

Meeting numbers. GA 45th session: 2nd Committee 19-21, 43, 54; plenary 71.

New and renewable sources of energy in integrated rural development

In response to a 1988 decision [YUN 1988, p. 441], the Committee on the Development and Utilization of New and Renewable Sources of Energy included in its fifth session agenda the theme of the contribution of new and renewable sources of energy to integrated rural development, including the utilization of agricultural residues for energy production. It had before it a note by the Secretary-General [A/AC.218/1990/4], annexed to which was the report of the UN Group of Experts on the Role of New and Renewable Sources of Energy in Integrated Rural Development (Stockholm, Sweden, 22-26 January). The Group of Experts' meeting was sponsored by the Swedish Agency for Research Co-operation with Developing Countries and was held in accordance with General Assembly resolution 43/192 [YUN 1988, p. 442] inviting interested organizations and States to convene technical and scientific meetings related to the Committee's substantive themes.

The Group of Experts discussed and made proposals for action on the following themes: energy supply and demand in rural areas; technological options; social, cultural and political aspects; environmental aspects; and energy investments and pricing. Overall suggestions included: that strategies, plans and policies in developing countries should incorporate new and renewable sources of energy as an integral part of overall energy in the context of rural development; action should be taken to establish or strengthen extension programmes for education, generation of awareness, popularization and dissemination of energy technologies in rural areas and to promote the exchange of information on energy technologies; national institutions for policy formulation, planning and implementation of energy development strategies, including those for rural areas, should be established or strengthened; intended users of energy technologies in rural areas should actively participate in the planning, design and implementation of

programmes and projects; and bilateral, regional and international co-operation in new and renewable sources of energy should be promoted through exchange of information and transfer and adaptation of technologies.

In response to another 1988 Committee request [YUN 1988, p. 441], the Secretary-General submitted in February 1990 a report [A/AC.218/1990/5] on activities undertaken since 1988 by the UN system with regard to the contribution of new and renewable sources of energy to integrated rural development, direct solar-to-electricity energy conversion, and the utilization of agricultural residues and urban wastes for energy production.

DTCD had provided assistance to the energy co-operation programme of the Economic Commission for Latin America and the Caribbean (ECLAC) and OLADE, with a focus on energy planning, energy conservation, analysis of energy financing, studies of rural and marginal urban energy use and training in integrated energy planning.

The Economic and Social Commission for Asia and the Pacific (ESCAP) provided assistance in identifying promising technologies for utilizing biomass (including biogas) and in strengthening the capability of national institutions in rural energy planning techniques. In Pakistan, ESCAP undertook training and established pilot projects in photovoltaic electrification for remote communities.

The Economic and Social Council for Western Asia (ESCWA) organized a seminar on biogas technology for application to rural areas in selected countries in the region and made a comprehensive assessment of the technical, economic and social aspects associated with the introduction of biogas technology in rural areas of the Syrian Arab Republic.

The Food and Agriculture Organization of the United Nations (FAO) was involved in a watershed and fuelwood plantation project in Nepal and provided technical assistance to Malawi in the use of draught animal power. Also in Malawi, the World Bank assisted in the execution of a wood-energy conservation project. The Bank funded projects in India and Sri Lanka for the establishment of fuelwood plantations and assisted Mauritius in the use of bagasse for electricity generation. The International Development Association (IDA) was involved in the establishment and expansion of fuelwood plantations in Nepal and Uganda.

The United Nations Industrial Development Organization (UNIDO) assisted China in the establishment of an industrial biogas technology demonstration plant and experimental stations,

Paraguay in developing renewable sources of energy for use in rural areas, and Vanuatu in investigating small-scale charcoal production by rural women. UNDP provided funding for an integrated programme in Indonesia aimed at developing and disseminating rural technologies based on new and renewable sources of energy through technology transfer. In the Sudan, it assisted in the production of fuel briquettes and improved cooking stoves. Improved wood stove production was also the focus of UNDP projects in the Gambia and Malawi. The United Nations Environment Programme (UNEP) provided training services to Bolivia and Brazil in the rational use of community forests and co-operated with Senegal in establishing a rural energy centre.

Several organizations implemented projects related to direct solar-to-electricity energy conversion. DTCD provided assistance to China in the development of photovoltaic systems and organized a UN symposium there on solar energy applications, including photovoltaics. It also helped Mongolia to study the feasibility of producing solar cells and assisted in increasing the capability of the new-energy-sources laboratory in Romania.

The Economic Commission for Africa (ECA) undertook two advisory missions to the Regional Centre for Solar Energy to provide assistance with the technical, economic and managerial aspects of solar energy development in the African region. UNEP participated in the installation of photovoltaic generators in Senegal as part of the establishment of a rural energy centre and the World Meteorological Organization (WMO) assisted southern European countries in improving the development and use of solar technology and other new and renewable sources of energy.

FAO helped China to integrate various technologies for producing alcohol from sweet sorghum stalks. UNIDO assisted Costa Rica and Haiti in investigating the possibilities of utilizing fuels from agricultural residues, Thailand in energy management and the promotion of alcohol production from cassava, the Philippines in promoting biogas technologies, and Ethiopia in the use of agricultural residues to produce energy for irrigation pumps in rural areas and gasifier engines powered by agricultural residues. It also facilitated technical co-operation between China and Madagascar in the use of agricultural wastes to produce biogas for domestic consumption in rural areas, and assisted the Sudan in testing the production of charcoal from cotton stalks.

Mobilization of financial resources

In a March report [A/AC.218/1990/8] to the Committee on the Development and Utilization of

New and Renewable Sources of Energy, the Secretary-General reviewed progress achieved in the mobilization of financial resources for the implementation of the Nairobi Programme of Action and described the co-ordination of activities in the UN system.

During the period from 1980 to 1989, the commitments channelled through the UN system for supporting actions and investment activities related to the development of new and renewable sources of energy amounted to approximately \$7.6 billion, most of which (60 per cent) went into conventional large-scale hydropower development. Other new and renewable sources of energy, including small-scale hydropower, accounted for \$3.0 billion, of which \$0.8 billion was committed for energy conservation.

Of the amount funded through the UN system, the World Bank and IDA accounted for about 95 per cent. UNDP allocated some \$186 million to activities for new and renewable sources of energy. Other UN organizations had received funds-in-trust for specific projects totalling about \$47 million. The United Nations Trust Fund for the Development and Utilization of New and Renewable Sources of Energy, established in 1982, received a total of approximately \$2.5 million.

The Secretary-General concluded that in recent years, lower energy prices and a widespread perception of abundant supplies of conventional sources of energy, including nuclear power, had led to a significant decline of both public and private-sector involvement in new and renewable sources of energy, with consequent reductions in public spending for research, development and demonstration projects and private investment. That trend had also been reflected in a decrease in the resource commitments of UN organizations over the preceding two years.

Projects and programmes of the UN system

In a March report to the Committee on the Development and Utilization of New and Renewable Sources of Energy [A/AC.218/1990/9], the Secretary-General described projects and programmes proposed and carried out by the UN system during the period 1986-1989 on new and renewable sources of energy. Approximately 200 projects and programmes related to the subject, with a value of \$6.4 billion, were executed in that period. The World Bank, IDA, DTCD, FAO and UNIDO had the largest share.

The UN Department of International Economic and Social Affairs (DIESA), ECE, ESCWA, the World Bank, UNIDO and the United Nations Institute for Training and Research (UNITAR) had increased the value of executed projects and pro-

grammes from 1982-1985 to 1986-1989, while other entities registered a decrease. Of the energy sources involved in the projects and programmes, biomass, charcoal, large-scale hydropower and voltaic energy increased in value overall. Spending in such areas as conservation and planning also increased.

Large-scale hydropower projects represented 67 per cent of the value of all projects executed in 1986-1989; conservation, 9 per cent; fuelwood, 9 per cent; new and renewable sources of energy in general, 8 per cent; planning, 3.5 per cent; and the rest, less than 1 per cent. The Secretary-General stated that it was encouraging that activities related to fuelwood, including efficiency of use and supply, represented a relatively large proportion of the projects, since that was the major source of energy for a large part of the population in the developing world.

Inter-agency co-ordination

The Inter-Agency Group on New and Renewable Sources of Energy, established in February 1983 and entrusted with the task of co-ordinating the contributions of UN organs and organizations in the implementation of the Nairobi Programme of Action, held its ninth session in New York (26-27 March, 2 April) [ACC/1990/PG/12]. The Group agreed to select the following themes as areas of potential joint activity: new and renewable sources of energy and the environment; energy policies for rural development; strategies for the dissemination/commercialization of technologies using new and renewable sources of energy; and the role of women in activities involving those energy sources.

Nuclear energy

IAEA report

By an August 1990 note [A/45/371], the Secretary-General transmitted to the General Assembly the 1989 report of the International Atomic Energy Agency (IAEA). The Agency's Director General presented and updated the report in a statement to the General Assembly on 23 October [A/45/PV.32]. He informed the Assembly that about 17 per cent of the world's electricity was generated by nuclear power—a little less than that obtained through hydropower. Although significant opposition to nuclear power existed in many countries, nuclear-powered electricity generation was a substantial source of carbon-dioxide-free energy. Had the electricity generated by nuclear power been produced using coal, carbon dioxide emissions would have been some 9 per cent greater, said the Director General.

The main reasons for public objections to a continued and expanded use of nuclear power, he said, lay in the concern about accidents and about the disposal of radioactive waste. In that regard, the members of IAEA, both individually and collectively, were pursuing efforts to strengthen further the safety of all nuclear activities, including waste disposal. To promote a better understanding among the media and the public of the significance of unusual nuclear events, incidents and accidents, a seven-level scale had been worked out and was being used on a trial basis. The technical causes and phases of the 1986 Chernobyl accident had been analysed in detail under IAEA auspices, and the Agency had been continuously engaged in various studies concerning the accident. In 1990, renewed attention was drawn to the radiological consequences of the accident. IAEA and a number of international organizations organized an expert assessment of those consequences and of the protective measures taken. An interim report had been submitted to the United Nations and an assessment was expected to be concluded by the end of the year. Following the Chernobyl accident, an expanded nuclear safety programme had been launched by IAEA and there had been an increase in the services in that field.

In a set of IAEA documents called the Radioactive Waste Safety Standards Series, the Director General continued, a high degree of consensus among government experts as to the disposal of radioactive waste had been articulated. In September, the IAEA General Conference adopted a Code of Practice on the International Transboundary Movement of Radioactive Waste, which affirmed the sovereign right of every State to prohibit the movement of such waste into, from or through its territory and required that transboundary movements take place in accordance with internationally accepted safety standards, and with prior notification and consent.

The Director General stated that despite pressing energy needs in developing countries, most of them were not in a position to use the large, complex and costly nuclear power reactors that were in operation in some countries. He considered that developing countries would be more interested in smaller, simpler-to-operate and less costly reactors, which were likely to become available in ten years. Because of the acute problem of shortages of drinking water, a number of developing countries had requested IAEA to undertake an inquiry into the technical and economic feasibility of using nuclear reactors for sea-water desalination.

In the area of transfer of technology, IAEA's assistance to developing countries focused on non-power projects. Through its Technical Assistance

and Co-operation Fund, assistance expanded in the fields of agriculture, medicine, industry, environmental protection and hydrology. Specific projects dealt with improving crop yields, pest eradication, water management and radiation treatment of cancer. IAEA provided technical leadership and research support to an inter-agency programme, using insects sterilized by gamma rays, to eradicate the screwworm infestation in the Libyan Arab Jamahiriya, and supported a large-scale project in Brazil using radioisotope techniques to study the effects of land use on the ecology and climate of the Amazon.

GENERAL ASSEMBLY ACTION

On 23 October, the General Assembly adopted resolution 45/7.

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 1989,

Taking note of the statement of the Director General of the International Atomic Energy Agency of 23 October 1990, which provides additional information on the main developments in the Agency's activities during 1990,

Recognizing the importance of the work of the Agency to promote further the application of atomic 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 benefit effectively from the application of nuclear technology for peaceful purposes as well as from the contribution of nuclear energy to their economic development,

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

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

Again stressing the need for the highest standards of safety in the design and operation of nuclear plants so as to minimize risks to life, health and the environment,

Bearing in mind resolutions GC(XXXIV) / RES/526 on Israeli nuclear capabilities and threat, GC(XXXIV)/RES/529 on measures to strengthen international co-operation in matters relating to nuclear safety and radiological protection, GC(XXXIV)/RES/530 on the Code of Practice on the International

Transboundary Movement of Radioactive Waste, GC(XXXIV)/RES/531 on the Convention on the Physical Protection of Nuclear Material, GC(XXXIV)/RES/532 on nuclear safety guidelines for nuclear-powered vessels, GC(XXXIV)/RES/533 on the prohibition of armed attacks against nuclear installations devoted to peaceful purposes whether under construction or in operation, GC(XXXIV)/RES/540 entitled "Plan for producing potable water economically" and GC(XXXIV)/RES/545 on South Africa's nuclear capabilities, adopted on 21 September 1990 by the General Conference of the Agency at its thirty-fourth regular session,

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

2. Affirms confidence in the role of the 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 Agency, pursuant to its statute; in promoting the use of nuclear energy and the application of the necessary measures to strengthen further the safety of nuclear installations and to minimize risks to life, health and the environment; 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 Agency the records of the forty-fifth session of the General Assembly relating to the Agency's activities.

General Assembly resolution 45/7

23 October 1990 Meeting 33 Adopted without vote

5- nation draft (A/45/L.9 & Add.1); agenda item 14.

Sponsors: Belgium, Nigeria, Poland, Portugal, Romania.

Meeting numbers. GA 45th session: plenary 32, 33.

Cartography

During 1990, 57 projects in cartography, remote sensing and public works were carried out by DTCD, with a total delivery of \$8.4 million [DP/1991/41/Add.1]. Projects in cartography, surveying, mapping and hydrography included institution-building, the transfer of technical expertise to national cartographic and hydrographic institutions and the provision of training and equipment. Fellowships and grants were awarded to candidates for studies in data processing, photogrammetry, cartography and map compilation, cadastral and land information systems, geographical information systems, integral digital mapping, geodetic science, map reproduction and map printing. DTCD continued to provide assistance in remote sensing to countries covered by ESCAP, including advice on the feasibility of remote-sensing projects and helping resource managers to gather data for locating, managing and monitoring natural resources.

In accordance with a decision of the 1987 Eleventh United Nations Regional Cartographic Conference for Asia and the Pacific [YUN 1987, P. 576], a workshop on training and transfer of technology in digital cartographic systems for digital mapping was convened in Vienna (September-October).

Chapter VII

Science and technology

In 1990, the United Nations continued, within the framework of the 1979 Vienna Programme of Action on Science and Technology for Development, to direct its efforts towards strengthening the scientific and technological capacities of developing countries by mobilizing financial resources, upgrading institutional arrangements, improving the balance of international flow of technology, and restructuring the existing pattern of international scientific and technological relations.

The Advisory Committee on Science and Technology for Development—a subsidiary body of the Intergovernmental Committee on Science and Technology for Development—met to discuss sustainable development, endogenous capacity-building in science and technology, and environmentally sound technology assessment. The Intergovernmental Committee did not meet in 1990.

The United Nations Fund for Science and Technology for Development (UNFSTD) had nearly 50 ongoing projects in such areas as energy, technological innovation, science and technology policy and entrepreneurial development. In June, the Governing Council of the United Nations Development Programme approved a proposal to entrust the management of UNFSTD and the United Nations Revolving Fund for Natural Resources Exploration to a single office, while maintaining their identity and respective operating procedures.

Work continued on drafting an international code of conduct on the transfer of technology. The Secretary-General of the United Nations Conference on Trade and Development (UNCTAD) continued his consultations with regional groups and interested Governments and reported to the General Assembly on progress made in the negotiations on the code. The Assembly invited the UNCTAD Secretary-General and the President of the United Nations Conference on an International Code of Conduct on the Transfer of Technology to continue consultations with regional groups and Governments, in conjunction with the appropriate intergovernmental bodies of UNCTAD.

In July, the Economic and Social Council considered the importance of the development of

informatics as a key area of scientific and technological progress and requested the Secretary-General to prepare a report on all aspects of international co-operation in the field of informatics and its impact on the growth and development of the developing countries.

Science and technology
for development

Institutional arrangements

Advisory Committee

The Advisory Committee on Science and Technology for Development, which was established to provide policy and planning advice to the Intergovernmental Committee on Science and Technology for Development, held its tenth session in Zhuhai, China, from 2 to 10 April. The Intergovernmental Committee did not meet in 1990. The Advisory Committee focused on: sustainable development; endogenous capacity-building in science and technology through international co-operation; and technology missions, for which a panel of experts was organized in Serock, Poland, in September. In addition, the Committee discussed a preliminary outline paper, prepared by the Centre for Science and Technology for Development, on environmentally sound technology assessment (ESTA).

In November, the Bureau of the Committee held a meeting in New York to make preparations for the eleventh session of the Intergovernmental Committee, to be held in 1991; it considered possible topics for the Intergovernmental Committee's substantive theme.

Centre for Science and Technology

The Centre for Science and Technology for Development continued in 1990 to provide support for implementing the Vienna Programme of Action on Science and Technology for Development, adopted in 1979 by the United Nations Conference on Science and Technology for Development [YUN 1979, p. 636]. Following an end-of-decade review in 1989, the Programme of Ac-

tion's basic goals were reaffirmed by the General Assembly in resolution 44/14 A [YUN 1989, p. 410]. The Centre also served as the secretariat for the Intergovernmental Committee on Science and Technology for Development, its Advisory Committee (see above) and the Task Force on Science and Technology for Development of the Administrative Committee on Co-ordination (ACC) (see below).

During 1990, the Centre's activities focused on: endogenous capacity-building in science and technology; ESTA; inter-agency harmonization and co-ordination; science and technology information; national focal points; technology assessment; and development of the Advanced Technology Assessment System (ATAS). Through ATAS, established in 1984, the Centre responded to two important trends: the rapid development of new and emerging areas of science and technology; and the evolution of the concept of technology assessment. Throughout the year, the ATAS programme continued its three main themes: the provision of technology assessments to the General Assembly; the organization of activities designed to stimulate assessment of technologies for development through workshops, publication of ATAS bulletins and preparation of follow-up material to earlier ATAS bulletins; and the implementation of the Centre's function as focal point for technology assessment within the UN system, with Member States and with non-governmental and intergovernmental organizations. As a follow-up to an ATAS bulletin on tissue culture, a workshop was organized in co-operation with the African Biosciences Network on biotechnology for food production in dry areas (Dakar, Senegal, 8-10 October).

ACC Task Force

The ACC Task Force on Science and Technology for Development, which was established to promote closer co-operation among UN bodies, held its eleventh session in New York from 7 to 9 May [ACC/1990/PG/5]. Topics considered included the substantive theme of the 1991 session of the Intergovernmental Committee (environmentally sound technologies); endogenous capacity-building in developing countries; and the Task Force's future work in the light of the 1989 end-of-decade review of the implementation of the Vienna Programme of Action.

Operational activities

In his annual report covering 1990 [DP/1991/10/Add.1], the Administrator of the United Nations Development Programme (UNDP) stated that the United Nations Fund for

Science and Technology for Development (UNFSTD) had nearly 50 ongoing projects in such areas as energy, technological innovation, science and technology policy and entrepreneurial development. The Fund had an income of \$4.5 million in 1990; expenditures totalled \$3.5 million, including co-financing arrangements.

One of the Fund's most successful recent efforts was the promotion of private enterprise in technical fields through "business incubators". That programme concentrated on small- and medium-sized enterprises in the start-up phase by providing help such as seed capital, shared office space and management guidance. Four feasibility studies were completed for Côte d'Ivoire, Gabon, Nigeria and Zimbabwe. Improving scientific and technological capabilities in Cape Verde, Jamaica, Nigeria, Pakistan, Uganda and Viet Nam was the goal of a project that received \$1.7 million in financing from Germany; the preparatory phase of the project was completed and full operation was due to begin in 1991.

In 1990, 29 countries participated in the Transfer of Knowledge through Expatriate Nationals (TOKTEN) programme, which brought skilled expatriates from the developing world back to their countries of origin on short-term assignments, thereby helping to replace the skills lost through the brain drain.

Future of UNFSTD

In response to a 1989 Governing Council request [YUN 1989, p. 398], the UNDP Administrator submitted a March 1990 report [DP/1990/59] containing proposals for the future of UNFSTD and the United Nations Revolving Fund for Natural Resources Exploration (UNRFRNRE) (see PART THREE, Chapter VI). He noted that UNFSTD continued its work on national science and technology strategies, technological innovation and entrepreneurship development, technology information systems and new and emerging technologies, as well as projects in the energy field. As at March 1990, 61 projects were under implementation at a total cost of \$36 million.

Although the Fund's work was appreciated and strongly supported by the developing countries, it continued to suffer from an inadequate level of donor support, thus restricting the volume of its activities and its impact. It had been expected that resources at the level of some \$10 million (\$5 million in core contributions and the balance from co-financing) would become available for UNFSTD; core contributions had, however, hovered at around \$1 million and the Fund had to depend on significant project co-financing to be able to expand its activities.

In the absence of an adequate level of contributions, the Administrator concluded that the staff and other costs of running UNFSTD and UNRFNRE should be significantly reduced so that they would be in keeping with the level of resources attracted. He therefore proposed that the programming and programme supervision functions of the two funds should be handled by a joint unit.

In a 20 June decision [E/1990/29 (dec. 90/39)], the UNDP Governing Council approved the Administrator's proposal to entrust the management of the two funds to a single office. It noted with concern the financial situation of both funds and the current imbalance between core and non-core funding. Interested Governments and other parties were invited to respond positively to the need for both funds to increase the core resources and to consolidate and diversify co-financing arrangements.

Technology transfer

Draft code of conduct

In response to General Assembly resolution 44/216 [YUN 1989, [p. 415], the Secretary-General of the United Nations Conference on Trade and Development (UNCTAD) submitted an October report [A/45/588] on progress made in the negotiations on a draft international code of conduct on the transfer of technology. He observed that although formal initiatives with regard to formulating an international code of conduct had started in 1972 [YUN 1972, p. 278], the main impetus was provided by the Assembly's sixth special session in 1974 [GA res. 3202(S-VI)], when it called for the formulation of an international code of conduct corresponding to needs and conditions prevalent in developing countries. Since that time, negotiations, including six sessions of the United Nations Conference on an International Code of Conduct on the Transfer of Technology, had led to a structure of the draft code, consisting of a preamble and nine chapters.

Most of the provisions of the draft code had been agreed upon, except for a few issues in chapters 4 (restrictive practices) and 9 (applicable law and settlement of disputes). Other outstanding issues were: the definition and underlying concept of the term "international transfer of technology transactions"; the scope and duration of confidentiality obligations; the nature of the institutional machinery to be established within UNCTAD to deal with certain provisions relating to the code; and the nature and mandate of the

review conference. The UNCTAD Secretary-General gave an account of consultations that he and the President of the Conference had carried out with regional groups and interested Governments to delineate the scope of the outstanding issues and to find appropriate solutions. He also described recent changes that had taken place in the area of technology and their relevance to the draft code of conduct. Major technological advances in such fields as informatics, telecommunications, biotechnology and new materials had had or were likely to have a strong influence on the production of goods and services. Such advances had occurred mainly in the developed market-economy countries, resulting in a further widening of the technological gap among countries, particularly between the developed and the developing countries.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/204.

International code of conduct on the transfer of technology

The General Assembly,

Recalling its resolution 44/216 of 22 December 1989 on an international code of conduct on the transfer of technology,

1. Takes note of the report of the Secretary-General of the United Nations Conference on Trade and Development on the negotiations on a draft international code of conduct on the transfer of technology;
2. 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 carry out further in-depth consultations with regional groups and Governments on the draft code of conduct, in conjunction with the appropriate intergovernmental bodies of the United Nations Conference on Trade and Development, in early 1991;
3. Also invites the Secretary-General of the United Nations Conference on Trade and Development to submit to the General Assembly at its forty-sixth session a report based on the outcome of the consultations, so as to enable the Assembly to take appropriate action on the negotiations on the draft code of conduct.

General Assembly resolution 45/204

21 December 1990 Meeting 71 Adopted without vote

Approved by Second Committee (A/45/849/Add.3) without vote, 10 December (meeting 53); draft by Chairman (A/C.2/45/L.69) based on informal consultations; agenda-item 79 (b).

Meeting numbers. GA 45th session: 2nd Committee 44-47. 53; plenary 71.

Also on 21 December, the Assembly, by decision 45/443, took note of the UNCTAD Secretary-General's report.

Evaluation

In preparation for the in-depth evaluation of the major programme on science and technology scheduled for 1992, the Secretary-General submitted to the Committee for Programme and Co-ordination (CPC) a progress report [E/AC.51/1990/4] on the evaluation, presenting a review of information and findings available in UN documents and external sources.

The report stated that the international community had long recognized the crucial role that rational utilization of science and technology could play in the development of all countries. The UN role in that endeavour was elaborated in the major programme on science and technology, which covered science and technology for development, the transfer of technology, and the work of the five regional commissions. Preliminary findings and methodological recommendations for the in-depth evaluation were presented.

At the first part of its thirtieth session (7 May-11 June) [A/45/16], CPC requested the Secretary-General to submit to it in 1992 a report containing a conclusive analysis, identifying options for the future that would include action-oriented proposals for solving problems related to financing, institutional framework and those associated with the implementation of the Vienna Programme of Action.

Informatics

Following a decision taken at the Economic and Social Council's organizational session for 1990 to include the question of international co-operation in the field of informatics in the agenda of its second regular session, the Secretary-General in May transmitted a report on the subject [E/1990/86]. The report was prepared by the United Nations Educational, Scientific and Cultural Organization in consultation with the International Telecommunication Union and the United Nations Industrial Development Organization.

The report stated that informatics was contributing to an upheaval comparable to technological changes like the agrarian or industrial revolutions. A planet-wide information and communication network was being established, based on the linking of computers with telecommunications, thus opening immense prospects for hu-

man relations. A principal challenge would be to harmonize the realities of independent countries on the one hand and interdependent efforts and programmes on the other, in such a manner that peaceful co-operative interaction dedicated to the principles of equity and social justice for all would become possible and effective.

While informatics had been assimilated and integrated into the development process in the industrialized countries, it seemed that most of the developing countries had been unable to exploit its capacity due to both paucity of resources and shortage of qualified personnel. In default of action, that situation could worsen in the near future, as might be seen from the growing lead taken by the industrialized countries in the fields of computer and telecommunication technologies.

Those prospects compounded the concern caused by the impact of technological development on economic imbalances, said the report. Action should be launched by the United Nations to interest and involve not only Governments but also governmental and non-governmental international organizations as well as producers of technology.

The report went on to address the challenges and consequences of the progress of informatics; inequalities in the dissemination and mastery of informatics; working towards a society of knowledge; the heterogeneous nature of the world; an outlook for the future; magnitude of the gaps; and the need for international co-operation, including a possible UN framework for such co-operation.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 26 July, the Economic and Social Council adopted resolution 1990/58.

International co-operation in the field of informatics

The Economic and Social Council,

Recalling its decision 1989/179 of 27 July 1989 and decision 7.1 adopted by the Executive Board of the United Nations Educational, Scientific and Cultural Organization at its one hundred and thirty-first session,

Taking note of the report on international co-operation in the field of informatics prepared by the United Nations Educational, Scientific and Cultural Organization in consultation with the International Telecommunication Union and the United Nations Industrial Development Organization,

Recognizing that the development of informatics is necessary and vital for the development of the individual and of society,

Considering the importance of the development of informatics as a key area of scientific and technological progress and cognizant of the importance of informatics in the development of all countries,

Considering also the existing disparities in the level of development of informatics between the developed and the developing countries,

Recognizing, therefore, the need for international co-operation in that field,

1. Recommends that international organizations, in particular the United Nations Educational, Scientific and Cultural Organization through the Intergovernmental Programme for Informatics, the United Nations Industrial Development Organization and the International Telecommunication Union, continue to increase their efforts and activities in the field of informatics;

2. Invites the above-mentioned organizations to consider including in their respective work programmes a priority subprogramme on international co-operation in the field of informatics, and requests the Secretary-General to ensure effective co-ordination through existing co-ordination mechanisms;

3. Calls upon Member States to encourage and promote activities to expand the endogenous skills of their population in the field of informatics;

4. Requests the Secretary-General to prepare a report on all aspects of international co-operation in the field of informatics and the impact of informatics on the economic growth and development of the developing countries, including concrete recommendations for intensifying and strengthening international co-operation in that field in the context of the revitalization of economic growth and development of the developing countries, for submission to the Economic and Social Council at its second regular session of 1991.

Economic and Social Council resolution 1990/58

26 July 1990 Meeting 36 Adopted without vote

Approved by First Committee (E/1990/110) without vote, 23 July (meeting 10); draft by Bolivia, for Group of 77 (E/1990/L.34), orally revised following informal consultations; agenda item 8.

Chapter VIII

Environment

In 1990, the United Nations continued to address problems affecting the earth's environment, which were of increasing concern to the international community. The General Assembly stressed the fundamental interrelationship between environment and development, and reiterated the need to integrate and maintain a balance between those two elements in activities that affected them.

The year was marked by preparations for the United Nations Conference on Environment and Development (UNCED), scheduled to be held in Rio de Janeiro, Brazil, in July 1992. The Preparatory Committee for UNCED held an organizational session and its first substantive session. It created a voluntary fund to support the participation of developing countries, in particular least developed countries, in conference activities. The Governing Council of the United Nations Environment Programme held its second special session (1-3 August), which adopted decisions on a wide range of issues related to the environment and conference preparations.

The Second World Climate Conference was held in Geneva from 29 October to 7 November. The Conference's Ministerial Declaration stated that climate change was a global problem of unique character for which a global response must be decided upon and implemented without further delay. During the year, efforts continued toward negotiations on a framework convention on climate change. In 1990, agreement was reached on establishing the Global Environment Facility to deal with greenhouse gas issues and other environmental protection matters. High priority was also urged for formulation of a legal instrument on the conservation and rational use of biological diversity.

In June, the Second Meeting of the Parties to the 1987 Montreal Protocol on Substances that Deplete the Ozone Layer decided that a multilateral fund be established to enable developing countries to meet the Protocol's requirements and to facilitate the transfer of the necessary technology from developed to developing countries.

Meanwhile, UN bodies and agencies continued to deal with a broad range of environmental issues, including those affecting terrestrial and marine ecosystems, environment and human

rights, protection against harmful products and wastes, marine ecosystems and desertification and drought.

International conventions

In December [UNEP/GC.16/19 & Corr.1], the Executive Director of the United Nations Environment Programme (UNEP) reported on the status of international conventions and protocols relating to the environment as at 30 August 1990. The report contained information on new multilateral legal instruments and changes in the status of existing conventions, as well as on accessions to the various conventions.

Climate change

Pursuant to its 1989 decision [YUN 1989, p. 439] that preparations begin for negotiations on a framework convention on climate change, the UNEP Governing Council, on 3 August [A/45/25 (dec. SS.II/3 C)], authorized the Executive Director, with the Secretary-General of the World Meteorological Organization (WMO), to convene an open-ended working group of government representatives to prepare for those negotiations in September 1990 after the adoption of the interim report on the Intergovernmental Panel on Climate Change (IPCC) at its fourth session. He was also requested to convene the first negotiating session of the working group not later than February 1991 and urged to seek financial contributions to enable the widest possible participation of developing countries in the negotiations.

The Governing Council requested [A/45/25 (dec. SS.II/3 B)] that IPCC should undertake scientific and technical work in support of the negotiations. It also requested [dec. SS.II/7] the Executive Director, in cases where no host offer was available, to arrange that most of the meetings of the working group alternate between Geneva and Nairobi, with the exception of the first negotiating session.

In response to the Governing Council's request, the Secretary-General reported [A/45/696]

that the Ad Hoc Working Group of Government Representatives was convened in Geneva from 24 to 26 September. The Group adopted a number of recommendations concerning the organization of its work. It also recommended the option that the negotiating body could be an "Intergovernmental Negotiating Committee for a Framework Convention on Climate Change", under the auspices of WMO and UNEP, or a "Specialized Conference for the Negotiation of a Framework Convention on Climate Change", with the Secretary-General to be appointed by the UN Secretary-General.

The Second World Climate Conference (Geneva, 29 October-7 November) [A/45/696/Add.1], in its Ministerial Declaration, called for negotiations on a framework convention on climate change to begin without delay after a decision had been taken by the General Assembly at its forty-fifth session on modalities for further pursuing those negotiations. It urged all countries and regional economic integration organizations to join in the negotiations and recognized that it was highly desirable that an effective framework convention be signed at UNCED in 1992. The Conference recommended that the negotiations take account of the possible elements compiled by IPCC and that the convention be framed in such a way as to gain support of the largest number of countries while allowing timely action to be taken. It reaffirmed that the convention should contain real commitments by the international community and stressed, given the complex and multi-faceted nature of the problem of climate change, the need for new and innovative solutions, including the need to meet the special needs of developing countries. The Conference urged countries to promote the active participation at the national and regional levels of all sectors of the population in addressing climate change issues and in developing responses. It also urged UN organizations and programmes to encourage as wide a participation as possible.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/212.

Protection of global climate for present and future generations of mankind

The General Assembly,

Recalling its resolutions 43/53 of 6 December 1988 and 44/207 of 22 December 1989, in which it recognized that climate change is a common concern of mankind, and urging Governments and, as appropriate, intergovernmental and non-governmental organizations and scientific institutions, to collaborate in a concerted effort with the aim of preparing, as a matter of urgency, a framework convention on climate change and other related instruments, containing appropriate

commitments for action to combat climate change and its adverse effects, taking into account the most up-to-date, sound scientific knowledge and any existing uncertainties, as well as the particular needs and development priorities of developing countries,

Recalling also its resolution 44/206 of 22 December 1989 on the possible adverse effects of sea-level rise on islands and coastal areas, particularly low-lying coastal areas,

Recalling further its resolution 44/228 of 22 December 1989 on the United Nations Conference on Environment and Development,

Taking note of the relevant resolutions and decisions of the Governing Council of the United Nations Environment Programme and of the Executive Council of the World Meteorological Organization,

Taking note also of the recommendations and decisions of the Preparatory Committee for the United Nations Conference on Environment and Development, adopted at its organizational session and at its first session,

Noting the important work accomplished by the Intergovernmental Panel on Climate Change, which has completed its first assessment report,

Noting also the relevant conclusions and recommendations on climate change adopted at various intergovernmental meetings during 1990,

Noting further the fact that the largest part of the current emission of pollutants into the environment originates in developed countries, and recognizing therefore that those countries have the main responsibility for combating such pollution,

Welcoming the fact that several countries and a regional economic integration organization have already taken measures or made specific commitments to address the problem of climate change and its effects through the stabilization and/or reduction of environmentally harmful emissions of greenhouse gases, and that other countries are contemplating doing so,

Noting that, pursuant to paragraph 10 of General Assembly resolution 44/207, resolution 4(EC-XII) of 22 June 1990 of the Executive Council of the World Meteorological Organization and decision SS.II/3 of 3 August 1990, adopted by the Governing Council of the United Nations Environment Programme at its second special session, an Ad Hoc Working Group of Government Representatives to prepare for negotiations on a framework convention on climate change met at Geneva from 24 to 26 September 1990 and adopted a number of recommendations,

Recognizing the continuing need for scientific research into the sources and effects of climate change and its possible adverse impact, including the socioeconomic consequences, and the effectiveness of possible response strategies, and recognizing also the importance of the active participation of developing countries and the need to assist and co-operate with them in climate-related research and action,

1. Decides to establish a single intergovernmental negotiating process under the auspices of the General Assembly, supported by the United Nations Environment Programme and the World Meteorological Organization, for the preparation by an Intergovernmental Negotiating Committee of an effective framework convention on climate change, containing appropriate commitments, and any related instruments as might be

agreed upon, taking into account proposals that may be submitted by States participating in the negotiating process, the work of the Intergovernmental Panel on Climate Change and the results achieved at international meetings on the subject, including the Second World Climate Conference;

2. Decides that the Intergovernmental Negotiating Committee should be open to all States Members of the United Nations or members of the specialized agencies, with the participation of observers in accordance with the established practice of the General Assembly;

3. Welcomes the organization of a broad-based preparatory process at the national level involving, as appropriate, the scientific community, industry, trade unions, non-governmental organizations and other interested groups;

4. Decides that the first negotiating session should be held at Washington, D.C., in February 1991 and that, subject to review of the timetable at the end of each negotiating session and taking into account the schedule of other intergovernmental meetings on environment and development matters, in particular the sessions of the Preparatory Committee for the United Nations Conference on Environment and Development, further meetings should be held at Geneva and at Nairobi, in May/June 1991, September and November/December 1991 and, as appropriate, between January and June 1992;

5. Authorizes the Secretary-General of the United Nations, with the assistance of the Executive Director of the United Nations Environment Programme and the Secretary-General of the World Meteorological Organization, pending the establishment of an ad hoc secretariat for the Intergovernmental Negotiating Committee, to convene, exceptionally, the first session of the Intergovernmental Negotiating Committee, to be held at Washington, D.C., in February 1991; the subsequent sessions of the Committee shall be convened by the ad hoc secretariat;

6. Decides that the maximum duration of each of the negotiating sessions should be two weeks;

7. Considers that the negotiations for the preparation of an effective framework convention on climate change, containing appropriate commitments, and any related legal instruments as might be agreed upon, should be completed prior to the United Nations Conference on Environment and Development in June 1992 and opened for signature during the Conference;

8. Reaffirms the principles embodied in its resolutions 44/207 and 44/228, which take into account the concerns of all States and the specific needs of developing countries;

9. Takes account of the Ministerial Declaration adopted at the Second World Climate Conference, held at Geneva from 29 October to 7 November 1990;

10. Decides to establish a special voluntary fund, administered by the head of the ad hoc secretariat under the authority of the Secretary-General of the United Nations, to ensure that developing countries, in particular the least developed among them, as well as small island developing countries, are able to participate fully and effectively in the negotiating process, and invites Governments, regional economic integration organizations and other interested organizations to contribute generously to the fund;

11. Recommends that, at the first session of the Intergovernmental Negotiating Committee, to be held in Washington, D. C., a Bureau consisting of a Chairman, three Vice-Chairmen and a Rapporteur shall be elected, each of the five regional groups being represented by one member;

12. Requests the Secretary-General of the United Nations, in consultation with the Executive Director of the United Nations Environment Programme and the Secretary-General of the World Meteorological Organization, as well as with the executive heads of other United Nations bodies with expertise in the field of development, to establish as soon as possible at Geneva an ad hoc secretariat of appropriate size and quality, consisting mainly of Professional staff of the United Nations Environment Programme and the World Meteorological Organization, taking into account the need to ensure that the work programmes of these two organizations are not negatively affected, to be co-ordinated by those two organizations in consultation and co-operation with the head of the ad hoc secretariat and supplemented by staff from other bodies of the United Nations system, as appropriate, in order to ensure that the ad hoc secretariat embodies the requisite technical expertise;

13. Decides that the Secretary-General of the United Nations shall appoint as head of the ad hoc secretariat a senior official of an appropriate level, who shall act under the guidance of the Intergovernmental Negotiating Committee;

14. Requests the head of the ad hoc secretariat to cooperate closely with the Intergovernmental Panel on Climate Change to ensure that the Panel can respond to the needs and requests for objective scientific and technical advice made during the negotiating process;

15. Also requests the head of the ad hoc secretariat to make available, at the first session of the Intergovernmental Negotiating Committee, the first assessment report of the Intergovernmental Panel on Climate Change, including its paper on legal measures, as well as the background documentation prepared for the Panel as inputs for the negotiations, together with the Ministerial Declaration of the Second World Climate Conference and other relevant documents;

16. Requests the Intergovernmental Negotiating Committee, through the ad hoc secretariat and taking into account the relevance of the negotiations to the United Nations Conference on Environment and Development, to keep the Preparatory Committee for the Conference and the Secretary-General of the Conference, as well as the Secretary-General of the United Nations, regularly informed in a timely manner, through regular progress reports, of the progress of the negotiations;

17. Also requests the Intergovernmental Negotiating Committee to take into account, as appropriate, any relevant developments in the preparations for the United Nations Conference on Environment and Development that the Preparatory Committee may bring to its attention;

18. Requests the Chairman of the Intergovernmental Negotiating Committee, on behalf of the Committee, to submit a report to the United Nations Conference on Environment and Development in 1992 on the outcome of the negotiations, as well as on possible future steps in the field of climate change;

19. Invites relevant non-governmental organizations to make contributions to the negotiating process, as appropriate, on the understanding that these organizations shall not have any negotiating role during the process and taking into account decision I/1 concerning the participation of non-governmental organizations adopted by the Preparatory Committee for the United Nations Conference on Environment and Development at its first session;

20. Decides that the negotiating process shall be funded through existing United Nations budgetary resources, without negatively affecting its programmed activities, and through voluntary contributions to a trust fund established specifically for that purpose for the duration of the negotiations and administered by the head of the ad hoc secretariat under the authority of the Secretary-General of the United Nations;

21. Invites the World Meteorological Organization and the United Nations Environment Programme and other relevant bodies of the United Nations system, including those in the field of development, to make appropriate contributions to the negotiating process, including its funding;

22. Invites Governments, regional economic integration organizations and other interested organizations to contribute generously to the trust fund;

23. Requests the head of the ad hoc secretariat to prepare draft rules of procedure for consideration by the Intergovernmental Negotiating Committee at its first session;

24. Requests the Secretary-General of the United Nations to submit to the General Assembly at its forty-sixth session a report on the progress of the negotiations;

25. Decides to include in the provisional agenda of its forty-sixth session the item entitled "Protection of global climate for present and future generations of mankind".

General Assembly resolution 45/212

21 December 1990 Meeting 71 Adopted without vote

Approved by Second Committee (A/45/851) without vote, 11 December (meeting 54); draft by Vice-Chairman (A/C.2/45/L.93), based on informal consultations on 59-nation draft (A/C.2/45/L.66), and orally revised; agenda item 81.

Financial implications. 5th Committee, A/45/874; S-G, A/C.2/45/L.88, A/C.5/45/70.

Meeting numbers. GA 45th session: 2nd Committee 39-43, 51, 54; plenary 71.

Depletion of ozone layer

At their second meeting (London, 27-29 June) [UNEP/OzL.Pro.2/3], the parties to the 1987 Montreal Protocol on Substances that Deplete the Ozone Layer [YUN 1987, p. 700] adopted a number of decisions and an amendment to the Protocol which set out a non-compliance procedure. They also established a multilateral fund of \$160 million, to increase to \$240 million over the following three years as other developing countries became parties to the Protocol, to enable those countries to meet the Protocol's requirements and to facilitate the

transfer of the necessary technology from developed to developing countries. The Parties established a 14-member executive committee to supervise the fund.

After the London meeting, the Executive Committee met in September and December to launch the operation of the fund. It accepted the invitation of Canada to have Montreal as the seat of the secretariat co-located with UNEP.

The Governing Council [A/45/25 (dec. SS.II/2)] welcomed the results of the second meeting of the States parties to the Montreal Protocol, in particular the decisions taken to strengthen it, the establishment of the financial mechanism to enable developing countries to comply with the Protocol's control measures and progress in the transfer of technology. It urged States that had not yet done so to become party to the 1985 Vienna Convention for the Protection of the Ozone Layer [YUN 1985, p. 804] and the Montreal Protocol.

Transboundary movements of hazardous wastes

As at 31 December 1990, the 1989 Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal [YUN 1989, p. 420] had been signed by 52 States and the European Community and ratified or approved by five States-Hungary, Jordan, Norway, Saudi Arabia and Switzerland. (See also under "Harmful products and wastes", below.)

The Executive Director reported [UNEP/GCSS.II/2] that the secretariat functions of the Convention were being carried out, on an interim basis, by UNEP until completion of the first ordinary meeting of the Conference of the Contracting Parties. The interim secretariat concentrated on the development of a protocol on liability and the elaboration of technical guidelines for the environmentally sound management of wastes envisaged in the Convention. The Executive Director regretted that States parties to the Convention were not forthcoming with contributions to meet the costs of the interim secretariat, which threatened to endanger implementation of the Convention.

The UNEP Governing Council [A/45/25 (dec. SS.II/4 A)] called on States that had signed the Convention to contribute to the continuing costs of the interim secretariat. It also called on States that had not already done so to sign and ratify the Convention, and to strengthen their co-operation in problem areas within the scope of the Convention.

Biological diversity

The Executive Director, in his report on priority evolving environmental issues [UNEP/GCSS. II/2], informed the UNEP Governing Council that the second session of the Ad Hoc Working Group of Experts on Biological Diversity (Geneva, 19-23 February), while not ready to begin negotiations on a legal instrument, concluded that such an instrument should aim to incorporate concrete and action-oriented measures for the conservation and sustainable utilization of biological diversity. However, as much technical, financial and administrative content as possible, with commitments for implementation, would be included in the draft framework instrument to be considered by an ad hoc working group of legal and technical experts in November. The Group requested the Executive Director to commence studies to respond to the specific issues in the process of developing the new legal instrument.

The UNEP Governing Council urged [A/45/25 (dec. SS.II/5)] the Executive Director, in conjunction with the Ecosystems Conservation Group, to continue to accord high priority to the work on biological diversity and biotechnology with a view to arriving at an international legal instrument for the conservation and rational use of biological diversity within the broad socio-economic context, taking account of the need to share costs and benefits between developed and developing countries and ways to support innovations by local people. It called upon the Ad Hoc Working Group of Legal and Technical Experts to proceed expeditiously with its task on the basis of the final report of the Ad Hoc Working Group of Experts on Biological Diversity.

In another decision [dec. SS.II/7], the Council requested the Executive Director, in cases where no host offer was available, to arrange that most of the meetings of the Working Group take place in Nairobi.

The Ad Hoc Working Group of Legal and Technical Experts met in Nairobi from 19 to 21 November and requested the Executive Director to prepare a draft convention on biological diversity.

Environment and development

Preparations for 1992 conference

In 1989, the General Assembly decided in resolution 44/228 to convene a United Nations Conference on Environment and Development in 1992 and to establish a preparatory committee

for the Conference, open to all UN Member States or members of the specialized agencies. The Preparatory Committee held two sessions in 1990: an organizational session (New York, 5-16 March) [A/44/48 & Corr.1] and its first substantive session (Nairobi, Kenya, 6-31 August) [A/45/46].

At its organizational session, the Committee recommended to the General Assembly a draft decision on the mandates and responsibilities of the secretariat for UNCED. In a resolution that it brought to the Assembly's attention, the Committee decided that it should review and assess the ongoing negotiating process in the field of the environment; establish guidelines for the provision of progress reports and other information on those negotiations; provide recommendations on the negotiating process; deal with cross-sectoral issues such as technology, finance, institutions and legal matters with a view to ensuring that environment and development issues were treated in a consistent manner; and consider the drafting of a final declaration of the Conference and other possible decisions and recommendations. It established two working groups to provide guidance to the whole preparatory process: Working Group I on the protection of the atmosphere and land resources, conservation of biological diversity, and environmentally sound management of biotechnology; and Working Group II on the protection of the oceans and all kinds of seas, including enclosed and semi-enclosed seas, and coastal areas and the protection, rational use and development of their living resources; the protection of freshwater resources; environmentally sound management of wastes, particularly hazardous wastes; environmentally sound management of toxic chemicals; and prevention of illegal international traffic in toxic and dangerous products and wastes. It also decided to deal with legal, institutional and related matters in an open-ended working group to be set up at an appropriate time.

Among other decisions brought to the Assembly's attention, the Preparatory Committee decided to: hold regional conferences on environment and development and integrate the results of those conferences in the preparatory process for UNCED; request the secretariat to prepare guidelines on the preparation of national reports; and suggest arrangements for the participation of non-governmental organizations (NGOs) in the preparatory process. It also adopted guidelines for the contribution of UNEP, other organizations of the UN system and intergovernmental organizations. The Committee decided to open a voluntary fund for contributions for enabling developing countries, in particular least developed countries (LDCs), to participate in the preparatory

process. It requested the Secretary-General to bring the fund to the attention of Member States and to report on its operation to the first substantive session of the Preparatory Committee, which it decided to hold from 6 to 31 August. The Committee also adopted the provisional agenda for that session.

On 2 April, the General Assembly, by decision 44/465, took note of paragraphs 56 and 57 of the report of the Preparatory Committee for UNCED.

GENERAL ASSEMBLY ACTION

On 26 March, the General Assembly, by decision 44/462, decided that agenda item 82 (f) entitled "Environment" would be retained on the agenda of its forty-fourth session and considered directly in plenary meeting.

On 2 April, the Assembly adopted decision 44/464.

Secretariat for the United Nations Conference on Environment and Development

At its 92nd plenary meeting, on 2 April 1990, the General Assembly, on the recommendation of the Preparatory Committee for the United Nations Conference on Environment and Development, decided that the secretariat for the Conference should have the following mandates and responsibilities:

(a) To provide the secretariat support for the Preparatory Committee for the United Nations Conference on Environment and Development and its Bureau and each of the working groups. This would include responsibility for organizing meetings of the Preparatory Committee, its Bureau and working groups, co-ordination of documentation for them and provision of necessary administrative and substantive support for their work, including organizing and overseeing contributions of consultants and expert groups;

(b) To co-ordinate support from the United Nations system required by the Preparatory Committee for the Conference, including the provision of progress reports and information about the activities of the United Nations system in areas related to the preparatory process, as well as from the Preparatory Committee to the system on the progress of the preparatory process;

(c) To provide appropriate support to the regional commissions in holding regional conferences in accordance with section II, paragraph 13, of Assembly resolution 44/228 of 22 December 1989, enabling them to contribute fully to the work of the Preparatory Committee in the Conference;

(d) To provide progress reports and information to the Preparatory Committee regarding relevant work carried out by other organizations and in other forums, and close co-ordination with such organizations and forums, including information to them on the progress of the preparatory process, keeping in mind in that respect the importance of regional activities;

(e) To co-ordinate a programme of public information for the Conference in co-operation with the Department of Public Information of the Secretariat, and in relation thereto, to provide ongoing contact and relationships with the media;

(f) To take measures providing for the active contribution by non-governmental organizations to the preparatory process and the Conference, in accordance with the guidelines to be established by the Preparatory Committee.

General Assembly decision 44/464

Adopted without vote

Draft by Preparatory Committee for the United Nations Conference on Environment and Development (A/44/48 & Corr.1); agenda item 82 (f). Financial implications. 5th Committee, A/44/933.

Meeting numbers. GA 44th session: 5th Committee 62-65; plenary 92.

On the same date, the Assembly, by decision 44/467, welcomed the offer of Switzerland to provide free office accommodation for the secretariat of UNCED and concurred with the request of the Advisory Committee on Administrative and Budgetary Questions (ACABQ) that the details of the offer, including any conditions attached, would be made known to ACABQ for its concurrence before any agreement was reached with the Government of Switzerland.

The UNEP Governing Council, on 3 August [A/45/25 (dec. SS.II/9)], requested the Executive Director to ensure that UNEP contributed fully to the preparations of UNCED on the basis of guidelines and requirements established by the Preparatory Committee for the Conference and to make the report of the Council's special session available to the Committee. The Council invited the Preparatory Committee to consider and provide guidance to the negotiation process and preparation of resolutions of the Conference regarding the issues of climate change; transboundary air pollution; protection of ocean and coastal areas; combating desertification; the role of regional and subregional environment programmes; availability of resources for developing countries and funding mechanisms; environment, economics and sectoral policies; transfer of environmentally sound technology; biological diversity and biotechnology; fresh water; hazardous substances; and public participation.

At its first substantive session, the Preparatory Committee for UNCED, which met in conjunction with its two working groups, discussed preparations for the Conference at the international, national and regional levels; arrangements for the effective contributions of relevant NGOs in the preparatory process; and operations of the voluntary fund for UNCED. The Committee recommended to the General Assembly that UNCED be held from 1 to 12 June 1992 and that States be represented at the Conference at the level of head of State or Government. It recommended that payment be made from the voluntary fund for travel expenses and, on an exceptional basis, daily subsistence allowance for representatives of LDCs only, and requested the Secretary-General

to utilize extrabudgetary resources to enable representatives of NGOs from developing countries, in particular the least developed among them, to participate in the preparatory process and the Conference. The Preparatory Committee also adopted provisional agendas for the second sessions of Working Groups I and II and of the Preparatory Committee.

The Committee further adopted decisions on: regional preparation for UNCED; report of the Secretary-General of UNCED on the activities of the Conference secretariat; transfer of technology; financial resources; overview of the activities of the UN system relevant to General Assembly resolution 44/228; climate change; ozone depletion; transboundary air pollution; combating deforestation; soil loss and desertification and drought; conservation of biological diversity; environmentally sound management of biotechnology; environmental and development education; protection of the oceans and all kinds of seas, including enclosed and semi-enclosed seas, and coastal areas and the protection, rational use and development of their living resources; environmentally sound management of wastes, particularly hazardous wastes, environmentally sound management of toxic chemicals and prevention of illegal international traffic in toxic and dangerous products and wastes; guidelines for national reports; environment and development; new and renewable sources of energy; cross-sectoral issues; and co-operation on transfer of technology and financial resources to developing countries.

The Preparatory Committee requested the Secretary-General of UNCED to prepare a more detailed report on his proposal for an "action plan". It requested the Chairman of the Preparatory Committee to consult with delegations on the terms of reference and timing for the commencement of the work of Working Group III on legal, institutional and related matters.

The Preparatory Committee agreed that its second session should take place from 18 March to 5 April 1991, to be extended to 12 April if required. Its third session would be held from 12 to 30 August 1991, to be extended to 4 September if required.

Financing

The Secretary-General, in a March report [A/CONF.151/PC/2/Add.I] to the organizational session of the Preparatory Committee, stated that requirements for UNCED would amount to \$13,482,800. For the 1990-1991 biennium, the total requirements would be \$8,500,800. Of that amount, the \$6,226,400 for the Conference secretariat and the \$300,000 for public information

would be subject to the contingency fund, while the \$1,934,400 for conference-servicing requirements would be met from resources under section 29 (conference and library services) of the programme budget. Requirements for 1992 would be addressed in the proposed budget for 1992-1993.

In his statement on programme budget implications [A/C.5/44/54] of the draft decision contained in the report of the Preparatory Committee, the Secretary-General proposed an appropriation in the amount of \$7,176,300 in the programme budget for the 1990-1991 biennium to be drawn from the contingency fund.

ACABQ recommended [A/44/7/Add.1-8] that the General Assembly authorize the Secretary-General to enter into commitments not exceeding \$6,392,500 for the 1990-1991 biennium for non-conference-servicing costs. For conference-servicing costs, an amount of \$3,304,800 would be financed from within section 29 of the budget for the 1990-1991 biennium, as well as \$1,246,200 under section 31 (staff assessment) to be offset by income of the same amount under income section 1 (income from staff assessment).

The General Assembly, by decision 44/466 of 2 April, authorized the Secretary-General to enter into commitments not exceeding \$6,392,500 for non-conference-servicing costs in the 1990-1991 biennium in respect of UNCED. He was requested to review the resources requirements and to report to the Assembly at its forty-fifth session on actual and projected requirements. The Assembly would approve appropriations on the basis of his report, which would outline the actual and projected resource requirements and indicate the actual and potential impact on other ongoing activities. It would also take account of offsetting savings in the 1990-1991 programme budget. The Assembly also decided that such appropriations should have first call on the contingency fund and that the adequacy of the level and appropriateness of the fund should be closely monitored during the forty-fifth session of the Assembly.

In December [A/C.5/45/65], the Secretary-General reported to the Fifth Committee that the resources required to support the preparatory process in 1990-1991 were estimated at \$6,374,700 (net of staff assessment), with respect to the Conference secretariat and its related requirements, the public information programme and the regional preparatory meetings.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/211.

United Nations Conference on Environment
and Development

The General Assembly,

Recalling the report of the Preparatory Committee for the United Nations Conference on Environment and Development on its organizational session, held in New York from 5 to 16 March 1990.

Having considered the report of the Preparatory Committee on its first session, held at Nairobi from 6 to 31 August 1990,

1. Reaffirms its resolution 44/228 of 22 December 1989 on the United Nations Conference on Environment and Development;

2. Stresses the fundamental interrelationship between environment and development, and reiterates the need to integrate and keep the balance between the environmental and developmental dimensions during the entire preparatory process and during the Conference, and the need for cross-sectoral issues to be fully integrated into that work;

3. Endorses the decisions contained in the report of the Preparatory Committee for the United Nations Conference on Environment and Development on its organizational session;

4. Takes note of the report of the Preparatory Committee on its first session and endorses the decisions contained therein;

5. Decides that the United Nations Conference on Environment and Development shall take place at Rio de Janeiro, Brazil, from 1 to 12 June 1992;

6. Urges that representation at the Conference be at the level of head of State or Government;

7. Invites the Secretary-General of the United Nations to issue invitations to all States Members of the United Nations or members of the specialized agencies and observers, in accordance with the established practice of the General Assembly;

8. Expresses its appreciation to the Governments that have contributed to the Voluntary Fund for the United Nations Conference on Environment and Development, and invites Governments to contribute urgently and generously to the Fund in order that the operation of the Fund may enable developing countries, in particular the least developed among them, to participate fully and effectively in the Conference and in its preparatory process, in accordance with section II, paragraph 15, of resolution 44/228;

9. Calls upon the United Nations Environment Programme and other organs, organizations and bodies of the United Nations system to continue to give full support to the preparatory process for the Conference and assist the Secretary-General of the United Nations Conference on Environment and Development in the implementation of the work programme, in conformity with resolution 44/228;

10. Requests the organs, organizations and bodies of the United Nations system to extend full co-operation to developing countries in order to ensure that appropriate preparations for the forthcoming sessions of the Preparatory Committee are made, in particular in all aspects relating to linkages between environment and development, including the identification of concrete measures and action to ensure that these issues are treated in a balanced and integrated way;

11. Endorses Preparatory Committee decision 1/7 of 29 August 1990 concerning the dates of the second and third sessions of the Preparatory Committee;

12. Requests the Secretary-General of the United Nations Conference on Environment and Development to ensure the timely submission to the Preparatory Committee at its second and third sessions of the reports requested at its first session;

13. Takes note of the provisions of Preparatory Committee decision 1/1 of 14 August 1990 and authorizes the Preparatory Committee, without prejudice to the provisions of resolution 44/228, to continue to apply, for the purpose of the preparatory process, the provisional arrangements agreed upon in that decision concerning the participation of non-governmental organizations in the preparatory process;

14. Reiterates that the Preparatory Committee shall review and assess ongoing negotiating processes in the field of the environment, and invites the forums involved in such processes to report regularly on their activities to the Preparatory Committee at its forthcoming sessions, in accordance with the guidelines and requirements established by the Preparatory Committee.

General Assembly resolution 45/211

21 December 1990 Meeting 71 Adopted without vote

Approved by Second Committee (A/45/850) without vote, 11 December (meeting 54): draft by Vice-Chairman (A/C.2/45/L.82), based on informal consultations on draft by Bolivia for Group of 77 (A/C.2/45/L.60), and orally revised; agenda item 80.

Meeting numbers. GA 45th session: 2nd Committee 39-43, 49, 54; plenary 71.

On the same date, the Assembly, in resolution 445/248 A, section XII, approved the recommendation that, on an exceptional basis, payment would be made for daily subsistence for LDC representatives from the Voluntary Fund for Supporting Developing Countries Participating in the United Nations Conference on the Environment and Development and its Preparatory Process.

Environment and sustainable
development

UNDP action. In May, the Administrator of the United Nations Development Programme (UNDP) submitted a report [DP/1990/27] to the UNDP Governing Council on the environmental dimensions of development. The report reviewed actions undertaken in 1989 and early 1990 to implement UNDP's environmental strategy, with emphasis on a five-step plan to operationalize sustainable development in UNDP activities. Collaboration by UNDP with agencies of the UN system in general, and in support for UNCED in particular, was outlined. The report reviewed the tripartite partnership between UNEP, the World Bank, and UNDP in launching the Global Environmental Facility by the end of 1990 to provide additional concessional funding to middle- and

lower-income countries. It also highlighted activities to be carried out in 1991.

On 22 June [E/1990/29 (dec. 90/20)], the UNDP Governing Council noted the integrated and multisectoral view of development, environment and poverty alleviation that provided a framework for all UNDP technical co-operation and the fact that the preparations for UNCED might offer unique opportunities for expanded technical co-operation in support of institution- and capacity-building for sustainable development. It endorsed action by UNDP for Resident Representatives to act as representatives of the Secretary-General of UNCED; support to countries, in consultation with UNEP and other organizations, in preparing their country reports and in facilitating active participation by development and environmental NGOs and independent-sector organizations; and collaboration with regional economic commissions and regional development banks in support of UNCED through the formulation of regional development and environment agendas. It requested the Administrator to continue to pursue, in consultation with Governments, the establishment of a sustainable development network at the country and regional levels and the application of environmental management guidelines at all programme and project cycle levels, including training and gender concerns, as a means to operationalize sustainable development in UNDP activities in support of the development priorities of Governments. He should utilize fully national expertise on environmental actions at the country level and earmark thematic special programme resources in support of those actions and related activities.

UNCTAD action. In August, the secretariat of the United Nations Conference on Trade and Development (UNCTAD) submitted a report [TD/B/1267] on sustainable development and UNCTAD activities. The report, which contained an analysis of the interface between sustainable development and the main lines of UNCTAD activities within its mandate, focused on those aspects of the sustainable development concept that were not already central to UNCTAD's objectives and works, leading to a predominance of the environmental dimension in the analysis. The analysis concentrated on the interface with four main areas of work: commodities, trade policy, technology, and development finance. With respect to trade policy in particular, the report pointed out the need for a better understanding of the role environmental considerations might play in the redeployment of industry or other economic activities. It also raised the issue of environmental considerations as a source of trade distortion or an argument for trade restriction.

With regard to general implications for UNCTAD, the report stated that many of the essential challenges that sustainable development presented called for international discussion and negotiation. In an UNCTAD perspective, the basic aim was to ensure an economic stake in sustainable development for developing countries. The UNCTAD secretariat was collaborating closely with the secretariat of UNCED in its preparations for the 1992 Conference. Opportunities for work on sustainable development might flow from this collaboration, just as they were likely to do from the Conference itself. Individual developing countries or groups of them would increasingly be called upon to reach agreement with other countries on matters of environmental concern but which would have implications for trade and development. In the light of the Board's decision on the agenda item, the secretariat would be better able to determine its focus on sustainable development. That would in turn enable it to determine the areas in which it would be best able to build up the capacity to offer technical assistance.

On 12 October, the Trade and Development Board (TDB)—the Executive Body of UNCTAD—decided [A/45/15 (dec.384(XXXVII))] that the objective of sustainable development, particularly the reduction of poverty, should be incorporated into all areas of UNCTAD's work at the inter-governmental level, and that the respective committees of UNCTAD, at their forthcoming sessions, should consider activities in relation to sustainable development in the context of their work programmes. TDB requested the Secretary-General of UNCTAD to prepare an analysis of the issue of sustainable development, in particular the reduction of poverty and its interface with policies and mechanisms in environmentally sensitive sectors, such as agriculture, energy, industry and transport, as well as with relevant structural policies such as those relating to the enterprise sector. It also requested him, in connection with the promotion of dialogue on the interlinkages between environmental and trade policies, to adjust the Trade Control Measures Information System of the Conference to monitor non-tariff measures that had a bearing on the environment.

TDB reiterated its request that the UNCTAD Secretary-General develop technical assistance proposals, in co-operation with UNDP, paying attention to LDCs, particularly island developing countries, and invited international development agencies and donor countries to provide extrabudgetary resources for that purpose.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/210.

Environment and international trade

The General Assembly,

Reaffirming its resolution 44/228 of 22 December 1989 on the United Nations Conference on Environment and Development,

Affirming decision 384(XXXVII) of 12 October 1990 of the Trade and Development Board, entitled "UNCTAD's contribution, within its mandate, to sustainable development",

Also affirming decision 1/25 of 31 August 1990 of the Preparatory Committee for the United Nations Conference on Environment and Development, entitled "Environment and development",

Reaffirming the statement on sustainable development contained in annex II to decision 15/2 of 26 May 1989 of the Governing Council of the United Nations Environment Programme,

1. Requests the Secretary-General of the United Nations Conference on Trade and Development, in close co-operation with the Secretary-General of the United Nations Conference on Environment and Development and relevant United Nations bodies, taking into account the relevant parts of Trade and Development Board decision 384(XXXVII) and the work done by international organizations and in other relevant forums and in conformity with General Assembly resolution 44/228, in which it was stated that environmental concerns and considerations are crucial to achieving sustainable development for all countries but should not serve as a pretext for creating unjustified barriers to trade, to prepare a comprehensive analytical study, to be submitted to the Preparatory Committee for the United Nations Conference on Environment and Development at its third session, on the present situation and future trends regarding the relationship between environmental issues and international trade and co-operation, the following subjects:

(a) The consideration of trade and environment, in the light of the analysis requested of the Secretary-General of the United Nations Conference on Trade and Development in paragraph 5 of Trade and Development Board decision 384(XXXVII) concerning the issue of sustainable development, in particular the reduction of poverty and its interface with policies and mechanisms in environmentally sensitive sectors, such as agriculture, energy, industry and transport, as well as with relevant structural policies, such as those related to the enterprise sector;

(b) Adjustment of the Trade Control Measures Information System of the United Nations Conference on Trade and Development to monitor environmental regulations for possible protectionism and to monitor non-tariff measures that have a bearing on the environment, in accordance with paragraph 6 of Trade and Development Board decision 384(XXXVII);

2. Requests the Secretary-General of the United Nations Conference on Environment and Development to consult the Secretary-General of the United Nations Conference on Trade and Development and relevant United Nations organs, organizations and programmes in preparing the report on transfer of technology requested in decision 1/8 of 30 August 1990,

adopted by the Preparatory Committee for the United Nations Conference on Environment and Development at its first substantive session, for submission to the third session of the Preparatory Committee, including an examination of the obstacles on both the importing and exporting sides that impede the transfer of environmentally sound technologies.

General Assembly resolution 45/210

21 December 1990 Meeting 71 Adopted without vote

Approved by Second Committee (A/45/850) without vote, 11 December (meeting 54); draft by Vice-Chairman (A/C.2/45/L.95), based on informal consultations on draft by Bolivia for Group of 77 (A/C.2/45/L.59), and orally revised; agenda item 80.

Meeting numbers. GA 45th session: 2nd Committee 39-43, 49, 54; plenary 71.

Regional efforts

By a letter of 14 November [A/C.2/45/12], Trinidad and Tobago transmitted to the Secretary-General the text of the Action Plan for the Environment in Latin America and the Caribbean, entitled "A Call to Action", approved by the Seventh Ministerial Meeting on the Environment in Latin America and the Caribbean (Port-of-Spain, Trinidad and Tobago, 22-23 October). The Meeting reaffirmed the Declaration of Brasilia, adopted by the Sixth Ministerial Meeting in 1989 [YUN 1989, p. 421], in which the Ministers recognized the inextricable relationship between environmental concerns and socio-economic development.

In the Plan, the Governments of the region defined their environmental priorities and the modalities to tackle them.

By a letter of 27 June [A/45/361], Malaysia transmitted to the Secretary-General the text of the Kuala Lumpur Accord on Environment and Development, issued by the Fourth Association of South-East Asian Nations (ASEAN) Meeting of Ministers for the Environment (Kuala Lumpur, Malaysia, 19 June). In the Accord, the Ministers agreed to initiate efforts leading towards concrete steps pertaining to environmental management and natural resource management, to initiate efforts enabling the inclusion of environmental factors into economic calculations, and to develop and formulate a common ASEAN position to be presented to the Ministerial Level Conference on the Environment for Asia and the Pacific and later to UNCED in 1992.

The Economic and Social Commission for Asia and the Pacific (ESCAP), with the support of the Government of Thailand, the sponsorship of UNDP and in co-operation with UNEP, held a Ministerial Conference on Environment and Development (15-16 October). The Conference Declaration proclaimed the tenets of a strategy for environmentally sound and sustainable development in the region. During the Conference,

ESCAP and UNEP agreed on a memorandum of understanding that would address issues of common concern now and in the future.

In Europe, the Bergen Conference on Environment and Development ("Our Common Future") was held from 7 to 16 May. It adopted the Bergen Ministerial Declaration on Sustainable Development in the ECE (Economic Commission for Europe) region, affirming the commitment of the Governments concerned to achieving sustainable development.

Environmental activities

Global climate

The Intergovernmental Panel on Climate Change (IPCC), endorsed in General Assembly resolution 43/53 [YUN 1988, p. 463], continued its work in 1990 on the issue of climate change within the framework of its three main working groups. The Panel held two plenary sessions in 1990 (Washington, D. C., 5-7 February; Sundsvall, Sweden, 27-30 August). The Panel submitted its first assessment report, which consisted of the IPCC overview and the policy makers' summaries of the three IPCC working groups (concerned respectively with the assessment of the science, impacts and response strategies) and of the IPCC Committee on the Participation of Developing Countries, as well as the three full reports of its working groups.

The Governing Council requested [A/45/25 (dec. SS.II/3.B)] the Executive Director of UNEP to arrange, jointly with the Secretary-General of WMO, for the continuation of IPCC as joint panel of UNEP and WMO, ensuring that its work was supportive of and responded to the needs and requests of the climate change convention negotiating group (see above) and that it facilitated and ensured more active participation of developing countries, particularly by rationalizing its meeting schedules. The Panel should, *inter alia*, undertake scientific and technical work in support of the negotiations of a framework convention on climate change; periodically update the assessments of the available scientific information on climate change and the resulting environmental and socio-economic impacts; undertake further environmental and socio-economic analyses of the various policy options from near- and Long-term perspectives; evaluate the special problems of the developing countries and small island States in addressing climate change and assess possible options to deal with those problems; further pursue studies on the incremental costs to

those States of combating climate change, as well as on the sources for meeting those costs and the mechanisms for channelling them, and present those studies for consideration at the negotiating sessions as soon as possible; ensure the effective participation of developing countries and small island States; and ensure the broad dissemination of its work. It urged Governments to continue to make financial contributions for those purposes.

Second World Climate Conference

On 3 August [A/45/25 (dec. SS.II/3 A)], the UNEP Governing Council authorized the Executive Director, jointly with the Secretary-General of WMO, and in consultation with the executive heads of the International Council of Scientific Unions (ICSU) and the United Nations Educational, Scientific and Cultural Organization (UNESCO) and its Intergovernmental Oceanographic Commission, to convene a preparatory meeting to prepare the draft of a ministerial declaration for the Second World Climate Conference. He should also request the UN Secretary-General to plan to take into account the outputs of the Conference in the discussions on climate during the forty-fifth session of the General Assembly.

The Second World Climate Conference was held in Geneva (29 October-7 November) [A/45/696/Add.1] under the sponsorship of WMO, UNEP, UNESCO and its Intergovernmental Oceanographic Commission, the Food and Agriculture Organization of the United Nations and ICSU. It discussed the results of the first decade of work under the World Climate Programme (WCP), the first assessment report of IPCC and the development of the International Geosphere-Biosphere Programme and other relevant global programmes. In particular, the Conference considered the role, priorities, and programme structure for the future development of WCP. The Conference issued a Final Statement of its scientific/technical sessions, which included both a summary statement and its main conclusions and recommendations in the areas of greenhouse gases and climate change, use of climate information in assisting sustainable social and economic development, priorities for enhanced research and observational systems, and public information. It also included recommendations on specific issues such as water; agriculture and food; oceans, fisheries and coastal zones; energy; land use and urban planning; health and human dimensions; environment and development; and forests. Other recommendations related to the future structure of the World Climate Conference, the special needs of developing countries, co-operation in international

research, and co-ordinated international activities and policy development.

The ministerial component of the Conference issued the Ministerial Declaration of the Second World Climate Conference, in which it proposed a global strategy, policy considerations for action and recommendations for the framework convention on climate change (see p. 519).

In the Conference's Summary Statement it was pointed out that climate issues reached far beyond atmospheric and oceanic sciences, affecting every aspect of life on this planet, and were increasingly pivotal in determining future environmental and economic well-being. Variations of climate had profound effects on natural and managed systems, the economies of nations and the well-being of people everywhere. A clear scientific consensus had emerged on estimates of the range of global warming that could be expected during the twenty-first century. If the increase of greenhouse gas concentrations was not limited, the predicted climate change would place stresses on natural and social systems unprecedented in the past 10,000 years. The Second World Climate Conference concluded that, notwithstanding scientific and economic uncertainties, nations should now take steps towards reducing sources of greenhouse gases through national and regional actions, and negotiating a global convention on climate change and related legal instruments. The long-term goal should be to halt the build-up of greenhouse gases at a level that minimized risks to society and natural ecosystems. The remaining uncertainties should not be the basis for deferring societal responses to those risks. Many of the actions that would reduce risk were also desirable on other grounds. A major international observational and research effort would be essential to strengthen the knowledge base on climate processes and human interactions, and to provide the basis for operational climate monitoring and prediction.

On 21 December, the General Assembly, by decision 45/445, took note of the report of the Secretary-General on the progress achieved in the implementation of resolution 44/207 on the protection of global climate for present and future generations of mankind.

Global Environment Facility

In 1990, the heads of the World Bank, UNDP, and UNEP reached agreement to co-operate in the establishment and operation of a global environment facility (GEF) of more than \$1 billion (special drawing rights). The objectives of GEF would be to limit emissions of greenhouse gases and protect biodiversity, international waters and the ozone layer. UNEP had started specific activities

as implementing agency for GEF and had established a scientific and technical advisory panel to give guidance on technical issues.

Marine ecosystems

The Governing Council appealed [A/45/25 (dec. SS.II/6)] to Governments and international agencies and forums to strengthen and expedite measures at the global, regional and national levels to protect the living resources of the sea from all sources of marine pollution and provide for the sustainable development of those resources. They should address the growing problem of land-based sources of marine pollution.

The Council urged the Preparatory Committee of UNCED to consider developing or strengthening institutional, legal and other measures at the regional level, including those that complemented and supported UNEP's regional seas programme, and at the global level that would facilitate improved protection and sustainable development of ocean and coastal resources, including more effective co-ordination and exchange of standards, recommended practices, procedures, information, technology and expertise, and would more effectively address the growing problem of land-based sources of marine pollution.

Driftnet fishing

In the Castries Declaration of 24 November 1989 [A/45/64], the Authority of the Organization of Eastern Caribbean States had resolved to establish a regional regime that would outlaw the use of driftnets and other disruptive methods of commercial fishing in the Lesser Antilles.

By a 16 July 1990 letter [A/45/350], Japan informed the Secretary-General of its decision to suspend driftnet fishing in the South Pacific from the 1990/91 fishing season, one year in advance of the date of cessation (1 July 1991) stipulated by the General Assembly in resolution 44/225 [YUN 1989, p. 447]. The measure would be continued until appropriate conservation and management arrangements for South Pacific albacore tuna resources were entered into, and regulatory measures for driftnet fishing were established under such arrangements by the parties concerned. In making that decision, Japan had taken into account, in particular, the concerns of the South Pacific island countries with driftnet fishing in the region, as those countries, whose economic base depended to a large extent on marine resources, intended to develop the albacore fishery for their own economic development in the future.

By a letter dated 27 August [A/45/456], Vanuatu transmitted to the Secretary-General the text of the final communique of the Twenty-first South Pacific Forum (Port Vila, Vanuatu, 31 July-1 August), by which the Heads of Government welcomed Japan's decision and directed that every effort be made to involve Taiwan, Province of China, in negotiations for a management régime for South Pacific albacore tuna. The Forum recorded its disappointment at Japan's continuing reluctance to enter into negotiations towards the conclusion of a multilateral fisheries access agreement to protect fisheries resources and the interests of all parties.

Report of Secretary-General. In October, the Secretary-General submitted a report [A/45/663 & Corr.1] on large-scale driftnet fishing and its impact on the living marine resources of the world's oceans and seas. The report discussed the concerns of the international community, large-scale driftnets and their use, relevant international legal instruments, the nature and extent of the problem, and reviews by region. The report concluded that, despite action taken so far to implement the recommendations of General Assembly resolution 44/225, further measures were required in the form of national legislation governing activities of the flag State's vessels on the high seas, international agreements and the adoption of internationally agreed practices, which might be subregional, regional or global in character. The international community should continue to consider and, by 30 June 1991, review the best available scientific data on the impact of large-scale pelagic driftnet fishing and agree upon further co-operative regulation and monitoring measures. To promote the conservation and management of the living resources of the high seas, it was essential that States engaged in large-scale driftnet fishing on the high seas make available to other concerned States and international organizations all available data, including biological data, and specific data on incidental catches and population levels. With the prohibition or curtailment of driftnet fishing in certain areas, the tendency to increase or introduce such fishing in other areas of the high seas must be a cause for concern and would be contrary to resolution 44/225, which declared that such expansion on the high seas of the North Pacific and all the other high seas outside the Pacific Ocean should cease immediately.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/197.

Large-scale pelagic driftnet fishing and its impact on the living marine resources of the world's oceans and seas

The General Assembly,

Recalling its resolution 44/225 concerning large-scale pelagic driftnet fishing and its impact on the living marine resources of the world's oceans and seas, including enclosed and semi-enclosed seas, which was adopted by consensus on 22 December 1989,

Also recalling, in particular, that the General Assembly recommended that all members of the international community agree to certain measures specified in the operative paragraphs of resolution 44/225,

Further recalling the relevant principles elaborated in the United Nations Convention on the Law of the Sea, which are referred to in the seventh to tenth preambular paragraphs of resolution 44/225,

Commending the unilateral, regional and international efforts that have been undertaken by members of the international community and international organizations to implement and support the objectives of resolution 44/225,

Noting that at the Twenty-first South Pacific Forum, held at Port Vila on 31 July and 1 August 1990, the Heads of Government reaffirmed their opposition to large-scale pelagic driftnet fishing, and taking note of the resolution on large-scale pelagic driftnet fishing in the South Pacific region, adopted by the South Pacific Conference at Noumea, New Caledonia, on 31 October 1990,

Welcoming the decision of a Member State to suspend driftnet operations in the South Pacific one year in advance of the date of cessation stipulated by the General Assembly, and the decision of other Member States to cease or suspend driftnet fishing,

Taking note of the Castries Declaration issued on 24 November 1989 at the sixteenth meeting of the Authority of the Organization of Eastern Caribbean States, in which the Authority resolved to establish a regional régime for the regulation and management of the pelagic resources in the Lesser Antilles region that would outlaw the use of driftnets and called upon other States in the region to co-operate in this regard, and noting the more recent developments in the wider Caribbean Community region,

Noting that there have been recent meetings related, inter alia, to the protection of fish and other living marine resources and the environment in the Mediterranean, including the Meeting of the Nine Western Mediterranean Countries on Dialogue and Co-operation in the Western Mediterranean, held at Rome on 10 October 1990, and the meeting on the Mediterranean of the Conference on Security and Co-operation in Europe, held at Palma de Mallorca, Spain, from 24 September to 19 October 1990,

Noting also that the International North Pacific Fisheries Commission has concerned itself with large-scale pelagic driftnet fishing in the North Pacific Ocean, including the need to accumulate scientific knowledge, and has supported the full implementation of resolution 44/225,

Noting further that the International Whaling Commission, at its forty-second annual meeting, in July 1990, referred to the use of large-scale pelagic driftnets in many areas of the high seas, including important habitats for cetaceans encompassing feeding and

breeding grounds and migratory pathways, and endorsed resolution 44/225.

Noting that, at its first session, the Preparatory Committee for the United Nations Conference on Environment and Development requested the Secretary-General of the Conference to prepare, for submission to the Preparatory Committee at its second session, a comprehensive report on, inter alia, the impact of large-scale harvesting, and new fishing technologies and fishing technologies incompatible with the sustainable management of living marine resources, taking into account resolution 44/225,

Noting with appreciation the contribution to the report of the Secretary-General made by the Food and Agriculture Organization of the United Nations, by other appropriate organs, organizations and programmes of the United Nations system and by various regional and subregional fisheries organizations, in response to the request of the General Assembly in paragraph 6 of resolution 44/225,

Also noting with appreciation the contribution to the report of the Secretary-General made voluntarily by some members of the international community and by intergovernmental and non-governmental organizations,

Noting that some members of the international community have initiated co-operative efforts to obtain statistically sound data on the impact of large-scale pelagic driftnet fishing,

Expressing deep concern about reports of attempts to expand large-scale pelagic driftnet fishing on the high seas of the Atlantic Ocean by one fishing entity, in disregard of paragraph 4 (c) of resolution 44/225,

Expressing concern about reports of reflagging of vessels by some private fishing interests, which is contrary to the spirit and content of resolution 44/225,

1. Takes note with interest of the report of the Secretary-General and expresses its appreciation for his efforts;

2. Reaffirms its resolution 44/225 and calls for its full implementation by all members of the international community, in accordance with the measures and time-frame elaborated in paragraph 4 of that resolution concerning large-scale pelagic driftnet fishing on the high seas of all the world's oceans and seas, including enclosed and semi-enclosed seas;

3. Also reaffirms that it is important that all members of the international community take such measures as may be necessary to ensure compliance with paragraph 4 (c) of resolution 44/225;

4. Requests the specialized agencies and other appropriate organs, organizations and programmes of the United Nations system, as well as the various global, regional and subregional fishery organizations, to continue to study urgently large-scale pelagic driftnet fishing and its impact on living marine resources and to report their views to the Secretary-General, hearing in mind the dates set out in paragraphs 3 and 4 of resolution 44/225;

5. Requests the Secretary-General to bring the present resolution to the attention of all members of the international community, intergovernmental organizations, non-governmental organizations in consultative status with the Economic and Social Council and well-established scientific institutions with expertise in relation to living marine resources;

6. Also requests the Secretary-General to submit to the General Assembly at its forty-sixth session a report on the implementation of the present resolution.

General Assembly resolution 45/197

21 December 1990 Meeting 71 Adopted without vote

Approved by Second Committee (A/45/849/Add.1), 11 December (meeting 54); draft by Vice-Chairman (A/C.2/45/L.77) based on informal consultations on 54-nation draft (A/C.2/45/L.50); agenda item 79.

Meeting numbers. GA 45th session: 2nd Committee 19-21, 48, 54; plenary 71.

Terrestrial ecosystems

Desertification and drought control

The UNDP Administrator reviewed [DP/1991/45] the activities of the UN Sudano-Sahelian Office (UNSO) in support of desertification control and natural resources management activities in the 22 countries of the Sudano-Sahelian region of Africa covered by its mandate. The activities of UNSO in 1990 continued to address the major problems connected with the achievement of sustainable development at the human, institutional and technological levels. They covered the establishment or strengthening of the institutional capacities of the Governments of the region to design, implement or monitor programmes in the area of sound management of natural resources as well as training, education and sensitization aimed at the broadest possible participation in development activities. Efforts continued to be made to identify and take into account human development priorities in the context of projects and programmes supported by UNSO. The activities centred on the special features that made UNSO's role distinctive: specialization in the protection and sound management of natural resources in arid and semi-arid lands in Africa; the implementation, on behalf of UNEP, of the 1977 Plan of Action to Combat Desertification [YUN 1977, p. 509] in the Sudano-Sahelian countries; and its close relationship to relevant subregional organizations, in particular the Permanent Inter-State Committee on Drought Control in the Sahel and the Intergovernmental Authority for Drought and Development. UNSO's working modalities and financial arrangements assured close donor-recipient collaboration in identification, formulation and monitoring of projects. The experiences gained had strengthened the Office's capacity to respond to the requests of the General Assembly and the Governing Council that more attention be given to making UNSO's experiences available to other African countries with dry land ecosystems similar to those of the Sudano-Sahelian countries.

The UNDP Governing Council [E/1990/29 (dec. 90/41)] urged UNSO to intensify its initiatives for a

greater international coherence and harmony of approaches in planning and co-ordination of interventions relating to drought and desertification at the national level.

Harmful products and wastes

The Governing Council recognized [A/45/25 (dec SS.II/4)] that additional measures were necessary to protect and enhance the environment, focusing in particular on alternatives to the disposal of wastes and the release of emissions into the environment, especially in relation to the use of alternative clean production methods so that hazardous waste production was minimized and prevented. It appealed to Governments and international forums, taking into account economic costs, to consider alternative clean production methods-including raw material selection, product substitution and clean production technologies and processes-as a means of implementing a precautionary approach to promote production systems that minimized or eliminated the generation of hazardous wastes and optimized use of raw materials, water and energy, for example through recycling. It agreed to consider, among other measures, the development of an integrated approach to pollution control, examining all aspects of environmental effects and the role and effectiveness of various kinds of economic incentives to promote and assist with the implementation of clean production methods, taking into account principles for preventing pollution at the source. The Council appealed to Governments to strengthen measures to ensure that those responsible for pollution should bear the cost of its clean-up. The Executive Director was requested to strengthen the activities of the Industry and Environment Office related to the development of clean technologies in the field of hazardous wastes. Governments and institutions should consider measures to expedite the prevention or minimization of hazardous wastes and substances.

International Register of Potentially Toxic Chemicals

In 1990, the computerized central files of the International Register of Potentially Toxic Chemicals (IRPTC) continued to be updated and expanded to include a larger number of chemicals. Data profiles now existed for around 700 chemicals of international concern. As at May 1990, a total of 55 national authorities designated by 46 Governments plus the Commission of the European Communities had been registered by IRPTC. The first list of chemicals subject to prior

informed consent, comprising those substances that had been banned or severely restricted in 10 or more countries, was being established and decision/guidance documents were being prepared. A study was being made of the feasibility of developing a legally binding treaty.

Priorities for further development of the Register were based on the needs in relation to the implementation of the amended London Guidelines for the Exchange of Information on Chemicals in International Trade [YUN 1989, p. 433]. The network now included 121 national correspondents from 112 countries. Queries on 765 chemicals from over 80 countries and organizations were answered by IRPTC in 1990.

INFOTERRA

In 1990, INFOTERRA, UNEP's environmental information system, continued to promote national information infrastructure through the establishment of national INFOTERRA focal points in participating countries. A major priority in the work of INFOTERRA during the year was increased provision of substantive information. One new regional centre was established, bringing the total number to 10. The number of special sectoral sources remained at 28. Three countries joined the INFOTERRA network, bringing the total to 138. During 1990, over 18,000 inquiries from some 90 countries made use of the information services provided by INFOTERRA.

State of the World Environment report

The 1990 State of the World Environment report [UNEP/GE.16/8] examined ways in which environmental degradation and mismanagement debased children's lives, as well as the dangers to children inherent in the natural environment. It stated that environmental degradation was causing the death and debility of millions of children around the world. The challenges of reducing the annual child death toll and providing children with their basic rights to food, clean water, shelter, good health, a safe environment, and the development of their full mental and physical potential would remain huge for the foreseeable future, both because of the sheer numbers involved and because the front line of the struggle ran through the poorest nations. If the many threats to the future were to be met effectively, they would have to be met by the present adult generation; many of the key decisions had to be made and key processes set in motion during the decade of the 1990s. Both children-those alive and those yet to be born-and the environment

had to be given primary consideration in that process. All people, including children, needed to be involved in that process. There were many examples in the report of global initiatives driven by global vision. The technology was largely in place. Many societies were rapidly becoming more open, and many more people were taking part in the decision-making process in many parts of the world. That offered a social opportunity, as environmentally sound and sustainable development could not be achieved without public participation in decision-making and broad freedom of information. Improved health, welfare and education of children could provide a sign that humankind was capable of sustainable human progress in a sustaining environment. The state of children, and the state of the environment, said more than anything else about the state of civilization. Environmentally sound and sustainable development required that the present generation accept responsibility for future ones.

Other matters

Special session of UNEP Governing Council

The UNEP Governing Council held its second special session in Nairobi, Kenya, from 1 to 3 August 1990 [A/45/25], pursuant to a 1989 Council decision [YUN 1989, p. 449] to convene the session to consider priority evolving environmental issues. In his report to the Council on the subject [UNEP/GCSS.11/2], the Executive Director stated that mounting public concern had put the environment at the top of the political agenda. However, despite advances in certain specific sectors and local areas since the 1972 Stockholm Conference [YUN 1972, p. 318], the overall picture was bleak. The environment was in general worse off than 20 years ago: the air was more polluted, great tracts of arable land had been lost through erosion and soil degradation, the amount of forest cover had decreased, the depletion of the ozone layer continued, the seas were still threatened, and more species had become extinct or were on the way to extinction. The Governing Council had a significant role to play and should recommend and authorize specific actions on priority environmental needs. The report also described developments in the following list of issues of major environmental concern prepared in 1989 by the Governing Council during its

fifteenth regular session [YUN 1989, p. 449] and accepted by the General Assembly in resolution 44/228 [YUN 1989, p. 422]: protection of the atmosphere, including protecting the ozone layer, limiting climate change and reversing transboundary air pollution; protection of the quality of freshwater resources; protection of ocean and coastal areas and resources; protection of land resources, including combating desertification and deforestation; conservation of biological diversity; environmentally sound management of biotechnology; environmentally sound management of hazardous wastes and toxic chemicals; protection of human health conditions and quality of life, especially the living and working environment of poor people, from degradation of the environment through, for example, the African Ministerial Conference on the Environment (AMCEN) programme and preparation of the draft Action Plan for the Environment for Latin America and the Caribbean.

The report stated that given the mounting international interest in and activity on the environment, it was essential that UNEP, as the central UN organization dealing with the environment, be strengthened. The environment generally and UNEP in particular should have a much more prominent, visible place in the United Nations. The report dealt with across-the-board issues, including the availability of resources for developing countries and funding mechanisms; technology transfer; the environment and economics; developing the capacity to address environmental issues at the national and local levels; the 1992 State of the Environment report; the Secretary-General's report to the 1992 Conference; and joint messages on environmental development issues by heads of UN organizations. In an annex, the Executive Director requested policy guidance on issues that were to be referred to the Preparatory Committee for UNCED, including climate change, transboundary air pollution, protection of ocean and coastal areas, combating desertification, the AMCEN programme, the availability of resources for developing countries and funding mechanisms; the environment and economics, and technology transfer; strengthening the role of UNEP; and on evolving environmental issues.

The Governing Council adopted three decisions related to climate: one on the Second World Climate Conference (see above), the second on the Intergovernmental Panel on Climate Change and the third on a framework convention on climate change. It adopted two decisions related to hazardous waste: one on the 1989 Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal [YUN 1989, p. 420] (see above) and the other on a

comprehensive approach to hazardous waste. It also adopted decisions on an international legal instrument on the biological diversity of the planet; strengthening the role of UNEP and the Governing Council; new developments in the protection of the ozone layer; the need for effective global protection of ocean and coastal ecosystems; the location of meetings of the open-ended negotiating working groups on biological diversity and climate change; the situation in the Middle East; and priority evolving environmental issues for consideration by the Preparatory Committee for UNCED.

On 9 November, by decision 1990/284, the Economic and Social Council took note of the report of the Governing Council of UNEP on the work of its second special session.

UNEP programme and finances

The Executive Director, in his report of priority evolving environmental issues [UNEP/GCSS.II/2], stated that, given the mounting international interest in and activity on the environment, it was essential that UNEP, as the central UN organization dealing with the environment, be strengthened. He proposed expansion of the role of UNEP's policy-making organ, the Governing Council, by, among other things, expanding its membership to give it wider representation of all regions; establishing an executive committee; setting aside one day of each regular session to address issues of relevance to the five regions represented on the Council; and establishing modalities for verifying the implementation of international environmental legal instruments. Further measures included addressing ways in which conflicts that touched on specific environmental matters could be responded to quickly through agreed means of conflict resolution. In that regard, the Council might consider setting in place terms of reference or a mechanism for mediation and/or arbitration. The Executive Director also proposed the strengthening of the secretariat, especially its regional presence and its central role in assisting developing countries, and enhancement of the co-ordination with international bodies addressing economic and development issues. Other recommendations included strengthening of the Environment Fund; a heightened UNEP visibility through a UN centre for urgent environmental assistance; early warning of risks of environmental deterioration; a world environment academy; the assessment of environmental impacts of UN activities; and the creation of a "green brigade" of volunteers for the environment.

The Governing Council adopted a decision [A/45/25(dec.SS.II/1)] by which it requested the

Executive Director to prepare for submission to the Council in 1991 a consolidated report on the future role of UNEP, presenting, *inter alia*, proposals on: strengthening UNEP, including the role of the Governing Council; a possible special session of the Council in 1992; and ways to further enhance the visibility of UNEP. It recognized that as a consequence of UNCED, to be held in 1992, further consideration might need to be given to UNEP's role.

UNEP Fund

In 1989 [YUN 1989, p. 451], the Governing Council decided that the Environment Fund should be increased from its current level of some \$39 million to \$100 million by 1992. The Executive Director, in his proposals for strengthening UNEP, reported that as at the end of May 1990 pledges received for the Fund totalled \$33.3 million, indicating a shortfall for the current year. If UNEP were to be strengthened to undertake the reinforced role suggested by Governments, it was important that the \$100 million be achieved in 1991, he said. A commitment to a yearly increase of 25 per cent after that date would be the minimum that Governments should consider. He recommended that the Council consider setting a target for annual contributions of \$250 million to the Fund by 1995.

The Governing Council requested [A/45/25(dec.SS.II/1)] the Executive Director to submit in 1991 a detailed report explaining the basis of his recommendations.

Human rights and the environment

By a resolution of 6 March [E/1990/22 (res. 1990/41)], the Commission on Human Rights, convinced that the preservation of life-sustaining ecosystems under conditions of rapid scientific and technological development was of vital importance for the protection of the human species and the promotion of human rights, welcomed the decision of the Sub-Commission on Prevention of Discrimination and Protection of Minorities to have a note prepared for its 1990 session on methods by which a study on the problems of the environment and its relation to human rights could be made. The Commission requested the Secretary-General to transmit its resolution to the Preparatory Committee of UNCED and to keep the Committee duly informed of the work in that area.

The General Assembly, in resolution 45/94 of 21 December on the need to ensure a healthy environment for the well-being of individuals, called upon Member States and intergovernmental and non-governmental organizations dealing

with environmental questions to enhance their efforts towards ensuring a better and healthier environment. It believed that appropriate organs of the United Nations, within their respective areas of competence, should pursue active efforts in seeking to promote a better and healthier environment.

Transfer of technology

The UNEP Executive Director, in his report on priority evolving environmental issues [UNEP/GCSS.II/12], said that the question of the availability of resources for environmental protection and enhancement was closely linked to technology transfer and access to the know-how related to using the technology. The limited successes in the transfer of technology were only indicative of future needs and the magnitude of the task should not be underestimated. The issue involved legal obligations with respect to patents, licences, designs, marks and proprietary rights and the receiving country's ability to absorb new technology and know-how and obtain training to apply it. The economic system and aid programmes would have to be stimulated to address the urgent situation. The Preparatory Committee for UNCED (see above) requested [A/45/46 (dec. 1/8)] the Secretary-General of UNCED to prepare a study on transfer of technology that would: elucidate the concept of environmentally sound technology and clarify the process by which such technology was transferred; examine the technological needs of developing countries; examine the needs of developing countries for training their personnel to enable those countries to adapt and accept the transfer of environmentally sound technology; examine the obstacles, on both the exporting and importing sides, that impeded the transfer of environmentally sound technology; examine the adequacy of existing modalities and programmes for the transfer of environmentally sound technology; examine what new mechanisms were needed and their financial implications; provide examples of case-studies of success and failure; examine the potential for regional and sub-regional co-operation; and review the implications for this issue of the outcome of the Uruguay Round of multilateral trade negotiations (see PART SEVEN, Chapter XVIII).

Military activities and the environment

The Executive Director, in his report on the environment in the 1990s [UNEP/GC.16/4], said that among the major developments that occurred during the year were the dramatic events unfolding in the Middle East arising from the situation

between Iraq and Kuwait. World attention was focused on the crisis, which had heightened the concern over current and potential dangers to the environment. Although it was still too early for reliable predictions of the environmental outcome, it was clear that the events of the crisis were bound to have major effects on the national economies and the environment of all countries, particularly the weak and indebted ones.

On 3 August [A/45/25 (dec.SS.II/8)], the UNEP Governing Council reaffirmed that all Member States adhere to the principles of the Charter of the United Nations and not resort to force as a means of settling regional disputes over shared natural resources. It expressed concern over the invasion of Kuwait by Iraq and the resulting destruction of the environment and disruption of social and economic structures (see PART TWO, Chapter III).

The General Assembly, in resolution 45/58 N of 4 December, recognizing the potential of using resources currently allocated to military activities for civilian endeavours to protect the environment, requested the Secretary-General to carry out a study of potential uses of resources such as know-how, technology, infrastructure and production currently allocated to military activities for promoting civilian endeavours to protect the environment. He should make relevant results of the study available to the Preparatory Committee for UNCED.

International law of the environment

By an October note verbale [A/45/666], Italy transmitted to the Secretary-General the conclusions of the Siena Forum on International Law of the Environment, which was held from 17 to 21 April, as a follow-up to the Economic Declaration of the summit of the seven most industrialized countries (Paris, July 1989). Scholars, diplomats and experts from 30 States and 8 international organizations participated in the forum, whose purpose was to examine the need for a digest of existing rules of international law for the environment and to give in-depth consideration to the legal aspects of environment at the international level.

The Forum concluded that, since the 1972 Stockholm Declaration on the Human Environment [YUN 1972, p. 319], international environmental law had seen many important developments. It was characterized by an abundance of conventions and other international legal instruments, covering many fields and constituting a network of rights and obligations. However, certain fields, in particular climate change, were not yet covered; in others, coverage did not extend to

all States or regions and, in some instances, conventional rules were incomplete or lagged behind the development of scientific knowledge. Implementation of conventions, both domestic and international, was not always satisfactory. The Forum identified areas in which international environmental regulations might be introduced or strengthened, as well as treaty and other devices that could be used by Governments to address concerns raised by the international protec-

tion of the environment. It proposed treaty devices that could be used to address problems relating to non-compliance or lack of effectiveness and aspects of international co-operation that could be considered.

The Economic Declaration of the summit meeting of the seven most industrialized countries (Houston, United States, July 1990) noted the conclusions of the Forum and suggested that they be considered in 1992 by UNCED.

Chapter IX

Population and human settlements

In 1990, the United Nations continued its concerted efforts in the area of population and human settlements. United Nations Population Fund (UNFPA) activities focused on maternal and child health care and family planning, communication and education programmes, basic data collection, population dynamics programmes and the formulation and evaluation of population policies. During the year, UNFPA assisted nearly 3,800 country, regional and intercountry projects; about 500 new projects were approved and some 250 projects completed. UNFPA efforts concentrated especially on the needs of 56 priority countries, the majority of which were in Africa. The 1990 United Nations Population Award was conferred on Alfred Sauvy and the Mauritius National Family Health and Population Council.

Activities in support of the Global Strategy for Shelter to the Year 2000, adopted by the General Assembly in 1988, continued in 1990. As a private-sector contribution to the Global Strategy, the Third International Shelter Conference was convened in Washington, D.C., in April. In addition, the Strategy provided the focus for nine subregional seminars on national shelter strategies held during the year. Meanwhile, the 1990-1991 work programme of the United Nations Centre for Human Settlements (UNCHS), which was based on eight subprogrammes, continued.

Population

Follow-up to the 1984 Conference

As a follow-up to the 1984 International Conference on Population [YUN 1984. p. 714], the Secretary-General presented two reports on population questions. One report [E/CN.9/1991/3] recorded progress in the area of population, 1989-1990, and covered the activities of the Department of International Economic and Social Affairs (DIESA), which were divided into subprogrammes on: world demographic analysis, demographic projections, population policies, population and development, monitoring and review and appraisal, factors affecting patterns of repro-

duction, and dissemination of population information. The other report [E/CN.9/1991/3/Add.1] dealt with technical co-operation activities in population of the Department of Technical Co-operation for Development.

1994 international meeting
on population

By decision 1990/262 of 24 July, the Economic and Social Council noted the appointment by the Secretary-General of the Executive Director of the United Nations Population Fund (UNFPA) as the Secretary-General of the international meeting on population in 1994 and of the Director of the Population Division of DIESA as its Deputy Secretary-General. It further noted that the Secretary-General had written to Member States about the need to obtain resources for the meeting, and that a report on the results of such efforts and on other aspects of the preparations for the meeting would be submitted to the Council by the Population Commission, which would hold an open-ended session in 1991 as the preparatory committee for the meeting.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/216.

Population and development

The General Assembly,

Recalling its resolution 44/210 of 22 December 1989, in which it requested the Executive Director of the United Nations Population Fund to examine, in particular, the implications for population programmes of the Amsterdam Declaration on a Better Life for Future Generations, adopted by the International Forum on Population in the Twenty-first Century, held at Amsterdam from 6 to 9 November 1989, to develop further the analysis of resource requirements for international population assistance and to submit a report thereon to the General Assembly at its forty-fifth session, through the Governing Council of the United Nations Development Programme and the Economic and Social Council,

Taking note of decision 90/35 of 20 June 1990 of the Governing Council of the United Nations Development Programme on the United Nations Population Fund,

Taking note also of Economic and Social Council resolution 1990/82 of 27 July 1990,

Noting that in the report of the United Nations Population Fund entitled *The State of World Population, 1990*, it is stressed that population growth distribution are closely linked with environmental and development issues,

Reaffirming the principles and objectives of the World Population Plan of Action, which were affirmed and expanded at the International Conference on Population,

Recognizing that socio-economic development is conducive to the success of population policies,

Reaffirming that assistance to developing countries in the area of population should be substantially increased during the 1990s and that developing countries should also intensify their efforts to allocate adequate resources to population programmes,

1. Emphasizes the sovereign right of all countries to formulate, adopt and implement their population policies, mindful of their cultures, values and traditions, as well as of their social, economic and political conditions, and also consistent with human rights and with the responsibilities of individuals, couples and families;

2. Takes note of the report of the Executive Director of the United Nations Population Fund on the implications for population programmes of the Amsterdam Declaration on a Better Life for Future Generations and on efforts to develop further the analysis of resource requirements for international population assistance, in which the unmet and expanding resource needs for population activities are outlined;

3. Encourages Fund to sustain the momentum generated by the International Forum on Population in the Twenty-first Century through continued follow-up to the recommendations contained in the Amsterdam Declaration;

4. Stresses the need to take into account all economic and social factors in integrating demographic objectives in population strategies and in the formulation of development strategies in general;

5. Emphasizes the importance of mobilizing and increasing resources for population activities and, in this context:

- (a) Urges all Governments, each according to its capacity, concerned international and regional organizations, including the World Bank, and non-governmental organizations to make every effort to mobilize the resources required for population activities, which are estimated at 9 billion United States dollars per year by the year 2000, taking into account the potential for user contributions, where feasible and advisable;

- (b) Notes the crucial importance of resource investments in health and education, especially for women, for the success of population programmes, and urges Governments of developing countries to strengthen, according to their economic and social capacities and conditions, their political and financial commitments to investments in the social sector, and also urges Governments of developed countries, as well as concerned international, regional and non-governmental organizations, to strengthen their financial and technical support in the areas of health and education, to respond positively to requests for population assistance and to increase significantly the proportion of their development assistance destined for population activities;

- (c) Stresses the desirability of concentrating Fund resources, in accordance with the criteria established by the Fund, on countries most in need of assistance in the population field in view of their population problems, taking into account the special needs of the low-income countries, particularly the least developed countries;

6. Encourages the Fund, in conformity with General Assembly resolution 44/211 of 22 December 1989, to strengthen and utilize national capacities through national execution, to enhance accountability, to adopt a programme-oriented approach and decentralize capacity and authority to the field level and to support co-ordination of the United Nations system at the country level through the resident co-ordinators, and, in this context, encourages the Fund to increase the utilization of available national expertise in the formulation and implementation of population assistance activities;

7. Also encourages the Fund, the United Nations Children's Fund, the World Health Organization and other relevant United Nations organizations and specialized agencies to strengthen their co-operation in the field of maternal and child health care and family planning, each within its own mandate;

8. Emphasizes the importance of addressing the relationship between demographic pressures and unsustainable consumption patterns and environmental degradation during the preparatory process for the United Nations Conference on Environment and Development, taking into account the decisions to be taken by the Preparatory Committee for the United Nations Conference on Environment and Development, in accordance with General Assembly resolution 44/228 of 22 December 1989;

9. Reaffirms the importance of the role of population policies in relation to development, as emphasized, inter alia, in the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries, contained in the annex to its resolution S-18/3 of 1 May 1990, the Programme of Action for the Least Developed Countries for the 1990s, adopted by the Second United Nations Conference on the Least Developed Countries on 14 September 1990, and the International Development Strategy for the Fourth United Nations Development Decade, contained in the annex to its resolution 45/199 of 21 December 1990;

10. Welcomes the willingness of the nineteen members of the Development Assistance Committee of the Organisation for Economic Co-operation and Development, as expressed in the December 1989 policy statement by Committee aid ministers and heads of aid agencies for their aid policies for the 1990s and reiterated at Committee meetings on population and development matters held in April and June 1990, to assist developing countries to establish, fund and implement effective population strategies and programmes as a matter of priority;

11. Stresses the primary role of Governments in the formulation, implementation and co-ordination of population policies and programmes at the national level and the role of the United Nations Population Fund, upon request, in supporting the development of national capacities in that respect;

12. Also stresses the need for co-ordination at the regional and interregional levels to focus on issues related to the attainment of specific population goals and objectives;

13. Recommends that the Fund continue to focus attention on the importance of population issues in the context of overall development plans and programmes, in particular those oriented towards the reactivation of economic growth and development of developing countries, and on the need to find and mobilize adequate resources to address these issues, and, in this context, urges the Fund to continue to undertake activities aimed at building better awareness of population issues, including their relation to environment and development issues and World Population Day;

14. Invites the Executive Director of the United Nations Population Fund to give specific information, in the section on policy and programme co-ordination of the annual report, on the co-operation of the Fund with other relevant United Nations organizations and specialized agencies.

General Assembly resolution 45/216

21 December 1990

Meeting 71

Adopted without vote

Approved by Second Committee (A/45/854) without vote, 11 December (meeting 54); draft by Vice-Chairman (A/C.2/45/L.85), based on informal consultations on 20- nation draft (A/C.2/45/L.61) and orally revised; agenda item 84.

Meeting numbers. GA 45th session: 2nd Committee 33-36, 38, 50, 54; plenary 71.

UN Population Fund

UNFPA activities

The largest share of UNFPA activities in 1990 was directed to maternal and child health care and family planning (MCH/FP), followed by communication and education programmes, basic data collection, population dynamics programmes and the formulation and evaluation of population policies. Work also continued in special programmes and multisector activities.

Total UNFPA income in 1990 was \$212.4 million. The number of donors was 106, with six first-time donors-Chad, the German Democratic Republic, Niue, Palau, Tokelau and Tuvalu. The Fund's ongoing efforts to seek additional resources for population projects and programmes through multi-bilateral and other arrangements generated an additional \$10.5 million during the year for projects with allocations totalling \$27.1 million at year's end. Project allocations in 1990 totalled \$210.9 million, including \$36.8 million of unspent allocations from 1989, while expenditures totalled \$221.3 million. That figure included \$119.2 million for country programmes, \$49.7 million for intercountry (regional and interregional) programmes, and

\$37.8 million for administrative and programme support services expenditures for both headquarters and field offices. Agency support costs, amounting to \$14.7 million, included support

costs paid to non-governmental organizations (NGOs) and support costs paid to UNFPA for charges assessed to government-executed projects and for procurement services to government projects, in addition to overhead payments to UN executing agencies.

At the end of the year, UNFPA was assisting 3,790 projects: 2,773 country and 1,017 regional and intercountry projects. In 1990, 499 new projects were approved and 247 were completed, bringing the cumulative number of all projects completed through 1990 to 3,420.

Assistance to MCH/FP programmes amounted to \$96.5 million, or 45.8 per cent of total programme allocations. UNFPA supported more than 500 country and intercountry projects. Nearly half (48.2 per cent) of the total sum went to MCH/FP activities in the Asia and Pacific region and 23.3 per cent to activities in sub-Saharan Africa. The remaining amount supported activities in the other two regions (Arab States and Europe, and Latin America and the Caribbean) as well as the Fund's interregional programme.

A highlight in the MCH/FP sector during 1990 was the conduct of a year-long study to estimate the contraceptive requirements of the developing world. The Fund worked closely with selected developing countries, especially the most populated ones, which accounted for the bulk of the contraceptive demand worldwide, as well as with partner agencies and UN organizations, bilateral donors and NGOs. The study included projections of the volume of contraceptives that could be provided through the commercial sector, as well as that which could be produced locally. UNFPA convened four expert group meetings to discuss the study's objectives, methodology, initial findings and preliminary conclusions. During the year, UNFPA continued to provide technical assistance to MCH/FP training programmes at all levels for all types of trainees. It supported the MCH/FP training centre in Tunisia for French-speaking countries, particularly those in Africa, established in 1989 [YUN 1989, p. 458], by strengthening the quality of its teaching and by developing an effective management capability.

UNFPA assistance for information, education and communication totalled \$37 million, or 17.6 per cent of total programme allocations. The UNFPA programme in 1990 concentrated on three main areas considered necessary for an effective communication programme: increased emphasis on strategic planning; increased emphasis on socio-cultural research to reach key target groups; and institutionalization and expansion of population education in school systems. The Fund assisted an increasing number of countries

in carrying out research designed to develop specific strategies to address the needs of target audiences. The data collected on target audiences' preference for family size, their knowledge and use of contraceptives, their access to family planning services, and the channels of communication most effective in reaching them and eliciting their participation in programmes were to enable planners to incorporate appropriate information directly into the design and implementation of programmes, as well as into the evaluation of programme effectiveness.

Traditionally, population and family planning efforts had concentrated on high-parity women at the expense of low-parity and nulliparous women at risk of pregnancy. Consequently, in order to reach important, if somewhat neglected, groups, the Fund paid increased attention in 1990 to the special needs of adolescents, men and newly-weds. An important activity designed to lay the groundwork for future programming was the Fund's wide dissemination of the results of a cross-cultural study of selected approaches being used to educate engaged and newly-wed couples about family planning. The study, which confirmed a number of the findings of the Fund's review and assessment regarding the importance of that target group, offered guidance to countries interested in undertaking activities with engaged and newly-wed couples.

UNFPA continued to provide assistance during 1990 to activities aimed at institutionalizing population education in school systems. In sub-Saharan Africa, to satisfy the increasing demands for education experts, seven subregional workshops for 125 participants were organized by training centres in several countries. Plans were under way to select two of the centres to be regional training centres in population education. By the end of 1990, approximately 90 per cent of sub-Saharan African countries had initiated population/family life education programmes in their public school systems.

In the area of basic data collection, UNFPA assistance amounted to \$22.2 million, or 10.5 per cent of total programme allocations. The Fund continued to help countries consolidate the gains they had made in improving the capabilities and capacities of their national statistical offices to produce and disseminate population and related data. At the same time, the Fund maintained efforts to address emerging issues at the intercountry level identified through a continuing process of review and assessment. UNFPA allocated \$17.6 million in support of 117 projects under the 1990 round of population censuses; \$2.1 million to conduct population sample surveys through 27 country projects; and \$1.4 million in support of

33 projects to establish or strengthen civil registration and vital statistics systems in three regions: 17 projects in Africa, 7 projects in the Arab States and Europe, and 7 projects in Asia and the Pacific. UNFPA continued to provide support for demographic analysis and training, extending \$14.1 million to 150 projects.

UNFPA allocated \$21.2 million, or 10 per cent of its assistance, to programmes on the utilization of population data and population research for policy formulation and development planning. That aid aimed at developing the most suitable methodological approaches and techniques for policy formulation and development planning; strengthening national technical capacities; supporting research and studies; and setting up the institutional arrangements required for the formulation and implementation of population factors into socio-economic development planning. As part of that process, the Fund organized training courses and helped countries develop their own training capacity in order to focus better on various aspects of demography and on the interrelationship between population and development at the interregional, regional and country levels. Main substantive activities that UNFPA supported during 1990 included studies on the social and economic consequences of population trends; the interrelationship between population, environment, resources and development; appropriate population policies for different socio-cultural contexts; and factors most conducive to the integration of population variables into national development planning. An important feature of UNFPA support in that area was training at regional and subregional levels in order to provide the right environment for creating greater awareness and technical know-how at the country level.

Regarding women, population and development, UNFPA assistance totalled \$8.2 million, or 3.9 per cent of total programme allocations. During 1990, UNFPA made considerable progress in implementing its 1987-1990 strategy to integrate women into all aspects of its work [YUN 1987, p. 635]. It also carried out a comprehensive assessment of the implementation of the strategy. The aim of the assessment was to identify those elements that facilitated or hindered the promotion and integration of gender concerns in UNFPA programming, and to revise the strategy as necessary in the light of the experience of the past four years and of new directions in the area of women and development activities. The Fund launched a number of significant intercountry projects. In conjunction with the Royal Tropical Institute (Amsterdam, Netherlands), it funded two training workshops for National Programme Officers

and for project staff engaged in the execution of women's projects. Together with an Italy-based NGO, and in co-operation with the International Labour Organisation (ILO) Training Centre in Turin, the Fund approved a project for the production of information materials detailing the harmful effects of certain traditional practices on women's health. The project also provided for training selected national staff in using those materials when conducting local sensitization campaigns. Responding to needs in an increasingly important area, the Fund approved a major research project to be carried out by the United Nations Research Institute for Social Development. As part of a UNFPA-funded project, the United Nations Population Division sponsored an expert meeting on international migration policies and the status of female migrants. With support from UNFPA, the UN Division for the Advancement of Women held a five-day regional seminar in Lomé, Togo, dealing with the interrelationship between demographic factors and the situation of women in francophone African countries.

Special programme interests-youth, aging, AIDS and population and environment-received a total of \$2.2 million, or 1 per cent of total programme allocations. During the year, UNFPA increased its activities relating to youth. In keeping with UNFPA's emphasis on women, it stressed the need to improve education and training for girls and young women that went beyond basic literacy and to advocate delay of marriage and childbirth. Promoting family life education and responsible parenthood and facilitating access of young people to family planning information and services remained the mainstay of UNFPA's strategies concerning youth.

The Fund provided \$0.24 million in assistance to projects in 1990 aimed at enhancing the capability of developing countries to understand the causes and implications of population aging and how it interrelated with socio-economic development. The bulk of UNFPA's assistance in that area went again to the International Institute for Aging in Malta to support its efforts in implementing the 1982 Vienna International Plan of Action on Aging [YUN 1982, p. 1184]. That assistance focused on fulfilling the research and training needs of developing countries and strengthening the links between and among developed and developing countries in promoting technical co-operation, exchanging skills and knowledge, and providing advisory services.

During 1990, UNFPA stepped up its efforts to collaborate with national and inter-agency efforts in the area of HIV/AIDS prevention. At the country level, it adopted a three-pronged ap-

proach: undertaking preventive activities in all countries, including those where prevalence was low; integrating AIDS prevention into existing health activities, especially MCH/FP programmes; and using NGOs to inform and educate people at the grass-roots level. UNFPA country directors were particularly active in such endeavours, supporting the formulation of national AIDS plans and participating in such activities as multi-donor review missions of AIDS programmes, national pledging conferences and national AIDS resource-mobilization meetings.

Following the adoption of UNFPA's policy guidelines on population and environment in October 1989, several activities became fully operational in 1990. They focused on research and policy analysis, training, information and awareness creation, and advocacy. Activities involving research and policy analysis were in keeping with UNFPA's strategy of establishing a solid foundation of understanding of the links between population variables and the environment. Activities involving information, education and communication were primarily directed at national planners or leaders and aimed at enhancing awareness about population and environment problems. The need for advocacy was underscored by the relative lack of attention given to population issues at various forums on environmental issues, at both the global and regional levels. UNFPA's important advocacy role was highlighted in the preparations for the forthcoming 1992 United Nations Conference on Environment and Development (UNCED) (see PARS THREE, Chapter VIII). To assure adequate representation of population issues at the Conference and in its proceedings, several activities were planned in late 1990, including, among other things, arranging for the secondment of a UNFPA staff member to the secretariat of UNCED and plans to host a UNFPA "preparatory meeting" to generate inputs on population and environment.

UNFPA's *The State of World Population, 1990* report, entitled "Choices for the New Century", focused on population decisions that would be needed in the upcoming 10 years in order to avoid environmental catastrophe and secure sustainable development in the twenty-first century. The report stressed the need for a three-pronged approach: a shift to cleaner technologies, energy efficiency and resource conservation by all countries, but especially the wealthier quarter of the world's population; a direct and all-out attack on poverty itself; and reduction in overall rates of population growth. The Governing Council of the United Nations Development Programme (UNDP), by a decision of 20 June [E/1990/29 (dec. 90/35 A)], noted with appreciation *The State of*

World Population, 1990. It agreed that population growth and distribution factors played a key role in safeguarding the environment and fostering development, that human resource development should receive a high degree of attention in the fourth United Nations development decade (see PART THREE, Chapter I) and that efforts in family planning, women's advancement, health and education were mutually reinforcing and should be pursued in parallel.

UNFPA's other publications, its monthly newsletter *Population* and the quarterly *Populi*, both featured articles on linkages between population and environment and continued to focus on important developments regarding women, population and development. *Population's* general coverage continued to emphasize aspects of the UNFPA programme, while *Populi* dealt more lengthily with issues of general concern, including major features on various aspects of family planning, on AIDS in Africa, on people and nature, and on human effects of climate change, among many others.

Country and intercountry programmes

In 1990, UNFPA concentrated on the needs of 56 priority countries, of which 31 were in Africa, 16 in Asia and the Pacific, 3 in Latin America and the Caribbean, and 6 Arab States. Of the total amount of resources allocated to country programmes and projects in 1990, 74.1 per cent was allocated to those countries. Total allocations to them in 1990 amounted to \$114.3 million.

Allocations for intercountry activities (regional and interregional) amounted to \$36.6 million in 1990, or 26.9 per cent of total 1990 allocations.

Follow-up to 1989 International Forum

Following the 1989 Amsterdam International Forum on Population in the Twenty-first Century [YUN 1989, p. 459] and in response to General Assembly resolution 44/210 [YUN 1989, p. 460], the Executive Director of UNFPA submitted a report [DP/1990/44] on the implications for population programmes of the Amsterdam Declaration and on efforts to develop further the analysis of resource requirements for international population assistance. The report contained sections on the demographic situation, programme implications, the resource situation and increasing the effectiveness of population programmes. It proposed a pattern of increased contributions from national and international sources for the decade ahead, as well as measures for ensuring optimum levels of co-ordination towards the goal of strategic planning.

In conclusion, the Executive Director stated that it was clear that population factors played a crucial role in socio-economic development and that current support to the population sector was vastly insufficient. Increased and more efficient population programmes were vital not only because of their effects on overall national development, but because of their potential for improving the quality of life of all men, women and children. Meeting the targets for an immediate increase in the development assistance funds as proposed in the report, which were not in any way unrealistic, would mean a world with 250 million fewer people by the year 2000 than otherwise would be the case. If serious efforts were intended for a more effective, humane and sustainable development process in the 1990s than in the 1980s, immediate and concerted action had to be taken in the area of population. The international community, including the developing countries, urgently needed to commit and dedicate itself to bringing about higher levels of advocacy and attention to the crucial importance of population trends for the well-being and quality of life of future generations and to setting a firm course of action towards sustainable development and the protection of the environment, as stated in the Amsterdam Declaration.

Accordingly, the Executive Director recommended to the UNDP Governing Council that it call on the international assistance community to increase its contributions to population programmes, and call on developing countries and funding sources to double the level of resources for population activities. The Governing Council, on 20 June [E/1990/29 (dec. 90/35 A)], noted with satisfaction the results of the Amsterdam International Forum and considered that the population goals, objectives, priorities and approaches set forth in the Amsterdam Declaration were of considerable importance and relevance to national and international endeavours and should be taken into account in the formulation of population policies and programmes. It encouraged UNFPA to sustain the momentum generated by the Amsterdam Forum and took note of the unmet and expanding resource needs, urging Governments, international and regional organizations, including the World Bank, and NGOs to make every effort to increase significantly their allocations in order to reach the target of \$9 billion per year by the year 2000.

Work programmes, planning and evaluation

In a March report [DP/1990/47] on the work plan for 1991-1994, submitted to the UNDP Governing Council for approval, the UNFPA Executive Director provided information on UNFPA's resource

situation, overall resource utilization and the distribution of programmable resources between country and intercountry activities. IT also contained information on allocations and utilization of resources in 1989. Another report [DP/1990/48] described the status of financial implementation of Governing Council-approved UNFPA programmes and projects.

On 20 June, the Governing Council endorsed [E/1990/29 (dec.90/35B)] the Executive Director's programme resource planning proposals and emphasized the need for future allocations of resources to meet the target of an 80 per cent allocation of country programme resources to priority countries and, taking into account the specific needs and priorities of individual countries, to reflect sufficiently the priority given to family planning. It endorsed the use of the following estimates for new programmable resources: \$184.5 million for 1992; \$204 million for 1993; and \$220.6 million for 1994. It also approved the request for new programme expenditure authority in the amount of \$166.7 million for 1991.

In March, the UNFPA Executive Director submitted her periodic report [DP/1990/49] on evaluation, describing UNFPA evaluation activities in 1988-1989, including internal evaluations and independent, in-depth evaluations and the results of the latter; revision of guidelines; and feedback and use of evaluation results. The report stated that during 1988 and 1989, UNFPA continued to emphasize and expand internal evaluation activities; to focus its independent, in-depth evaluations on country and intercountry programmes and on technical areas and issues in comparative perspective; to refine the Fund's guidelines for monitoring and evaluation; and to strengthen the system for feedback and use of evaluation results.

Among the activities undertaken were evaluations in Indonesia, Nicaragua and Zimbabwe in 1988, and in Nigeria and Zaire in 1989. Also evaluated were the intercountry programmes of the Food and Agriculture Organization of the United Nations and ILO and those of the World Health Organization Regional Offices for Africa and the Eastern Mediterranean.

The Governing Council, on 20 June [E/1990/29 (dec. 90/35 A)], took note with satisfaction of the Executive Director's periodic report and recognized the usefulness of evaluation activities as both a management and information tool. It welcomed the introduction and expanded use of the programme review and strategy development exercise, which combined country programme review and strategy development components. It further encouraged expanded development and use of the Lessons Learned Database and requested UNFPA to distribute copies of evaluation

reports to interested parties and to continue reporting biennially to the Council on evaluation.

Financial and administrative questions

As requested by the UNDP Governing Council in 1989 [YUN 1989, p. 461], the Executive Director, in April 1990, presented a report [DP/1990/86] on proposed revisions to the Financial Regulations of UNFPA. In addition, the report contained amendments to regulations as a result of General Assembly resolutions and Governing Council decisions adopted after the latest revision of the Financial Regulations in June 1984. Also included were the Executive Director's recommendations for revisions of regulations that were considered necessary following a comprehensive review of all UNFPA financial regulations.

Following consideration of the audit reports on the 1988 UNFPA financial statements [DP/1990/50], as well as reports of the Executive Director on progress of office automation activities during 1989 [DP/1990/51], on senior management structure at UNFPA headquarters and its implications for post classifications [DP/1990/52], and on the criteria and procedures for the establishment of temporary and regular posts in the field and at headquarters and proposal on the conversion of existing temporary local posts in the field [DP/1990/53], the annual financial review of activities financed by UNFPA and of its trust funds in 1989 [DP/1990/54 & Corr.1] the report of the Advisory Committee on Administrative and Budgetary Questions (ACABQ [DP/1990/55], and the report of the Executive Director on proposed revisions to the Financial Regulations of UNFPA (see above), the Governing Council on 22 June [E/1990/29 (dec.90/36)] approved revisions to the Financial Regulations as proposed by the Executive Director, allowing her to submit audited financial statements to the General Assembly and the Governing Council, through ACABQ, on a biennial basis, beginning with the 1990-1991 biennium. The Council invited the Board of Auditors to issue a special report for the first year of each biennium through ACABQ, if in the opinion of the Board there were matters that needed to be brought to the attention of the Council and, if appropriate, to the Assembly. Further, the Council requested the Executive Director to determine whether the Financial Regulations of UNFPA needed to be amended and to report the results of her findings in 1991.

On 21 December, the General Assembly, by resolution 45/235, having considered UNFPA's financial report and audited financial statements for the year ended 31 December 1989 and the report of the Board of Auditors [A/45/5/Add.7], approved the changes in the financial procedures

of UNFPA, as recommended by the UNDP Governing Council.

Other population activities

UN Population Award

In June, the Secretary-General presented the 1990 United Nations Population Award to Alfred Sauvy, a professor at the College de France and former Director of the Institut national d'études démographiques, and the Mauritius National Family Health and Population Council. The Award, presented annually by the Committee for the United Nations Population Award to individuals or institutions for the most outstanding contribution to the awareness of population questions or to their solutions, consisted of a diploma, a gold medal and a monetary prize.

According to a report of the UNFPA Executive Director transmitted to the General Assembly by the Secretary-General in May [A/45/278 & Corr.1], Mr. Sauvy was chosen for his significant contributions to demography; his work in migration and population movements had been instrumental in providing alternative approaches to resettlement programmes that attempted to solve problems of inequitable population distribution. The Mauritius Council was chosen for the successful efforts of its family planning programmes. Since 1972, the work of the Council had led to a decline in the crude-birth rate from well over 35 per thousand in 1965 to the current 20 per thousand. The total fertility rate in Mauritius fell from more than five children per woman to less than two, with more than 75 per cent of eligible couples using some form of modern contraception. The Committee felt that it was especially remarkable that the Government was able to generate consensus and support for family planning, given the multi-ethnic population.

On 21 December, the General Assembly, by decision 45/438, took note of the Executive Director's report.

Demographic estimates and projections

The Ad Hoc Inter-agency Working Group on Demographic Estimates and Projections held its sixteenth session in New York (6-8 June) [ACC/1990/PG/4], reviewing the progress of work and co-ordination since its fifteenth (1988) session. The Group agreed to continue inter-agency co-ordination in order to strengthen the UN system data base for demographic estimates and projections, maintain consistency in the coverage and timing, continually update such estimates and projections, and ensure homogeneity in the

presentation of the results. The Group noted with concern that the lack of financial resources prevented the participation of the Economic Commission for Africa, the Economic Commission for Europe and the Economic and Social Commission for Asia and the Pacific in its session. It discussed and recommended that a revised publication of world demographic and sectoral estimates and projections be prepared, following completion of the 1992 revisions of estimates and projections.

Human settlements

Human settlement activities

Evaluation of major programmes

In April 1990, the Secretary-General presented an in-depth evaluation of the major programme on human settlements [E/AC.51/1990/2 & Corr.1], discussing co-ordination in planning and implementation; programme planning; programme results with overall assessments of the global and three regional programmes on human settlements, based on the views of national focal points and NGOs and views expressed at intergovernmental meetings; and dissemination of information. In an annex, the report presented a cross-reference of UN programme activities. Two further annexes contained summaries of replies from national focal points and NGOs to questionnaires and interviews.

The report stated that there was interest and support for UN activities in the area of human settlements from both governments and NGOs. Information on human settlements produced by the United Nations had been used by both government experts and NGOs. With regard to co-ordination, the current arrangements had been useful in increasing co-ordination in some aspects of the human settlements programmes. However, most of the regional units concerned with human settlements considered that better co-ordination arrangements were necessary. Although thematic planning was currently not feasible, joint programming of activities was possible in certain sub-fields of common interest to the United Nations Centre for Human Settlements (UNCHS) and the regional units. As to dissemination of information, there was a need to develop better systems of identifying and reaching potential users; the news media could be an effective tool for promoting the understanding of human settlements issues and the efforts of the UN information centres appeared to increase the

media coverage. In a later addendum [E/AC.51/1990/2/Add.1] the Secretary-General presented updated information on the surveys of national focal points and NGOs.

Global Strategy for Shelter to the Year 1000

Activities for the promotion of the Global Strategy for Shelter to the Year 2000, adopted in 1988 by the General Assembly in resolution 43/181 [YUN 1988, p. 478], continued in 1990.

As a private-sector contribution in support of the Global Strategy, the Third International Shelter Conference was convened in Washington, D.C. (23-30 April), under the title "The Key to Housing for All: Public/Private Partnerships". It was hosted by the National Association of Realtors (United States) and supported by a variety of national and international sponsors, including UNCHS. It brought together participants from developed and developing countries, representing public and private interests in the shelter sector. The purpose of the Conference was to build on the recommendations of the Second International Shelter Conference, which had adopted the Vienna Declaration as a statement of principles that should govern the shelter sector. The Conference goal was to present innovative shelter-sector experience in selected countries and to discuss their relevance to global needs in general. Case-studies were presented from Bolivia, Chile, China, Colombia, the Federal Republic of Germany, India, Indonesia, Portugal, Thailand, Trinidad and Tobago, the USSR, the United States and Zimbabwe. Addressing the plenary session of the Conference, the UNCHS Executive Director said that the Global Strategy was a challenge not only to government but also to the private sector; it was up to the private sector to take the initiative, which required not only a new partnership with government but also the forging of new relationships among the various components of the private housing sector-between financial institutions and construction firms, between formal and informal sectors, and between institutionalized lenders and those on low incomes, as well as small-scale builders and community groups which, up to now, had found themselves excluded from formal financial markets.

The Global Strategy provided a focus for further activities under the policies and strategies programme of UNCHS. A seminar for East Asian countries on the Strategy was held in Denpasar, Bali, Indonesia (14-18 May). It focused on the formulation and implementation of national shelter strategies. Governments participating, apart from Indonesia, included Afghanistan, Brunei

Darussalam, China, the Lao People's Democratic Republic, Malaysia, Myanmar, the Philippines, the Republic of Korea, Thailand and Viet Nam. The seminar's three workshops dealt with: partnerships between government, the private sector and non-governmental and community-based organizations; linkages between human settlements and the environment; and shelter indicators, with a review of a draft set of indicators to be used by Governments to gauge progress in the preparation of national shelter strategies and assess the performance of the shelter sector.

In addition, nine subregional seminars (for East Africa, southern Africa, East Asia, South Asia, Eastern Europe, English-speaking West Africa, the Caribbean, French-speaking Africa and Portuguese-speaking Africa) on national shelter strategies were held in co-operation with host Governments and with the participation of Governments, the private sector and NGOs. Sustainable development and human settlements provided the topic for an intergovernmental meeting which was held in November in The Hague, at the invitation of the Netherlands, with support from Denmark, Finland, Norway and Sweden. The meeting adopted a Statement by the Chairman and authorized him to forward it and the revised report on "People, Settlements, Environment and Sustainable Development" to the Secretary-General of the 1992 United Nations Conference on Environment and Development (UNCED) for submission to the next meeting of the Preparatory Committee for UNCED.

Political, economic and social questions

Assistance to Africa

Since the adoption in 1986 of the United Nations Programme of Action for African Economic Recovery and Development 1986-1990 [GA res. S-13/2], the activities of UNCHS took into account the goals and objectives of the Programme, including transport and communication, health, and new and renewable sources of energy. In doing so, UNCHS co-operated closely with African countries, the United Nations Development Programme (UNDP), the Economic Commission for Africa and the Organization of African Unity with a view to ensuring that current and future human settlements projects were in line with those goals and objectives.

At the request of Namibia, the Centre undertook a mission to the country in April/May 1990 which provided preliminary technical assistance to the Ministry of Local Government and Housing and prepared a report entitled "Namibia: towards the formulation of policies and strategies

for national shelter and human settlements". At the request of the African National Congress (ANC), the Centre formulated a project document entitled "Assistance to self-help community development", which was forwarded to ANC through UNDP's Dar es Salaam office and to UNDP headquarters in New York for consideration and approval.

Housing conditions in occupied territories

The Executive Director, in a note of 15 October, requested, in implementation of a 1989 Commission resolution [YUN 1989, p. 468], Israel's co-operation for a fact-finding mission to visit the occupied Palestinian territories in order to investigate the question of the denial of housing rights to, and the destruction of housing of, the Palestinians by the Israeli occupation authorities.

UN Centre for Human Settlements

Activities

The 1990-1991 UNCHS work programme was based on eight subprogrammes: policies and strategies; settlements planning; shelter and community services; the indigenous construction sector; low-cost infrastructure; land; mobilization of financial resources for human settlements development; and institutions and management.

The Global Strategy for Shelter to the Year 2000 provided a focus for activities under the policies and strategies subprogramme; nine sub-regional seminars on national shelter strategies were held (see above).

Activities of the Centre in the area of settlements planning included the preparation of case-studies on metropolitan management in Abidjan, Côte d'Ivoire, and Quito, Ecuador, and a number of training activities. They included a training-of-trainers course in finance and management for English-speaking countries in sub-Saharan Africa and another for French-speaking East and Central African countries, a workshop on training of trainers in municipal management-the first pilot activity for North African Arab States-and a training course and workshop in Latin America. Those activities were held in collaboration with various agencies which supported specific activities, among them the Economic Development Institute of the World Bank, UNDP, the United States Agency for International Development and the Deutsche Gesellschaft für Technische Zusammenarbeit.

During 1990-1991, work was to be carried out under the shelter and community services subprogramme on three global research projects related to the Global Strategy: a review of experi-

ences with initiating enabling shelter strategies at national levels based on information provided by detailed case-studies; preparation of a technical publication on evaluating problems associated with the project-by-project approach of carrying out national shelter programmes; and, as a continuation of the Centre's work on inner-city rehabilitation, an evaluation of relocation schemes with the help of case-studies from Mexico and Nigeria. Collaboration with the Danish International Development Agency on community development intensified in 1990, with the activities of the second phase of the training programme being decentralized to three regions and being implemented in Bolivia, Sri Lanka and Zambia. Training activities related to housing and development continued in co-operation with the Katholieke Universiteit Leuven (KUL); they included UNCHS/KUL workshops on housing in development in Indonesia and on housing strategies and urban coherence in Algeria. Two publications on housing-an updated bibliography on housing co-operatives and a technical publication-were published.

As for indigenous construction, collaboration with the United Nations Industrial Development Organization included joint organization of preparatory meetings and preparation of relevant documents for the Second Consultation on the Wood Products Industry and for the Second Consultation on the Building Material Industry. An international workshop on international co-operation on technology transfer in the production of indigenous building materials and components in developing countries was held by the Centre, India and the USSR. Building maintenance was the topic of a national workshop organized in Singapore.

With regard to low-cost infrastructure, activities continued in a number of areas: investment in, and operation and maintenance of, infrastructure under the Urban Management Programme (see below); transport, with an expert group meeting on policy options for public transport modes in large cities of developing countries; energy; water resources, with the Centre active in eliciting relevant environmental and developmental aspects of managing water resources for urban use; storm-water drainage, with missions to Indonesia, the Philippines and Thailand; managing urban solid waste; and environmental health, with technical advisory services to countries of the eastern Mediterranean and Zimbabwe.

Land, the sixth subprogramme area, saw intensified efforts to devise land policies and land-management systems and instruments that would bring about an adequate and affordable supply of

land to meet all settlements functions, with particular attention to the needs of disadvantaged groups, including women, and assisting countries in efficiently exploiting their land resources in settlements development. A workshop was held on land registration and land-information systems.

As for the mobilization of financial resources for human settlements development, a number of publications were issued in 1990, including: *Financing Human Settlements Development and Management in Developing Countries: A Comparative Overview of Case Studies*, *Employment Generation in Low-income Settlements* and a report of an expert group meeting on developing a 'strategy for incorporating activities for the generation of income and employment within human settlements programmes.

Under the subprogramme on human settlements institutions, work continued in the areas of secondary cities in sub-Saharan Africa, integrated development planning and the Municipal Development Programme, including a meeting in Togo in November and a major donor consultation meeting on the Programme for sub-Saharan Africa held in Rome in December.

Special advisory services in 1990 focused on three specialized areas of human settlements development: human settlements finance; building materials and construction technology; and the application of microcomputer technology to data management. The level of requests for those services increased in view of the *Global Strategy for Shelter to the Year 2000*. During the year, 32 missions were undertaken, while the financial allocation for 1990-1991 remained at about the same level as in the previous biennium.

Among UNCHS information activities in 1990 were the production of issues of *Habitat News* and the *Shelter Bulletin*, as well as a number of project monographs, seminar proceedings and technical publications. A World Habitat Day information kit on the 1990 theme "Shelter and urbanization", was widely distributed, as was a 60-second video spot. In the course of the year, 22 photographic and graphic exhibitions were organized in Nairobi and elsewhere in support of several meetings and seminars.

Co-ordination

Co-operation with UN agencies in 1990 included expansion of collaboration with the World Bank, particularly in the areas of the Urban Management Programme (UMP), a joint UNCHS/World Bank/UNDP activity focused on building national capacity in urban management issues; urban environmental management, a component of UMP; the development of shelter sector performance indicators; Global Strategy seminars; and country-level collaboration. Increased collaboration with UNDP was reflected, among other things, in the doubling of the size of the technical co-operation programme since 1985, UMP and a number of other efforts. Among them was a special focus chapter on "Urbanization and human development" for the first edition of UNDP's Human Development Report (see PART THREE, Chapter XII) and participation in UNDP's Inter-Agency Consultative Meeting for 1990.

Co-operation with intergovernmental organizations and NGOs intensified during 1990, which included NGO participation in the Global Strategy seminars, co-operation on women's issues, information dissemination, support by the Centre of NGO activities, and the involvement of NGOs in the Centre's activities.

Financing

During 1990, the UNCHS work programme was financed from the UN regular budget and from extrabudgetary resources. Programme support income from the execution of projects financed by UNDP and trust funds amounted to \$3 million; income for the United Nations Habitat and Human Settlements Foundation (UNHHSF) was \$8.6 million. During the year, UNCHS project delivery amounted to \$34.2 million, including projects financed by UNDP (\$22.6 million), by UNHHSF (\$6.3 million) and by other sources (\$5.3 million). Close to 65 per cent of the financing for those technical co-operation projects in 1990 came from various UNDP sources; 18 per cent was government and third-party cost sharing; 11 per cent was funds-in-trust; and 6 per cent came from UNHHSF.

Chapter X

Human rights

In 1990, the United Nations continued to promote and protect human rights and fundamental freedoms world wide, and dealt with matters related to racial and other forms of discrimination—including religious intolerance, HIV/AIDS-related intolerance and measures against nazism—self-determination of peoples, electoral processes, administration of justice, prisoners, torture, executions, hostage-taking, genocide and mass exoduses. Other important areas of concern were freedom of speech, extreme poverty, problems of minorities, including indigenous peoples, and the rights of children, youth and women.

The 1989 Convention on the Rights of the Child was opened for signature in New York on 26 January 1990 and entered into force on 2 September, following receipt of the twentieth instrument of ratification or accession. In December, the General Assembly adopted and opened for signature, ratification and accession the 93-article International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

In other action, the Assembly proclaimed 1993 as the International Year for the World's Indigenous People.

Implementation of the International Covenants on Human Rights—one concerning civil and political rights, the other, economic, social and cultural rights—remained a major concern of the United Nations in 1990.

A number of working groups moved forward on specific human rights issues. Among them was the Working Group on Contemporary Forms of Slavery, which, having considered as its main theme the eradication of the exploitation of child labour and debt bondage, drew up a draft programme of action to eliminate the problem. The Working Group on the Draft Body of Principles and Guarantees for the Protection of Mentally-ill Persons and for the Improvement of Mental Health Care held its first session to examine the draft body of principles and guarantees. Work also continued on draft declarations on the rights of national, ethnic, religious and linguistic minorities, and of indigenous peoples, as well as on a draft declaration on the right of everyone to leave any country, including his own, and to return to his country.

Action on a wide spectrum of human rights issues was taken by the Commission on Human Rights at its forty-sixth session (Geneva, 29 January -9 March), with the adoption of 81 resolutions and 16 decisions; the Sub-Commission on Prevention of Discrimination and Protection of Minorities, at its forty-second session (Geneva, 6-31 August), adopted 34 resolutions and 26 decisions.

Discrimination

Racial discrimination

Second Decade to Combat Racism and Racial Discrimination (1983-1993)

In 1983, the General Assembly proclaimed [GA res. 38/14] the 10- year period beginning on 10 December 1983 as the Second Decade to Combat Racism and Racial Discrimination. In 1990, UN efforts to implement the Programme of Action for the Decade were carried out in accordance with the plan of activities for 1985-1989, put forward in 1984 [YUN 1984, p. 785], and the plan approved by the Assembly in 1987 [YUN 1987, p. 730] covering the remainder of the Decade, 1990-1993. In 1989 [YUN 1989, p. 474], the Assembly affirmed again the need for the implementation of the plan of activities for the remainder of the Decade.

The Commission on Human Rights in 1990 considered a report [E/CN.4/1990/36] of the Secretary-General on action taken to implement the Programme of Action for the Second Decade, submitted pursuant to a 1989 Commission request [YUN 1989, p. 473]. He described activities of UN bodies, national legislation and institutions to combat racism and racial discrimination, seminars and training courses, the Trust Fund for the Programme for the Decade and the plan of activities for the Decade.

In response to a 1985 Economic and Social Council request [YUN 1985, p. 836], the Secretary-General submitted in April his annual report [E/1990/20] on the implementation of the Programme of Action, summarizing activities carried out or planned within the UN system to achieve the Decade's objectives. He provided information received from Governments, special-

ized agencies and intergovernmental and non-governmental organizations (NGOs) received in response to his request for information on action taken to implement the Programme. In addenda [E/1990/20/Add.1-3] he presented additional replies.

Pursuant to a 1989 General Assembly request [YUN 1989, p. 474], the Secretary-General submitted in September a further report [A/45/443] on action taken to implement the Programme of Action. It contained information on consideration of the Second Decade by the Economic and Social Council and the Sub-Commission on Prevention of Discrimination and Protection of Minorities; co-ordinating activities; seminars, training courses and workshops; the World Public Information Campaign on Human Rights (see below, under "Advancement of human rights"); and the situation of migrant workers and their families.

Also in September [A/45/525], the Secretary-General transmitted to the General Assembly the 1989 report [YUN 1989, p. 473] of Special Rapporteur Asbjørn Eide (Norway) on the achievements made and obstacles encountered during the first and Second Decades.

Commission action. On 23 February [E/1990/22 (res 1990/13)], the Commission appealed to those States that had not done so to take the necessary steps to ratify, accede to and implement the international instruments relevant to the Decade. It urged co-operation with the Secretary-General from States and international organizations in implementing activities for the Decade for the period 1985-1989 not yet undertaken and the plan for 1990-1993, and appealed for generous contributions to the Trust Fund for the Programme for the Decade. Within the plan of activities for 1990-1993, the Commission selected as its topic for thematic consideration in 1991 "Ways and means of denying support to racist regimes with a view to making them change their policies", and for 1992, "Treatment of political prisoners and detainees in South Africa, particularly women and children". The Commission asked the Secretary-General to inform it of the measures taken to ensure the inclusion of sufficient resources in the 1990-1991 and 1992-1993 bienniums to provide for implementation of the activities of the Second Decade. It invited him to ensure the effective implementation of those activities proposed for the first half of the Decade that had not yet been undertaken and to proceed with the activities for the period 1990-1993.

The Commission noted with satisfaction the report on the International Seminar on Cultural Dialogue between the Countries of Origin and the Host Countries of Migrant Workers (Athens, Greece, 18-26 September 1989) [E/CN.4/1990/50]

and asked the Secretary-General to distribute it widely among Governments, competent UN bodies, specialized agencies, other intergovernmental organizations and NGOs. He was asked to organize in 1990 a meeting of representatives of national institutions and organizations promoting tolerance and harmony and combating racism and racial discrimination with a view to exchanging experience on the promotion of such objectives. On 25 May, the Economic and Social Council, by decision 1990/224, approved that request. No action was taken in 1990 to organize the meeting.

The Commission decided to transmit to the General Assembly the 1989 study by the Special Rapporteur on the results achieved and the obstacles encountered during the first Decade and the first half of the Second Decade [YUN 1989, p. 473], and recommended that it be published and distributed widely.

Also on 23 February, the Commission, by 39 votes to 1, with 2 abstentions, recommended to the Economic and Social Council that the Special Rapporteur's report be published and widely distributed. On 25 May, the Council, by decision 1990/245, approved that recommendation.

Sub-Commission action. On 20 August, the Sub-Commission adopted two resolutions on measures to combat racism and racial discrimination and the role of the Sub-Commission.

By the first [E/CN.4/1991/2 (res 1990/1)], the Secretary-General was asked to organize, at the Sub-Commission's 1991 session, a joint one-day meeting with the Committee on the Elimination of Racial Discrimination (CERD). He was also asked to consider ways to respond to urgent situations and new trends involving racism or racial discrimination, and to prepare an outline for submission in 1991 of possible activities to increase the effectiveness of UN action to combat the phenomenon.

In its second resolution [res. 1990/21], the Sub-Commission asked the Secretary-General to submit in 1991 an overview of current trends of racism, discrimination, intolerance and xenophobia affecting vulnerable groups.

Other action. At its August session [A/45/18], CERD, the human rights treaty body monitoring the implementation of the 1965 International Convention on the Elimination of All Forms of Racial Discrimination (see below), requested the Secretary-General to arrange a one-day joint meeting in August 1991 between members of CERD and members of the Sub-Commission. The purpose of the meeting would be to exchange views on the prevention of racial discrimination.

In addition, the Commission on Human Rights had before it the annual reports on racial discrimination submitted by the International Labour Organisation (ILO) [E/CN.4/1990/37] and the United Nations Educational, Scientific and Cultural Organization (UNESCO) [E/CN.4/1990/038]. In July, UNESCO submitted to the Sub-Commission a report [E/CN.4/Sub.2/1990/6] on activities concerning prevention of discrimination and the protection of minorities.

Seminar. In accordance with a 1987 Commission request [YUN 1987, p. 729], the UN Centre for Human Rights, on behalf of the Secretary-General, organized a seminar on the political, historical, economic, social and cultural factors contributing to racism, racial discrimination and apartheid (Geneva, 10-14 December) [E/CN.4/1991/63]. Following consideration of the causes and current manifestations of racism, the seminar recommended that Governments continue to strengthen legal and political action against racism and racial discrimination and that the international community intensify efforts to provide increased effective and practical assistance to the victims of racism, racial discrimination and apartheid, and to peoples, movements and individuals struggling against those evils. It considered that the struggle against apartheid should be accorded the highest priority, and underlined the importance of education, teaching and training in eradicating racism and racial discrimination. The seminar called on States to ensure that law enforcement agencies avoided excessive use of force in situations involving disadvantaged groups, and recommended increased support to CERD; greater decentralization of UN human rights procedures and activities; holding a seminar on the mass media; and according high priority to completing the draft declaration on the rights of persons belonging to national, ethnic, religious or linguistic minorities.

An addendum to the report [E/CN.4/1991/63/Add.1] contained background papers and introductory statements prepared by speakers and the statement of the UN Under-Secretary-General for Human Rights.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 25 May, the Economic and Social Council adopted resolution 1990/49.

Implementation of the Programme of Action for the Second Decade to

Combat Racism and Racial Discrimination

The Economic and Social Council,

Reaffirming the purpose set forth in the Charter of the United Nations of achieving 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,

Recalling the proclamation by the General Assembly, in its resolution 38/14 of 22 November 1983, of the Second Decade to Combat Racism and Racial Discrimination,

Recalling also the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination, approved by the General Assembly in its resolution 38/14 and contained in the annex thereto, to achieve the objectives of the Second Decade,

Reaffirming the plan of activities for the period 1990-1993, to be implemented by the Secretary-General in accordance with General Assembly resolution 42/47 of 30 November 1987, to which it is annexed, and recalling the activities which were proposed for the period 1985-1989,

Conscious of the responsibility conferred upon it by the General Assembly for co-ordinating and, in particular, evaluating the activities undertaken in the implementation of the Programme of Action for the Second Decade,

Bearing in mind, in particular, its mandate under General Assembly resolution 41/94 of 4 December 1986 to submit to the Assembly, during the period of the Second Decade, annual reports on the activities undertaken or contemplated to achieve the objectives of the Second Decade,

Having examined the report of the Secretary-General on the implementation of the Programme of Action for the Second Decade,

Noting that, despite the efforts of the international community, the principal objectives of the first Decade for Action to Combat Racism and Racial Discrimination and the first years of the Second Decade have not been attained, and that millions of human beings continue to be victims of varied forms of racism, racial discrimination and apartheid,

Welcoming the recent Declaration on Apartheid and its Destructive Consequences in Southern Africa, unanimously adopted by the General Assembly at its sixteenth special session, which offers guidelines on how to end apartheid through genuine negotiations,

Noting with satisfaction the convening of a United Nations seminar on cultural dialogue between the countries of origin and the host countries of migrant workers, at Athens from 18 to 26 September 1989,

Noting with deep concern that the official invitations being extended to the President of South Africa by some countries could be construed to mean that pressure against the apartheid regime has been relaxed,

Stressing the need to continue the co-ordination of activities undertaken by various United Nations bodies and specialized agencies for the purpose of implementing the Programme of Action for the Second Decade,

1. Reaffirms the importance of achieving the objectives of the Second Decade to Combat Racism and Racial Discrimination;

2. Takes note with appreciation of the report of the Secretary-General on the implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination, in particular the recommendations contained therein;

3. Welcomes the independence of Namibia, which brought to an end a regime and policies based on

racism in that country and hence contributed significantly to the attainment of the objectives of the Second Decade;

4. Also welcomes the emerging political climate inside South Africa, which has the potential to create conditions that are conducive to the abolition of the system of apartheid in that country;

5. Calls upon Governments to encourage positive change in South Africa based on the guidelines set out in the Declaration on Apartheid and its Destructive Consequences in Southern Africa, in particular by maintaining existing measures against South Africa until there is clear evidence of profound and irreversible change;

6. Invites the Secretary-General to continue with the implementation of the activities for the period 1990-1993, and requests him, in that context, to continue to accord the highest priority to measures to combat apartheid;

7. Also invites all Governments to take or continue to take all necessary measures to combat all forms of racism and racial discrimination and to support the work of the Second Decade by making contributions to the Trust Fund for the Programme for the Decade for Action to Combat Racism and Racial Discrimination, in order to ensure further implementation of the activities for the Second Decade;

8. Reaffirms the need to continue giving particular attention to the specific activities of the Programme of Action for the Second Decade that are directed towards the elimination of apartheid, which is the most destructive and vicious form of institutionalized racism;

9. Also reaffirms the importance of public information activities in combating racism and racial discrimination and in mobilizing public support for the objectives of the Second Decade and, in that context, commends the efforts of the Co-ordinator for the Second Decade to Combat Racism and Racial Discrimination;

10. Requests the Secretary-General to ensure the effective and immediate implementation of the activities proposed for the first half of the Decade that have not yet been undertaken;

11. Also requests the Secretary-General, in his reports, to continue to pay special attention to the situation of migrant workers and their families;

12. Reaffirms the need for continued co-ordination of the full range of programmes being implemented by the United Nations system as they relate to the objectives of the Second Decade;

13. Decides to continue to accord the highest priority each year to the agenda item entitled "Implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination".

Economic and Social Council resolution 1990/49

25 May 1990 Meeting 14 42-0-10 (recorded vote)

Draft by Zambia, for African States (E/1990/L.22), orally revised; agenda item 2.

Meeting numbers. ESC 5, 7-10, 14.

Recorded vote in Council as follows:

In favour: Algeria, Bahamas, Bahrain, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, China, Colombia, Cuba, Czechoslovakia, Ecuador, Finland, Ghana, Guinea, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Lesotho, Liberia, Libyan Arab Jamahiriya, Mexico, New Zealand, Nicaragua, Niger, Pakistan, Rwanda, Saudi Arabia, Sweden, Thailand, Trinidad and Tobago, Tunisia, Ukrainian SSR, USSR, Venezuela, Yugoslavia, Zambia.

Against: None.

Abstaining: France, German Democratic Republic, Germany, Federal Republic of, Greece, Ireland, Italy, Japan, Netherlands, Portugal, United Kingdom.

The eleventh preambular paragraph, as orally revised, was adopted by a recorded vote of 36 to 8, with 7 abstentions.

GENERAL ASSEMBLY ACTION

On 14 December, the General Assembly adopted resolution 45/105.

Second Decade to Combat Racism and Racial Discrimination

The General Assembly,

Reaffirming its objective set forth 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 also 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, the International Convention on the Elimination of All Forms of Racial Discrimination, the International Convention on the Suppression and Punishment of the Crime of Apartheid and the Convention against Discrimination in Education adopted by the United Nations Educational, Scientific and Cultural Organization on 14 December 1960,

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,

Bearing in mind the Report of the Second World Conference to Combat Racism and Racial Discrimination,

Convinced that the Second World Conference represented a positive contribution by the international community towards attaining the objectives of the Decade, through its adoption of a Declaration and an operational Programme of Action 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 resolutions 39/16 of 23 November 1984, 42/47 of 30 November 1987, 43/91 of 8 December 1988 and 44/52 of 8 December 1989,

Emphasizing once again the necessity of attaining the objectives of the Second Decade to Combat Racism and Racial Discrimination,

Having considered the note by the Secretary-General and his report submitted within the framework of the

implementation of the Programme of Action for the Second Decade,

Firmly 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,

Regretting that certain activities of the Second Decade scheduled for the period 1985-1989 have not been implemented owing to a lack of financial resources,

Recognizing the importance of strengthening, where necessary, national legislation and institutions for the promotion of racial harmony,

Aware of the importance and the magnitude of the phenomenon of migrant workers, as well as the efforts undertaken by the international community to improve the protection of the human rights of migrant workers and their families,

Welcoming the Declaration on Apartheid and its Destructive Consequences in Southern Africa, unanimously adopted by the General Assembly at its sixteenth special session, on 14 December 1989, which offers guidelines on how to end apartheid,

1. Declares 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. Decides that the international community, in general, and the United Nations, in particular, should continue to give the highest priority to programmes for combating racism, racial discrimination and apartheid and intensify their 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 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. Takes note of the report 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;

5. Notes and commends the efforts made to co-ordinate all the programmes currently under implementation by the United Nations system that relate to the objectives of the Second Decade, and encourages the Co-ordinator for the Second Decade to Combat Racism and Racial Discrimination to continue his efforts;

6. Welcomes the upcoming publication of the global compilation of national legislation against racism and racial discrimination and requests the Secretary-General to transmit it to Governments as soon as possible;

7. Requests the Secretary-General to continue the study on the effects of racial discrimination on the children of minorities, in particular those of migrant

workers, in the field of education, training and employment, and to submit, *inter alia*, specific recommendations for the implementation of measures to combat the effects of that discrimination;

8. Recalls the reports of the Secretary-General on the study on the role of private group action to combat racism and racial discrimination;

9. Welcomes the progress made in preparing model legislation for the guidance of Governments in the enactment of further legislation against racial discrimination, and requests the Secretary-General to finalize the text of the model legislation and the handbook of recourse procedures for victims of racial discrimination and to publish and distribute those texts as soon as possible;

10. Renews its invitation to the United Nations Educational, Scientific and Cultural Organization to expedite the preparation of teaching materials and teaching aids to promote teaching, training and education activities on human rights and against racism and racial discrimination, with particular emphasis on activities at the primary and secondary levels of education;

11. Takes note of the study by the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on the results achieved and obstacles encountered during the first Decade for Action to Combat Racism and Racial Discrimination and the first half of the Second Decade;

12. Requests the Secretary-General to publish the study of the Special Rapporteur and distribute it on as wide a scale as possible;

13. Considers that all the parts of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination should receive equal attention in order to attain the objectives of the Second Decade;

14. Regrets that part of the programme for the period 1983-1989 has not yet been implemented because of lack of adequate resources, as indicated in the report of the Secretary-General to the Economic and Social Council at its first regular session of 1990;

15. Requests the Secretary-General to implement immediately those activities scheduled for the period 1985-1989 not yet carried out and to proceed with the implementation of the activities scheduled for the biennium 1990-1991;

16. Affirms once again the need for the implementation of the plan of activities proposed for the period 1990-1993 contained in the annex to General Assembly resolution 42/47;

17. Requests the Secretary-General, pursuant to General Assembly resolutions 42/47 and 44/52, to ensure that the necessary and additional resources are included in the programme budget for the biennium 1990-1991 and in the proposed programme budget for the biennium 1992-1993 to provide for the implementation of the activities of the Second Decade;

18. Also requests the Secretary-General to inform the General Assembly of the steps taken in regard to the provisions of paragraph 17 above;

19. Further requests the Secretary-General to continue to accord the highest priority, in executing the plan of activities, to measures for combating apartheid;

20. Calls upon Governments to encourage positive change in South Africa based on the guidelines set out in the Declaration on Apartheid and its Destructive Consequences in Southern Africa, in particular by main-

taining existing measures against South Africa until there is clear evidence of profound and irreversible change;

21. Requests the Secretary-General to continue to accord special attention to the situation of migrant workers and their families and to include regularly in his reports all information on such workers;

22. Invites all Governments, United Nations bodies, the specialized agencies and other intergovernmental organizations, as well as interested non-governmental organizations in consultative status with the Economic and Social Council, to participate fully in the activities scheduled for the periods 1985-1989 and 1990-1993 and not yet carried out, by intensifying and broadening their efforts to bring about the speedy elimination of apartheid and all forms of racism and racial discrimination;

23. Considers that voluntary contributions to the Trust Fund for the Programme for the Decade for Action to Combat Racism and Racial Discrimination are indispensable for the implementation of the above-mentioned programmes;

24. Notes once again with regret that the present situation of the Trust Fund is not encouraging;

25. Strongly appeals, therefore, to all Governments, organizations and individuals in a position to do so to contribute generously to the Trust Fund, and to this end requests the Secretary-General to continue to undertake appropriate contacts and initiatives to encourage contributions;

26. Takes note of the report of the Secretary-General on the activities of the Second Decade and reiterates its request to the Economic and Social Council, throughout the Decade, to submit annually to the General Assembly a report 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;

27. Decides to keep the item entitled "Implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination" on its agenda throughout the Second Decade and to consider it as a matter of the highest priority at its forty-sixth session.

General Assembly resolution 45/105

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/45/754) without vote, 2 November (meeting 29); draft by Sierra Leone, for African Group (A/C.3/45/L.5), orally revised: agenda item 98.

Meeting numbers. GA 45th session: 3rd Committee 3-10, 18, 28, 29; plenary 68.

Convention on the Elimination of Racial Discrimination

Accessions and ratifications

As at 31 December, there were 128 parties to the International Convention on the Elimination of All Forms of Racial Discrimination, adopted

by the General Assembly in 1965 [GA res. 2106 A (XX)] and in force since 1969 [YUN 1969, p. 488]. Bahrain and Saint Lucia became parties in 1990.

The Secretary-General presented his annual report [A/45/402] to the General Assembly on the status of the Convention as at 1 August.

On 23 February [E/1990/22 (res. 1990/13)]¹, the Commission on Human Rights appealed to those States that had not done so to ratify, accede to and implement the Convention.

GENERAL ASSEMBLY ACTION

On 14 December, the General Assembly adopted resolution 45/89.

Status of the International Convention on the Elimination of All Forms of Racial Discrimination
The General Assembly,

Recalling its relevant resolutions adopted since 1973, the most recent of which is resolution 43/95 of 8 December 1988,

Expressing its satisfaction at the entry into force, on 3 December 1982, of the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals under article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination,

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;

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;

4. Requests those States which have not yet become parties to the Convention to ratify it or accede thereto;

5. Calls upon the 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 submit to the General Assembly at its forty-seventh session a report concerning the status of the Convention, in accordance with Assembly resolution 2106 A (XX) of 21 December 1965.

General Assembly resolution 45/89

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/45/747) without vote, 2 November (meeting 29); 38-nation draft (A/C.3/45/L.8); agenda item 91.

Meeting numbers. GA 45th session: 3rd Committee 3-10, 18, 28, 29; plenary 68.

Implementation of the Convention

The Committee on the Elimination of Racial Discrimination, set up under article 8 of the Convention, held its thirty-eighth session in 1990 (Geneva, 6-24 August) [A/45/18]. Normally, the Committee held two 3-week sessions per year, but due to the critical financial situation arising from non-payment of contributions by a number of

States parties, it was unable to hold its spring session.

Most of CERD's work was devoted to examining reports submitted by States parties on measures taken to implement the Convention's provisions. It considered reports submitted by 21 States parties under article 9 of the Convention. In its report, CERD summarized, on a country-by-country basis, the views expressed, observations made and questions asked by its members on the reports of the States parties concerned, as well as the substantive elements of the replies given by the representatives of the States parties present at the meetings.

CERD also continued to consider, in conformity with article 14 of the Convention, communications from individuals or groups of individuals claiming violations of their rights under the Convention by a State party recognizing CERD competence to receive and consider such communications. Fourteen States parties-Algeria, Costa Rica, Denmark, Ecuador, France, Hungary, Iceland, Italy, Netherlands, Norway, Peru, Senegal, Sweden, Uruguay-had declared such recognition. The Committee considered the admissibility of one communication in 1990.

Under article 15 of the Convention, the Secretary-General transmitted to CERD documents relating to Trust and Non-Self-Governing Territories. The Committee approved the appointment of the members of its three working groups-Atlantic Ocean and Caribbean Territories, including Gibraltar; Pacific and Indian Ocean Territories; and African Territories-to examine the documentation. It decided, owing to lack of time resulting from the cancellation of the spring session, to take note of the relevant documentation and information submitted to it and to postpone their consideration until its next session.

The Committee also considered activities relating to the implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination.

The Committee adopted two general recommendations. One recommended that the identification of an individual as being a member of a particular racial or ethnic group or groups be based on self-identification, and the other that representatives of States, organizations and groups respect the independence of experts.

Regarding CERD's critical financial situation, the Commission on Human Rights, on 27 February [E/1990/22 (res. 1990/23)], recommended that the Secretary-General seek to obtain the concurrence of States parties to the Convention to the establishment of a "contingency reserve fund". The fund would consist of that portion of State

party over-assessments for the elapsed year which had been, in the past, automatically credited back to the States parties concerned. If the States parties agreed, the fund would be used to finance, on a contingency basis, up to two meetings of the Committee in the following year, for which State payments had not been received in that calendar year, with the contingency fund being reimbursed in full once payments by those States were received.

Pursuant to a 1989 Assembly request [YUN 1989, p. 477], the Secretary-General, in October, presented a report [A/45/579] on the question of financing the expenses of CERD members. He stated that, as at 30 September, outstanding assessments and arrears totalled \$147,099.

Thirteenth meeting of States parties

At their thirteenth meeting (New York, 16 January), the States parties to the Convention elected nine members of CERD to replace those whose terms expired on 19 January [CERD/SP/37 & Add.1], and reviewed the responsibilities of States parties for the expenses of CERD members under article 8, paragraph 6, of the Convention [CEKD/SP/38].

GENERAL ASSEMBLY ACTION

On 14 December, the General Assembly adopted resolution 45/88.

Report of the Committee on the Elimination of Racial Discrimination

The General Assembly,

Recalling its previous resolutions concerning the reports of the Committee on the Elimination of Racial Discrimination and its resolutions on the status of the International Convention on the Elimination of All Forms of Racial Discrimination, 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,

Reiterating the importance of the International Convention on the Elimination of All Forms of Racial Discrimination, which is the most widely accepted human rights instrument adopted under the auspices of the United Nations,

Aware of the importance of the contributions of the Committee to the efforts of the United Nations to combat racism and all other forms of discrimination based on race, colour, descent or national or ethnic origin,

Reiterating Once again the need to intensify the struggle for the elimination of racism and racial discrimination throughout the world, especially the elimination of the system of apartheid in South Africa,

Emphasizing the obligation of all States parties to the Convention to take legislative, judicial and other measures in order to secure full implementation of the provisions of the Convention,

Recalling the urgent appeals made by the Secretary-General, the General Assembly, the meetings of States

parties to the Convention and the Committee itself to the States parties to honour their financial obligations under the Convention,

Gravely concerned that, despite those appeals and other efforts, the meeting schedule of the Committee has been interrupted and the proper functioning of the Committee continues to be affected,

Expressing its appreciation for the efforts made by the members of the Committee to explore ways and means to overcome the Committee's current financial crisis,

Having considered the report of the Secretary-General on the question of financing the expenses of the members of the Committee,

1. Expresses its profound concern at the fact that a number of States parties to the International Convention on the Elimination of All Forms of Racial Discrimination have still not fulfilled their financial obligations, which led to the cancellation of the spring 1990 session of the Committee on the Elimination of Racial Discrimination;

2. Expresses once again its concern that such a situation led to a further delay in the discharge of the substantive obligations of the Committee under the Convention;

3. Commends the Committee for its work with regard to the implementation of the Convention and the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination;

4. Takes note with appreciation of the report of the Committee on the work of its thirty-eighth session;

5. Calls upon States parties to fulfil their obligations under article 9, paragraph 1, of the Convention and to submit in due time their periodic reports on measures taken to implement the Convention;

6. Strongly appeals to all States parties, especially those in arrears, to fulfil their financial obligations under article 8, paragraph 6, of the Convention and to pay their outstanding contributions and, if possible, their contributions for 1991 before 1 February 1991, so as to enable the Committee to meet regularly;

7. Requests the Secretary-General to seek to obtain, at the earliest opportunity, the concurrence of the States parties to the convention to the establishment of a "contingency reserve fund", as envisaged in Commission on Human Rights resolution 1990/25 of 27 February 1990;

8. Invites the Secretary-General to explore other possibilities of establishing a more secure basis for future financing of all the costs of the Committee;

9. Requests the Secretary-General to invite those States parties which are in arrears to pay the amounts in arrears, and to report thereon to the General Assembly at its forty-sixth session;

10. Decides to consider at its forty-sixth session, under the item entitled "Elimination of all forms of racial discrimination", the report of the Secretary-General on the financial situation of the Committee and the next report of the Committee.

General Assembly resolution 45/88

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/45/747) without vote, 1 November (meeting 28); 30-nation draft (A/C.3/45/L.7); agenda item 91.

Meeting numbers. GA 45th session: 3rd Committee 3-10, 18, 28; plenary 68.

Other aspects of discrimination

Religious intolerance

In January, Special Rapporteur Angelo Vidal d'Almeida Ribeiro (Portugal), appointed in 1986 [YUN 1986, p. 689], submitted a report [E/CN.4/1990/46] to the Commission on Human Rights on the implementation of the 1981 Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief [GA res. 36/55]. His report contained allegations transmitted to the Governments concerned regarding situations which seemed to be inconsistent with the provisions of the Declaration and replies received from them. It also contained an analysis of the information gathered since his appointment regarding the factors hampering the implementation of the Declaration and the various situations in which religious intolerance and discrimination could lead to the violation of other human rights.

The Special Rapporteur pointed out that the most important factors hampering the implementation of the Declaration were: the existence of legal provisions that ran counter to the spirit and letter of the Declaration; practices by governmental authorities contradicting not only the principles embodied in international instruments but even provisions enshrined in domestic law which prohibited discrimination on religious grounds; and the persistence of political, economic and cultural factors which resulted from complex historical processes and which were at the basis of current expressions of religious intolerance. He said that the last few years had seen the emergence of sectarian and intransigent attitudes regarding religious matters. That phenomenon had not only affected the freedoms and rights of minority communities in the countries where they had occurred but had also become a destabilizing factor internationally and a source of tension and conflict between States. The Special Rapporteur noted the positive impact of the policy of openness and transparency in religious freedom and manifestations of worship in Eastern Europe.

The Special Rapporteur expressed concern over the alarming persistence of infringements of other human rights arising out of attacks on freedom of thought, conscience, religion or belief, notably the growing number of extrajudicial killings that had allegedly taken place in the context of clashes between religious groups or between such groups and security forces. The lack of a genuine distinction between religions, sects and religious associations posed serious problems.

Although there were a number of mandatory norms in the area of freedom of religion or be-

lief, the Special Rapporteur suggested that the persistence of the problem of intolerance and discrimination called for the preparation of an international instrument which dealt specifically with the elimination of the phenomenon. For the purpose of elaborating such an international instrument, the international community might usefully draw on the principles laid down in the Declaration, as well as on the practical experience acquired in recent years by the Commission. Advantage should be taken of the advisory services made available by the United Nations in the area of human rights.

Commission action. As requested by the General Assembly in 1989 [YUN 1989, p. 478], the Commission continued in 1990 to consider measures to implement the 1981 Declaration. On 2 March [E/1990/22 (res. 1990/27)], it urged States, in accordance with their respective constitutional systems and internationally accepted instruments, to provide adequate constitutional and legal guarantees of freedom of thought, conscience, religion and belief, including the provision of effective remedies where there was intolerance or discrimination based on religion or belief; to combat intolerance; to encourage understanding, tolerance and respect in matters relating to freedom of religion or belief; and to examine the supervision and training of their civil servants, educators and other public officials to ensure that, in the course of their official duties, they respected different religions and beliefs and did not discriminate against persons professing other religions or beliefs. It invited 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.

The Commission asked the Secretary-General to continue to give high priority to the dissemination of the text of the Declaration in all official UN languages and in national languages and to make the text available for use by the UN information centres and other interested bodies. It welcomed the efforts of NGOs to promote the implementation of the Declaration and requested the Secretary-General to invite them to consider what further role they could envisage playing in the dissemination of the Declaration in national and local languages. It welcomed a 1989 working paper [YUN 1989, p. 478] prepared by Theo van Boven (Netherlands), containing a compilation of provisions relevant to the elimination of intolerance and discrimination based on religion or belief, as well as the issues and factors to be considered before any drafting of a further binding international instrument.

The Commission decided to extend for a further two years the Special Rapporteur's mandate and called on Governments to co-operate with him. The Secretary-General was asked to assist him. On 25 May, the Economic and Social Council approved, by decision 1990/229, the Commission's decision and the request to the Secretary-General.

GENERAL ASSEMBLY ACTION

On 14 December, the General Assembly adopted resolution 45/136.

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, by which it proclaimed the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,

Recalling its resolution 44/131 of 15 December 1989, in which it requested the Commission on Human Rights to continue its consideration of measures to implement the Declaration,

Encouraged by the efforts being made by the Commission on Human Rights and by the Sub-Commission on Prevention of Discrimination and Protection of Minorities to study relevant developments affecting the implementation of the Declaration,

Taking note of Commission on Human Rights resolution 1990/27 of 2 March 1990 and Economic and Social Council decision 1990/229 of 25 May 1990, by which the mandate of the Special Rapporteur appointed to examine incidents and governmental actions in all parts of the world that are incompatible with the provisions of the Declaration and to recommend remedial measures as appropriate was extended for two years,

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,

Emphasizing that non-governmental organizations and religious bodies and groups at every level have an important role to play in the promotion of tolerance and the protection of freedom of religion or belief by, inter alia, engaging in the examination of the most effective means to promote the implementation of the Declaration,

Conscious of the importance of education in ensuring tolerance of religion and belief,

Seriously concerned that intolerance and discrimination on the grounds of religion or belief continue to occur in many parts of the world and that in some respects the incidence thereof has increased,

Believing that further efforts are therefore required to promote and protect the right to freedom of thought, conscience, religion and belief and to eliminate all forms of intolerance and discrimination based on religion or belief,

Noting that the tenth anniversary of the proclamation by the General Assembly of the Declaration will occur in 1991 and that this will provide an opportunity to reinforce efforts aimed at the effective implementation of the Declaration,

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 and with such internationally accepted instruments as the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, to provide, where they have not already done so, adequate constitutional and legal guarantees of freedom of thought, conscience, religion and belief, including the provision of effective remedies where there is intolerance or discrimination based on religion or belief;

3. 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 raining 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;

4. Culls upon all States to recognize, as provided in the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, the right of all persons to worship or assemble in connection with a religion or belief, and to establish and maintain places for these purposes;

5. Also calls upon all States in accordance with their national legislation to exert utmost efforts to ensure that religious places and shrines are fully respected and protected;

6. Urges all States to consider, in the context of the tenth anniversary in 1991 of the proclamation of the Declaration by the General Assembly, what further measures might be taken at the national and regional levels to promote the effective implementation of the Declaration;

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. Considers it desirable to enhance the promotional and public information activities of the United Nations in matters relating to freedom of religion or belief and to ensure, especially in the context of the tenth anniversary of the proclamation of the Declaration, that appropriate measures are taken to this end in the World Public Information Campaign for Human Rights;

9. Invites the Secretary-General to continue to give high priority to the dissemination of the text of the Declaration, in all the 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;

10. Welcomes the efforts of non-governmental organizations to promote the implementation of the Declaration, including the Second International Conference on Ways to Promote the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, held at Warsaw from 14 to 18 May 1989;

11. Requests the Secretary-General to invite interested non-governmental organizations to consider what further role they could envisage playing in the implementation of the Declaration and in its dissemination in national and local languages;

12. Urges all States to consider disseminating the text of the Declaration in their respective national languages and to facilitate its dissemination in national and local languages;

13. Welcomes the decision of the Economic and Social Council, based on the recommendation of the Commission on Human Rights at its forty-sixth session, to renew for two years the mandate of the Special Rapporteur appointed to examine incidents and governmental actions in all parts of the world that are incompatible with the provisions of the Declaration and to recommend remedial measures as appropriate;

14. Notes that the Commission on Human Rights welcomed the working paper prepared by Mr. Theo van Boven, member of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, which contained a compilation of provisions relevant to the elimination of intolerance and discrimination based on religion or belief, as well as the issues and factors to be considered before any drafting of a further binding international instrument, and emphasizes, in this connection, the relevance of General Assembly resolution 41/120 of 4 December 1986 entitled "Setting international standards in the field of human rights";

15. 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-sixth session;

16. Decides to include in the provisional agenda of its forty-sixth session the item entitled "Elimination of all forms of religious intolerance" and to consider the report of the Commission on Human Rights under that item.

General Assembly resolution 45/136

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/45/762) without vote, 28 November (meeting 55); 30-nation draft (A/C.3/45/L.55); agenda item 106.

Meeting numbers. GA 45th session: 3rd Committee 35-42, 49,55; plenary 68

HIV- and AIDS-related discrimination

On 7 March [E/1990/22 (res. 1990/65)], the Commission on Human Rights endorsed a 1989 Sub-Commission decision [YUN 1989, p. 482] to entrust Luis Varela Quirós (Costa Rica) with a study on problems and causes of discrimination against people infected with HIV or people with AIDS.

On 25 May, the Economic and Social Council, by decision 1990/239, authorized the study.

In August, the Special Rapporteur presented a preliminary report [E/CN.4/Sub.2/1990/9] on discrimination against HIV-infected people or people with AIDS, in which he outlined some of the main issues which the study would address, among them HIV/AIDS-related discrimination, the imposition of limitations on human rights for individuals who had AIDS or were HIV-infected, and AIDS control measures affecting the exercise of human rights.

In an overview of the HIV/AIDS pandemic, the Special Rapporteur stated that, as of mid-1990, over 250,000 cases of AIDS had been reported to the World Health Organization (WHO). However, because of under-recognition, under-reporting and delays in reporting, WHO estimated that close to 700,000 AIDS cases might have occurred. Also as of mid-1990, WHO estimated that from 6 million to 8 million HIV infections had occurred world wide. (See also PART THREE, Chapter XI.)

On 30 August [dec. 1990/118], the Sub-Commission requested the Secretary-General to give to the Special Rapporteur any assistance he might require. It asked the Special Rapporteur to take into account in his future work the views expressed during the debate on his preliminary report and decided to continue consideration of the progress report in 1991.

Measures against nazism

On 6 March (E/1990/22 (res. 1990/46)), the Commission condemned all totalitarian or other ideologies and practices, including Nazi, Fascist or neo-Fascist, based on racial or ethnic exclusiveness or intolerance, hatred, terror, systematic denial of human rights and fundamental freedoms, or which had such consequences. It called on States to ensure the thorough investigation and the detection, arrest, prosecution or extradition and punishment of all war criminals and persons guilty of crimes against humanity who had not been brought before a court and appropriately punished. It also called on States to promote, especially among the young, respect for international law, as well as human rights and fundamental freedoms.

In response to a 1988 General Assembly request [YUN 1988, p. 491], the Secretary-General in March [A/45/170-E/1990/32] summarized the comments of nine Governments on 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.

Civil and political rights

Covenant on Civil and Political Rights and Optional Protocols

As at 31 December 1990, the International Covenant on Civil and Political Rights and the Optional Protocol thereto, adopted by the General Assembly in 1966 [GA res. 2200 A (XXI)] and in force since 1976 [YUN 1976, p. 609], had been ratified or acceded to by 92 and 51 States, respectively. In 1990, Burundi, Malta, the Republic of Korea and Somalia acceded to the Convention, and Malta, the Republic of Korea and Somalia acceded to the Optional Protocol (see also pp. 628-31).

The Second Optional Protocol, aimed at the abolition of the death penalty, was adopted by the General Assembly in 1989 [GA res. 44/128]. In accordance with the provisions of its article 8, the Protocol would enter into force three months after the date of the deposit with the Secretary-General of the tenth instrument of ratification or accession. As at 31 December, Australia, New Zealand, Portugal and Sweden had ratified or acceded to the Protocol; as at the same date, Belgium, Costa Rica, Denmark, Finland, Germany, Honduras, Italy, Luxembourg, the Netherlands, New Zealand, Nicaragua, Norway, Portugal, Romania, Spain, Sweden, Uruguay and Venezuela had signed it.

In his annual report to the General Assembly [A/45/403], the Secretary-General provided the status of the Covenant and its Protocols as at 1 August 1990 (see below, under "Advancement of human rights").

On 23 February [E/1990/22 (res. 1990/20)1], the Commission on Human Rights appealed to States that had not done so to become parties to the Covenant and to consider acceding to the first Optional Protocol. It invited States parties to the Covenant to consider making the declaration provided for in article 41. The Commission stressed to States parties the importance of avoiding the erosion of human rights by derogation, and underlined the necessity for strict observance of the agreed condition and procedure for derogation under article 4. The Secretary-General was asked to report on the status of the Covenant and its Protocols in 1991.

Implementation

The Human Rights Committee, established under article 28 of the Covenant, met three times in 1990, at its thirty-eighth (New York, 19 March-6 April) and thirty-ninth (Geneva, 9-27 July) sessions [A/45/40, vols. I&II] and at its fortieth session (Geneva, 22 October-9 November) [A/46/40].

During its sessions, the Committee considered the reports of 15 States, submitted under article 40 of the Covenant—Argentina, Canada, Costa Rica, Dominican Republic, Finland, Federal Republic of Germany, Morocco, Nicaragua, Saint Vincent and the Grenadines, San Marino, Spain, Tunisia, Ukrainian SSR, Viet Nam, Zaire. It reviewed communications by individuals claiming that their rights enumerated in the Covenant had been violated. The Committee adopted views on 11 cases and declared 22 cases inadmissible.

On 24 July, the Committee adopted a general comment on article 23 of the Covenant, on protection by society and the State of the family, which addressed, among other things, the right of men and women to marry and found a family, and the equality of rights and responsibilities of spouses as to marriage, during marriage and at its dissolution.

In February [E/1990/44], the Secretary-General transmitted to the Economic and Social Council the Committee's general comments on the Covenant's non-discrimination clauses, adopted in 1989 [YUN 1989, p. 485].

Self-determination of peoples

The Commission on Human Rights, by six resolutions adopted in 1990, reaffirmed peoples' right to self-determination in Afghanistan [E/1990/22 (res. 1990/5)], southern Africa [res. 1990/8], Cambodia [res. 1990/91], occupied Palestine [res. 1990/6], Panama [res. 1990/10] and Western Sahara [res. 1990/4]. The Commission adopted a seventh resolution [ITS. 1990/7] on the use of mercenaries as a means of impeding the exercise of the right of peoples to self-determination.

In a September report [A/45/500], the Secretary-General summarized action taken by the Commission and the Economic and Social Council on the right of people to self-determination. He also summarized replies received from Governments, UN agencies and organs, intergovernmental organizations and NGOs in response to his request for information on the subject.

GENERAL ASSEMBLY ACTION

In 1990, the General Assembly adopted two resolutions on the right to self-determination, a right it repeatedly reaffirmed for individual Non-Self-Governing Territories (see PART FOUR, Chapter I).

On 14 December, the Assembly adopted resolution 45/130.

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 also 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 further the obligation of all Member States to comply with the principles of the Charter of the United Nations and the resolutions of the United Nations regarding the exercise of the right to self-determination by peoples under colonial and foreign domination,

Recalling its resolution 1514(XV) and all relevant resolutions concerning the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Welcoming Namibia's attainment of independence,

Bearing in mind the Declaration adopted by the World Conference on Sanctions against Racist South Africa,

Recalling with satisfaction the adoption at Harare on 21 August 1989 of the Declaration of the Ad Hoc Committee of the Organization of African Unity on Southern Africa on the question of South Africa and its subsequent endorsement by the Ninth Conference of Heads of State or Government of Non-Aligned Countries, held at Belgrade from 4 to 7 September 1989, as well as the report of the Monitoring Group of the Ad Hoc Committee of the Organization of African Unity on Southern Africa, and the Declaration on Apartheid and its Destructive Consequences in Southern Africa, adopted by the General Assembly on 14 December 1989,

Bearing in mind also the outcome of the International Conference on the Alliance between South Africa and Israel, held at Vienna from 11 to 13 July 1983,

Taking note of resolution CM/Res.1272(LII) on South Africa adopted by the Council of Ministers of the Organization of African Unity at its fifty-second ordinary session, held at Addis Ababa from 3 to 8 July 1990 [A/45/482],

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,

Reaffirming also its resolution 39/2 of 28 September 1984 and recalling Security Council resolution 554(1984) of 17 August 1984, in which the Council rejected the so-called "new constitution" as null and void, and Council resolution 569(1985) of 26 July 1985,

Alarmed by the continuing acts of assassination and abductions of members and leaders of the national liberation movements in Africa and elsewhere by hit squads deployed and paid by the racist regime,

Welcoming its resolution 44/244, adopted by consensus on 17 September 1990, in which, *inter alia*, it called upon the South African regime to abide fully by the Declaration on Apartheid and its Destructive Consequences in Southern Africa,

Noting that, while some significant political measures in the right direction have been undertaken by the apartheid régime, such as the lifting of the ban on political organizations and the release of some political prisoners, apartheid is still firmly in place,

Welcoming also the ongoing talks between the African National Congress of South Africa and the South African regime aimed at establishing a political environment suitable for negotiations towards the dismantling of apartheid, and the results achieved thus far as contained in the Groote Schuur Minute and the Pretoria Minute,

Noting with concern that political trials and the detention of political activists continue unabated in South Africa and in total disregard of the agreements reached in talks between the régime and the African National Congress of South Africa,

Deeply concerned about the current wave of violence in South Africa resulting from the continued existence of apartheid policies, practices and structures as well as from actions of those forces opposed to the democratic transformation of the country,

Gravely concerned about the apartheid régime's continued use of the death penalty against South African patriots with contemptuous disregard for appeals for clemency from the international community, including the General Assembly,

Considering the concerted campaign by the President of the apartheid régime to project himself as a reformer in order to ward off the further imposition of sanctions by the international community,

Deeply concerned about the continued terrorist acts of aggression committed by the Pretoria régime against independent African States in the region, in particular the unprovoked attacks against Mozambique, Zambia and Zimbabwe,

Deeply indignant at the persistent policy of hostility by the racist regime of South Africa against Angola, which constitutes an act of aggression against the sovereignty and territorial integrity of that country,

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,

Recalling also 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,

Considering that the denial of the inalienable rights of the Palestinian people to self-determination, sovereignty, independence and return to Palestine and the brutal suppression by the Israeli forces of the heroic uprising, the *intifadah*, of the Palestinian population in the occupied territories, as well as repeated Israeli aggression against the population of the region, constitute a serious threat to international peace and security,

Bearing in mind Security Council resolutions 605(1987) of 22 December 1987, 607(1988) of 5 January

1988 and 608(1988) of 14 January 1988 and General Assembly resolutions 43/21 of 3 November 1988, 43/177 of 15 December 1988 and 44/2 of 6 October 1989, on the deterioration of the situation of the Palestinian people in the occupied territories,

Deeply concerned and alarmed at the deplorable consequences of Israel's acts of aggression against Lebanon and its practices in and its continuing occupation of parts of southern Lebanon, as well as its refusal to implement the relevant resolutions of the Security Council, in particular resolution 425(1978) of 19 March 1978,

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 independence, territorial integrity, national unity and liberation from colonial domination, apartheid and foreign occupation by all available means, including armed struggle;

3. Reaffirms also the inalienable right of the Palestinian people and all peoples under foreign occupation 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, alien subjugation and foreign occupation, notably the peoples of Africa and the Palestinian people;

5. Calls upon Israel to refrain from deporting any Palestinian civilians from the occupied Palestinian territories and to release immediately all Palestinian detainees;

6. Strongly condemns also 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;

7. Urges all States, the specialized agencies and organizations of the United Nations system, as well as 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 of the United Nations;

8. Urgently appeals to all States, the United Nations system and other international organizations to assist in the reconstruction and economic development of Namibia;

9. 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;

10. Reaffirms its rejection of the so-called "new constitution" as null and void, and reiterates that peace in South Africa can be guaranteed only 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;

11. Commends the mass democratic movement in South Africa for the tremendous advances scored dur-

ing the recent campaign of defiance of unjust apartheid laws in the ongoing struggle against apartheid;

12. Welcomes the unconditional release of Nelson Mandela and other political prisoners, but condemns the continuing practice of detentions and imprisonment of political activists by the apartheid régime;

13. Strongly urges the apartheid régime to respond positively to the provisions of the Declaration of the Ad Hoc Committee of the Organization of African Unity on Southern Africa on the question of South Africa and the Declaration on Apartheid and its Destructive Consequences in Southern Africa by releasing unconditionally all political prisoners and by halting all political trials as a means of creating an environment conducive to the peaceful resolution of the South African situation;

14. Determines that the South African racist régime must take additional steps to implement the profound and irreversible changes called for in the Declaration on Apartheid;

15. Calls for an immediate end to violence and calls upon the South African régime to take urgent action to end it, specifically by dismantling the apartheid structures and ensuring that effective and impartial action is taken by its security forces, and calls upon all parties concerned to contribute to the establishment of a climate free of violence;

16. 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;

17. Calls once again for the full implementation of the provisions of the Declaration adopted by the World Conference on Sanctions against Racist South Africa;

18. 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 which maintain military and nuclear co-operation with the racist Pretoria régime and continue to supply it with related matériel;

19. Strongly condemns the policy of those Western States, Israel and other States whose political, economic, military, nuclear, strategic, cultural and sports relations with the racist minority régime of South Africa encourage that régime to persist in its suppression of the aspirations of the people to self-determination and independence;

20. 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;

21. Strongly condemns the persistent policy of hostility and aggression pursued by racist South Africa against the sovereignty and territorial integrity of Angola, which constitutes a violation of the New York accord of 22 December 1988;

22. Demands that the Pretoria régime respect the sovereignty and territorial integrity of Angola and the principle of non-interference in the internal affairs of that State, and demands the immediate payment of compensation to Angola for damages caused, in accordance with the relevant decisions and resolutions of the Security Council;

23. Commends the Government of Angola for its political will, diplomatic flexibility and constructive spirit

in the search for a negotiated solution to the problems of southern Africa;

24. Strongly reaffirms its solidarity with the independent African countries and national liberation movements that are victims of murderous acts of aggression and destabilization by the racist régime of Pretoria, and calls upon the international community to render increased assistance and support to these countries in order to enable them to strengthen their defence capacity, defend their sovereignty and territorial integrity and peacefully rebuild and develop;

25. Strongly condemns the racist régime of South Africa for its past acts of destabilization against Lesotho, and strongly urges the international community to continue 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 of South Africa so that it desists from such acts against Lesotho;

26. Demands that the racist régime of South Africa pay full and adequate compensation to Botswana for the loss of life and damage to property resulting from the unprovoked and unwarranted military attacks of 14 June 1985, 19 May 1986 and 20 June 1988 on the capital of Botswana;

27. Strongly condemns the escalation of massacres of defenceless people and the continuing destruction of economic and social infrastructures perpetrated against Mozambique by armed terrorists, who are an extension of the South African army of aggression;

28. 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 44/88 of 11 December 1989, and calls upon 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 continue their efforts to find a just and lasting solution to the question;

29. 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;

30. Strongly condemns the continued violation of the human rights of the peoples still under colonial domination and alien subjugation;

31. 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 apartheid through national liberation movements recognized by the Organization of African Unity;

32. 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;

33. 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, under which no one shall be subjected to torture or to cruel, inhuman or degrading treatment;

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 other intergovernmental organizations, and calls for a substantial increase in that 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 at its forty-sixth session on the basis of the reports on the strengthening of assistance to colonial territories and peoples that Governments, organizations of the United Nations system, other intergovernmental organizations and non-governmental organizations have been requested to submit.

General Assembly resolution 45/130

14 December 1990 Meeting 68 113-15-23 (recorded vote)

Approved by Third Committee (A/45/759) by recorded vote (104-15-23), 2 November (meeting 29); draft by Sierra Leone, for African Group (A/C.3/45/L.6), orally revised; agenda item 103.

Meeting numbers. GA 45th session: 3rd Committee 3-10, 18, 29; plenary 68.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Belgium, Canada, Denmark, Finland, France, Germany, Iceland, Israel, Italy, Luxembourg, Netherlands, Norway, Sweden, United Kingdom, United States.

Abstaining: Australia, Austria, Bulgaria, Byelorussian SSR, Costa Rica, Czechoslovakia, El Salvador, Greece, Hungary, Ireland, Japan, Liechtenstein, Malta, New Zealand, Poland, Portugal, Romania, Saint Vincent and the Grenadines, Samoa, Spain, Turkey, Ukrainian SSR, USSR.

On the same date, the Assembly adopted resolution 45/131.

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, 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, thirty-seventh, thirty-eighth, thirty-ninth, fortieth, forty-first, forty-second, forty-third, forty-fourth, forty-fifth and forty-sixth sessions,

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, 39/18 of 23 November 1984, 40/24 of 29 November 1985, 41/100 of 4 December 1986, 42/94 of 7 December 1987, 43/105 of 8 December 1988 and 44/80 of 8 December 1989,

Taking note of the report of the Secretary-General,

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 as a result

of 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-sixth 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".

General Assembly resolution 45/131

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/45/759) without vote, 5 November (meeting 31); 27-nation draft (A/C.3/45/L.9); agenda item 103.

Meeting numbers. GA 45th session: 3rd Committee 3-10, 18, 31; plenary 68.

Afghanistan

On 16 February [E/1990/22 (res. 1990/5)], the Commission on Human Rights welcomed the complete withdrawal of foreign troops from Afghanistan in 1989 [YUN 1989, p. 490]. Emphasizing the importance of the 1988 Geneva Agreements on the Settlement of the Situation Relating to Afghanistan [YUN 1988, p. 185], it called for their implementation by all parties concerned. The Commission reaffirmed the right of the Afghan people to self-determination and called on all parties concerned to work for a comprehensive political solution and the creation of conditions to enable refugees to return voluntarily. It renewed its appeal to all States and national and international organizations to continue to extend humanitarian relief assistance with a view to alleviating the hardship of the Afghan refugees, and called on all States to provide adequate resources to the Co-ordinator for United Nations Humanitarian and Economic Assistance Programmes relating to Afghanistan for the speedy repatriation and rehabilitation of the Afghan refugees in their country, as well as for its economic and social reconstruction. The Secretary-General was requested to encourage and facilitate the early realization of a comprehensive political settlement.

Cambodia

On 19 February [E/1990/22 (res. 1990/9)], by a roll-call vote of 31 to 5, with 6 abstentions, the Commission on Human Rights reiterated its condemnation of the persistent occurrence of gross and flagrant violations of human rights in Cambodia and emphasized that the Cambodian people should be enabled to exercise their inalienable right to self-determination through free, fair and democratic elections under UN supervision.

It reiterated its conviction that, among other things, the withdrawal of all foreign forces from Cambodia, the cessation of outside military assistance, the creation of an interim administering authority, the promotion of national reconciliation and the non-return to the policies and practices of the recent past were the principal components of a lasting political settlement in the country. The Commission called on all parties concerned to resolve the problem in Cambodia and to ensure the independence, sovereignty, territorial integrity, neutral and non-aligned status of the country. It recommended that the Economic and Social Council, at its first regular session of 1990, continue to consider and take measures for the early implementation of relevant recommendations with a view to achieving the full enjoyment of the fundamental human rights and freedoms of the Cambodian people, particularly the right to self-determination.

ECONOMIC AND SOCIAL COUNCIL ACTION

In May 1990, the Economic and Social Council adopted **decision 1990/256**.

Right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation

At its 14th plenary meeting, on 25 May 1990, the Economic and Social Council, deeply concerned about the protection of human rights in Cambodia, endorsed Commission on Human Rights resolution 1990/9 of 19 February 1990 and reaffirmed Council decisions 1981/154 of 8 May 1981, 1982/143 of 7 May 1982, 1983/155 of 27 May 1983, 1984/148 of 24 May 1984, 1985/155 of 30 May 1985, 1986/146 of 23 May 1986, 1987/155 of 29 May 1987, 1988/143 of 27 May 1988 and 1989/156 of 24 May 1989, in which the Council reiterated its call for the withdrawal of all foreign forces from Cambodia in order to allow the people of Cambodia to exercise their fundamental freedoms and human rights, including the right to self-determination as contained in the Declaration on Kampuchea adopted by the International Conference on Kampuchea on 17 July 1981 and in General Assembly 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, 39/5 of 30 October 1984, 40/7 of 5 November 1985, 41/6 of 21 October 1986, 42/3 of 14 October 1987, 43/19 of 3 November 1988 and 44/22 of 16 November 1989.

The Council noted the announced withdrawal of foreign forces from Cambodia and the subsequent reports that some foreign forces have returned to Cambodia. It affirmed that a complete withdrawal of foreign forces must be verified by the United Nations within the framework of a comprehensive political settlement. It called on all parties concerned to engage in negotiations aimed at bringing an immediate end to the conflict in Cambodia and achieving a comprehensive political settlement, providing, inter alia, for the restoration of the human rights of the Cambodian people, including their inalienable right to self-

determination in free, fair and democratic elections under direct United Nations administration in which all Cambodian parties should be allowed to participate, and also ensuring a non-return to the universally condemned policies and practices of a recent past.

The Council expressed its grave concern at the unresolved problem of the Cambodian civilians still stranded in Thailand as a result of the continuing hostilities in Cambodia, caused by foreign armed intervention and occupation.

The Council also expressed its grave concern at the continued violations of fundamental human rights, the principles of international law and the Charter of the United Nations, perpetrated against the Cambodian people, particularly the shelling of Cambodian civilian camps along the border.

The Council requested the Secretary-General to report to the Council any further violations of human rights and of humanitarian principles perpetrated against the Cambodian people, and also requested him to continue to monitor closely the developments in Cambodia and to intensify efforts, including the use of his good offices, to bring about a comprehensive political settlement of the Cambodian problem and the restoration of fundamental human rights in Cambodia.

The Council stressed that any Government elected through free, fair and democratic elections in Cambodia should take effective measures to guarantee the human rights and fundamental freedoms of the Cambodian people.

The Council recalled the communiqués issued by the Ad Hoc Committee of the International Conference on Kampuchea on 17 January 1985 and 15 February 1985. The Council noted the visits undertaken by the Chairman and members of the Committee to a number of countries in 1989 in an effort to find a comprehensive political solution to the Cambodian problem. The Council also noted with appreciation the ongoing efforts of the Committee and requested that the Committee continue its work, pending the reconvening of the Conference.

Economic and Social Council decision 1990/256
30-4-18 (recorded vote)

Approved by Second Committee (E/1990/70/Add.1) by recorded vote (31-4-15), 22 May (meeting 18); 33-nation draft (E/1990/C.2/L.14), orally corrected; agenda item 3.

Recorded vote in Council as follows:

In favour: Bahamas, Bahrain, Brazil, Burkina Faso, Cameroon, China, Colombia, Ecuador, Ghana, Greece, Guinea, Indonesia, Jamaica, Japan, Jordan, Kenya, Liberia, Mexico, Niger, Pakistan, Rwanda, Saudi Arabia, Thailand, Trinidad and Tobago, Tunisia, United States, Venezuela, Yugoslavia, Zaire, Zambia.

Against: Cuba, India, Ukrainian SSR, USSR.

Abstaining: Algeria, Bulgaria, Canada, Czechoslovakia, Finland, France, German Democratic Republic, Germany, Federal Republic of Iraq, Ireland, Italy, Lesotho, Netherlands, New Zealand, Nicaragua, Portugal, Sweden, United Kingdom.

Panama

On 20 February [E/1990/22 (res. 1990/10)], by a roll-call vote of 14 to 8, with 17 abstentions, the Commission strongly deplored the foreign military intervention in Panama, which constituted a flagrant violation of international law and of Panama's independence, sovereignty and territo-

rial integrity. It demanded the immediate cessation of the intervention and called on States to uphold and respect the sovereignty, independence and territorial integrity of Panama.

South Africa

On 19 February [res. 1990/8], by a roll-call vote of 32 to 2, with 9 abstentions, the Commission reaffirmed the legitimacy of the struggle of the oppressed people of South Africa and its national liberation movements for the elimination of apartheid and urged all States to assist them. It strongly condemned the continued violations of the human rights of peoples still under colonial and foreign domination, the perpetuation of the racist minority regime in South Africa, the policy of "bantustanization" and the imposition of censorship and other restrictions on the media. The Commission demanded the immediate release of those detained or imprisoned as a result of their struggle for self-determination and independence and called on South Africa to refrain from imposing restrictions on them. It condemned the wanton acts of aggression and destabilization perpetrated by the apartheid régime against front-line and other neighbouring States and demanded that all States impose mandatory and comprehensive sanctions against South Africa. The Commission further demanded a democratic and non-racial solution in South Africa based on universal and equal suffrage and that apartheid be dismantled. Welcoming the release of African National Congress leader Nelson Mandela, the Commission called for the full implementation of the Declaration on Apartheid and its Destructive Consequences in Southern Africa, adopted by the General Assembly in 1989 [GA res. S-16/1].

Western Sahara

On 16 February [E/1990/22 (res. 1990/4)], the Commission on Human Rights reaffirmed that the question of Western Sahara was one of decolonization which remained to be completed by the exercise of the people's inalienable right to self-determination and independence, and emphasized the importance of the agreement in principle by Morocco and the Frente Popular Para la Liberación de Saguia el-Hamra y de Río de Oro (POLISARIO) to hold a referendum. Welcoming the efforts of the Chairman of the Assembly of Heads of State and Government of the Organization of African Unity and the Secretary-General, and the progress achieved through the joint good offices process, it urged them to intensify their efforts to create the conditions necessary to hold a referendum. Also welcoming the talks between Morocco and POLISARIO, the Commission expressed its conviction

that continued direct dialogue between the two parties could contribute to the restoration of peace in Western Sahara and to the stability and security of the region as a whole. The Commission took note of a 1989 report [YUN 1989, p. 767] of the Secretary-General on the result of meetings held between October 1988 and September 1989 with Morocco and POLISARIO. (See also PART FOUR, Chapter I.)

Palestinians

On 19 February [res. 1990/6], reaffirming that the Israeli occupation of Palestine constituted a gross violation of human rights and an offence against the peace and security of mankind, the Commission on Human Rights, by a vote of 30 to 1, with 10 abstentions, strongly condemned Israel for its continued occupation of the Palestinian territories and called on it to withdraw from the Palestinian and other Arab territories which it had occupied since 1967. The Commission urged all States, UN organs, specialized agencies and other international organizations to support and assist the Palestinians through the Palestine Liberation Organization, and requested the Secretary-General to transmit the resolution to the Government of Israel, with a view to its implementation, and to report thereon in 1991. The Secretary-General was also requested to inform the Commission on the implementation of its resolution.

As requested by a 1989 Commission resolution [YUN 1989, p. 491], the Secretary-General reported [E/CN.4/1990/10] that he had received no reply from the Government of Israel to his request for information on the measures taken to implement the resolution, reaffirming the right of the Palestinian people to self-determination.

On 30 August [E/CN.4/1991/2 (res. 1990/12)], the Sub-Commission, by a secret ballot of 18 to 1, with 4 abstentions, reaffirmed the inalienable rights of the Palestinian people to return to their homeland, to self-determination without foreign interference, and the establishment of their independent sovereign State on their national soil in accordance with General Assembly resolutions.

Mercenaries

By a 19 February resolution [res. 1990/7], adopted by 31 votes to 10, with 1 abstention, the Commission on Human Rights condemned the increased recruitment, financing, training, assembly, transit and use of mercenaries, and denounced any State that persisted in, permitted or tolerated their recruitment and provided facilities to them for launching armed aggression against other States. It called on States to ensure

that territories under their control, and their nationals, were not used for the recruitment, assembly, financing, training and transit of mercenaries. The Commission asked the Special Rapporteur to submit to the General Assembly a preliminary report later in the year, and that he report to the Commission in 1991. The Commission recommended that the Special Rapporteur accept the invitation of Maldives to carry out an investigation of mercenary activity in that country. In carrying out his mandate, which the Commission extended for two years, the Special Rapporteur was requested to include in future reports information on the state of ratifications and the mode of application of the 1989 International Convention against the Recruitment, Use, Financing and Training of Mercenaries [GA res. 44/34], to continue to study credible and reliable reports of mercenary activity in developing countries, and to seek the point of view of those Governments in whose territories mercenaries might have been recruited, trained or provided with facilities for launching armed aggression. The Commission also requested the Special Rapporteur to develop further the position that mercenary acts were means of violating human rights and thwarting the self-determination of peoples. It recommended that the Economic and Social Council ensure the necessary financial resources and sufficient staff for the implementation of its resolution and asked the Secretary-General to continue to provide assistance.

On 7 March [res. 1990/75], expressing its deep concern at the adverse effects of the crimes and atrocities committed by irregular armed groups and by drug traffickers, the Commission, by a roll-call vote of 41 to none, with 2 abstentions, requested all special rapporteurs and working groups to pay particular attention to the activities of irregular armed groups and drug traffickers. The Secretary-General was asked to collect information on the subject and to make it available to the special rapporteurs and working groups concerned for their consideration.

Reports of Special Rapporteur. In response to a 1989 request of the Commission [YUN 1989, p. 491], the Special Rapporteur, Enrique Bernales Ballesteros (Peru), in January 1990, submitted his fifth report on the use of mercenaries [E/CN.4/1990/11]. He reviewed replies received from States, UN bodies, specialized agencies and NGOs, following his earlier request for information on the existence of mercenary activities, both in their preliminary stages and in operational terms, such as their recruitment, financing and training. The Special Rapporteur observed that the notion of a mercenary had changed as far as the traditional characteristics were con-

cerned and had become a kind of independent criminal occupation, causing serious prejudice to territorial sovereignty and human life, even when the context in which the acts occurred was not necessarily that of an international armed conflict. According to preliminary information, he stated that evidence and facts of public record highlighted a criminal association between drug traffickers and mercenaries recruited for them. Those mercenaries affected the sovereignty and constitutional stability of Governments and their people, creating a situation with serious risks for the international community.

Analysing the 1989 International Convention against the Recruitment, Use, Financing and Training of Mercenaries, the Special Rapporteur stated that it broadened, deepened and refined the scope of the definition of a mercenary, mercenary activity and the qualification of mercenary acts as indictable offences. In that sense, he stated, the Convention filled a gap, constituting an important instrument to enable Member States to adapt their national legislation on the subject, and confirming the legal scope of the many UN declarations and resolutions condemning mercenary activities. Noting that the Convention contained no provision establishing machinery to monitor implementation, the Special Rapporteur suggested that international observation could be conducted in part by the Commission on Human Rights.

The Convention was open for signature until 31 December 1990 and was subject to ratification and open for accession by any State. It was to enter into force on the thirtieth day following the date of deposit of the twenty-second instrument of ratification or accession. By December, the Special Rapporteur reported, only two countries had become parties, and a further eight had signed it.

Pursuant to a 1989 General Assembly resolution [GA res. 44/8] and in response to the Commission's February request (see above), the Special Rapporteur submitted in September a preliminary report [A/45/488] to the Assembly, followed by a December report [E/CN.4/1991/14] to the Commission, on the question of mercenaries. The Special Rapporteur reviewed the situation in Africa and Central America, as well as the relationship between mercenaries and irregular armed groups and drug traffickers. During the year, the Special Rapporteur visited Maldives (18-23 June) to obtain substantiated information on the mercenary phenomenon and ascertain the position of the Government on the 1988 invasion of the country.

While recognizing a trend towards the winding down or cessation of armed conflict in southern

Africa and Central America, he warned that some countries were still beset by internal conflict involving armed resistance to their Governments and that the presence of mercenary elements among rebel forces could not be ruled out. Inasmuch as the use of mercenaries had been directly linked to the policy of apartheid, the Special Rapporteur recommended that the protection being given to them should cease, that they should be tried for their participation in criminal acts and that paramilitary mercenary units working for right-wing groups violently opposed to the political reforms in South Africa should be banned. Noting that small States had recently been attacked by groups of mercenaries, the Special Rapporteur underscored the obligation to respect the territorial integrity of all States and to aid small States, upon request, when there was a tangible threat to their sovereignty, territorial integrity and security as a result of acts contrary to international law. Among other recommendations, the Special Rapporteur called for a declaration that it was incompatible with the principles of the Charter to use programmes of humanitarian or other assistance in any way that would provide a cover for concrete activities involving the financing, training and use of mercenaries.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 25 May, the Economic and Social Council adopted decision 1990/222.

Use of mercenaries as a means of impeding
the exercise of the right of
peoples to self-determination

At its 14th plenary meeting, on 25 May 1990, the Economic and Social Council, having taken note of Commission on Human Rights resolution 1990/7 of 19 February 1990, approved the Commission's decision to extend the mandate of the Special Rapporteur for two years to enable him to submit further conclusions and recommendations to the Commission and also approved the Commission's request to the Secretary-General to continue to provide all necessary financial resources and sufficient staff to the Special Rapporteur.

Economic and Social Council decision 1990/222

38-3-11 (recorded vote)

Approved by Second Committee (E/1990/70) by recorded vote (33-3-11).
18 May (meeting 17); draft by Commission on Human Rights (E/1990/22); agenda item 3.

Recorded vote in Council as follows:

In favour: Algeria, Bahamas, Bahrain, Brazil, Bulgaria, Burkina Faso, Cameroon, China, Colombia, Cuba, Czechoslovakia, Ecuador, Ghana, Guinea, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Lesotho, Liberia, Libyan Arab Jamahiriya, Mexico, Nicaragua, Niger, Pakistan, Rwanda, Saudi Arabia, Thailand, Trinidad and Tobago, Tunisia, Ukrainian SSR, USSR, Venezuela, Yugoslavia, Zaire, Zambia..

Against: Canada, Japan, United States.

Abstaining: Finland, France, Germany, Federal Republic of, Greece, Ireland, Italy, Netherlands, New Zealand, Portugal, Sweden, United Kingdom.

GENERAL ASSEMBLY ACTION

On 14 December, the General Assembly adopted resolution 45/132.

Use of mercenaries as a means to violate human rights and to impede the exercise of the right of peoples to self-determination

The General Assembly,

Recalling the purposes and principles enshrined in the Charter of the United Nations concerning the strict observance of the principles of sovereign equality, political independence, territorial integrity of States and self-determination of peoples, as well as a scrupulous respect for the principle of the non-use or threat of the use of force in international relations, as 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,

Reaffirming the legitimacy of the struggle of peoples and their liberation movements for their independence, territorial integrity, national unity and liberation from colonial domination, apartheid and foreign intervention and occupation, and that their legitimate struggle can in no way be considered as or equated to mercenary activity,

Recognizing that the use of mercenaries is a threat to international peace and security,

Deeply concerned about the menace that the activities of mercenaries represent for all States, particularly African and other developing States,

Alarmed at the emergence of new international criminal activities carried out by mercenaries in collusion with drug traffickers,

Recognizing that the activities of mercenaries are contrary to the fundamental principles of international law, such as non-interference in the internal affairs of States, territorial integrity and independence, and impede the process of the self-determination of peoples struggling against colonialism, racism and apartheid and all forms of foreign domination,

Recalling all of its relevant resolutions, as well as those of the Security Council, the Economic and Social Council and the Organization of African Unity, in which, *inter alia*, it condemned any State that permitted or tolerated the recruitment, financing, training, assembly, transit and use of mercenaries with the objective of overthrowing the Governments of States Members of the United Nations, especially those of developing countries, or of fighting against national liberation movements,

Deeply concerned about the loss of life, the substantial damage to property and the short-term and long-term negative effects on the economy of southern African countries resulting from mercenary aggression,

Convinced that it is necessary to develop international co-operation among States for the prevention and prosecution of and punishment for such offences,

Welcoming the adoption of the International Convention against the Recruitment, Use, Financing and Training of Mercenaries,

1. Takes note with appreciation of the report of the Special Rapporteur of the Commission on Human Rights;

2. Condemns the recruitment, financing, training, assembly, transit and use of mercenaries, as well as all

other forms of support to mercenaries, for the purpose of destabilizing and overthrowing the Governments of African States and of other developing States and fighting against the national liberation movements of peoples struggling for the exercise of their right to self-determination;

3. Affirms that the use of mercenaries and their recruitment, financing and training are offences of grave concern to all States and violate the purposes and principles enshrined in the Charter of the United Nations;

4. Strongly condemns the racist régime of South Africa for its use of groups of armed mercenaries against national liberation movements and for the destabilization of the Governments of southern African States;

5. Denounces any State that persists in the recruitment, or permits or tolerates the recruitment, of mercenaries and provides facilities to them for launching armed aggression against other States;

6. Urges all States to take the necessary steps and to exercise the utmost vigilance against the menace posed by the activities of mercenaries and to ensure, by both administrative and legislative measures, that the territory of those States and other territories under their control, as well as their nationals, are not used for the recruitment, assembly, financing, training and transit of mercenaries, or for the planning of activities designed to destabilize or overthrow the Government of any State and to fight the national liberation movements struggling against racism, apartheid, colonial domination and foreign intervention or occupation;

7. Calls upon all States to extend humanitarian assistance to victims of situations resulting from the use of mercenaries, as well as from colonial or alien domination or foreign occupation;

8. Considers that to use channels of humanitarian and other assistance to finance, train and arm mercenaries is inadmissible;

9. Urges all States to take early action to sign, accede to or ratify the International Convention against the Recruitment, Use, Financing and Training of Mercenaries, in order to expedite the coming into force of that Convention;

10. Requests the Secretary-General to report to the General Assembly at its forty-sixth session on the use of mercenaries.

General Assembly resolution 45/132

14 December 1990 Meeting 68 121-10-21 (recorded vote)

Approved by Third Committee (A/45/759) by recorded vote (105-10-20), 5 November (meeting 31); 35-nation draft (A/C.3/45/L.10); agenda item 103.

Meeting numbers. GA 45th session: 3rd Committee 3-10, 18,31: plenary 68.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei, Darussalam, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname,

Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Belgium, France, Germany, Italy, Japan, Luxembourg, Netherlands, Portugal, United Kingdom, United States.

Abstaining: Australia, Austria, Bulgaria, Canada, Czechoslovakia, Denmark, Finland, Greece, Hungary, Iceland, Ireland, Israel, Liechtenstein, Malta, New Zealand, Norway, Poland, Romania, Spain, Sweden, Turkey.

Electoral processes

In his 1990 report on the work of the Organization [A/45/1], the Secretary-General reviewed the role of the United Nations in managing peaceful transitions in societies world wide which had been the scenes of conflicts or had suffered upheavals. Pointing out that the election monitoring in Nicaragua was the first such operation authorized and conducted by the United Nations internally in a Member State, he said that the success of that endeavour led to a central role for the Organization in the peaceful transfer of power in a region where such transfers had been the exception rather than the rule (see PART TWO, Chapter II). The Secretary-General also described plans for monitoring elections in El Salvador (see PART TWO, Chapter II) and the referendum in Western Sahara (see PART FOUR, Chapter I).

GENERAL ASSEMBLY ACTION

On 18 December, the General Assembly adopted resolution 45/150.

Enhancing the effectiveness of the principle of periodic and genuine elections

The General Assembly,

Aware of its obligations under the Charter of the United Nations to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and to promote and encourage respect for human rights and fundamental freedoms for all,

Reaffirming the Universal Declaration of Human Rights, which provides that everyone has the right to take part in the government of his or her country, directly or through freely chosen representatives, that everyone has the right of equal access to public service in his or her country, that the will of the people shall be the basis of the authority of government, and that this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures,

Noting that the International Covenant on Civil and Political Rights provides that every citizen shall have the right and the opportunity, 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, to take part in the conduct of public affairs, directly or through freely chosen representatives, to vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors, and to

have access, on general terms of equality, to public service in his or her country,

Condemning the system of apartheid and any other denial or abridgement of the right to vote on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Considering that the tricameral parliament established under the system of apartheid is a gross violation of the principle of universal and equal suffrage and has been overwhelmingly rejected by the international community,

Recalling that all States enjoy sovereign equality and that each State has the right freely to choose and develop its political, social, economic and cultural systems,

Recognizing that there is no single political system or electoral method that is equally suited to all nations and their people,

Taking note of the Secretary-General's observations concerning United Nations support for elections in Member States, as presented in his report on the work of the Organization,

Recalling its resolutions 43/157 of 8 December 1988 and 44/146 of 15 December 1989, as well as Commission on Human Rights resolution 1989/51 of 7 March 1989,

1. Underscores the significance of the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, which establish that the authority to govern shall be based on the will of the people, as expressed in periodic and genuine elections;
2. Stresses its conviction that periodic and genuine elections are a necessary and indispensable element of sustained efforts to protect the rights and interests of the governed and that, as a matter of practical experience, the right of everyone to take part in the government of his or her country is a crucial factor in the effective enjoyment by all of a wide range of other human rights and fundamental freedoms, embracing political, economic, social and cultural rights;
3. Declares that determining the will of the people requires an electoral process that provides an equal opportunity for all citizens to become candidates and put forward their political views, individually and in co-operation with others, as provided in national constitutions and laws;
4. Recognizes that the efforts of the international community to enhance the effectiveness of the principle of periodic and genuine elections should not call into question each State's sovereign right freely to choose and develop its political, social, economic and cultural systems, whether or not they conform to the preferences of other States;
5. Underscores the duty of each member of the international community to respect the decisions taken by other States in freely choosing and developing their electoral institutions;
6. Reaffirms that apartheid must be abolished, that the systematic denial or abridgement of the right to vote on the grounds of race or colour is a gross violation of human rights and an affront to the conscience and dignity of mankind, and that the right to participate in a political system based on common and equal citizenship and universal franchise is essential for the exercise of the principle of periodic and genuine elections;

7. Rejects the tricameral parliament established under the system of apartheid as an abhorrent expression of a fundamentally oppressive and flagrantly inhuman political system;

8. Affirms the value of the electoral assistance that the United Nations has provided at the request of Member States, in the context of full respect for their sovereignty;

9. Believes that the international community should continue to give serious consideration to ways in which the United Nations can respond to the requests of Member States as they seek to promote and strengthen their electoral institutions and procedures;

10. Requests the Secretary-General to seek the views of Member States, specialized agencies, other competent bodies of the United Nations system and those with specific expertise in this area concerning suitable approaches that will permit the Organization to respond to the requests of Member States for electoral assistance;

11. Also requests the Secretary-General to report his findings to the General Assembly at its forty-sixth session, together with an account of United Nations experience in election monitoring, within existing resources;

12. Decides to include in the provisional agenda of its forty-sixth session the item entitled "Enhancing the effectiveness of the principle of periodic and genuine elections".

General Assembly resolution 45/150
18 December 1990 Meeting 69 129-8-9 (recorded vote)

Approved by Third Committee (A/45/766) by recorded vote (106-9-12), 3 December (meeting 61): 24-nation draft (A/C.3/45/L.56), amended by Cuba, Lesotho, United Republic of Tanzania, Zambia and Zimbabwe (A/C.3/45/L.96) as sub-amended by United States (A/C.3/45/L.99); agenda item 110.

Meeting numbers. GA 45th session: 3rd Committee 35-42,49,55, 59, 61; plenary 69.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Algeria, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, Comoros, Costa Rica, Côte d'Ivoire, Cyprus, Czechoslovakia, Denmark, Djibouti, Dominica, Dominican Republic, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Malawi, Malaysia, Maldives, Malta, Mauritania, Mauritius, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Spain, Sri Lanka, Suriname, Sweden, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States, Uruguay, Vanuatu, Venezuela, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Angola, China, Colombia, Cuba, Iran, Myanmar, Sudan, Viet Nam.

Abstaining: Burkina Faso, Burundi, Ecuador, Ghana, India, Mali, Mexico, Peru, Syrian Arab Republic.

*Later advised the Secretariat it had intended to abstain.

In the Third Committee, Cuba introduced a series of amendments to the draft text. The United States proposed further amendments thereon. The proposal by the United States was adopted by a recorded vote of 82 to 18, with 18 abstentions. The amendments introduced by Cuba,

as amended, were adopted by a recorded vote of 120 to none, with 9 abstentions.

Following that action, the Committee, by separate recorded votes, retained the eighth preambular paragraph by 96 votes to 11, with 12 abstentions, paragraph 10 by 85 votes to 12, with 15 abstentions, and paragraph 11 by 88 votes to 12, with 14 abstentions.

On 18 December, the General Assembly adopted resolution 45/151.

Respect for the principles of national sovereignty
and non-interference in the internal affairs of
States in their electoral processes

The General Assembly,

Reaffirming the purposes of the United Nations to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and to take other appropriate measures to strengthen universal peace,

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

Also recalling its resolution 2625(XXV) of 24 October 1970, by which it approved the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations,

Further recalling the principle enshrined in Article 2, paragraph 7, of the Charter of the United Nations, which establishes that nothing contained in the Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any State or shall require the Members to submit such matters to settlement under the Charter,

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

Also Reaffirming the legitimacy of the struggle of all peoples under colonial and foreign domination, particularly the Palestinian people, for the exercise of their inalienable right to self-determination and national independence, which will enable them to decide freely on their own future,

Recognizing that the principles of national sovereignty and non-interference in the internal affairs of any State should be respected in the holding of elections,

Also recognizing that there is no single political system or single model for electoral processes equally suited to all nations and their peoples, and that political systems and electoral processes are subject to historical, political, cultural and religious factors,

Recalling its resolution 44/147 of 15 December 1989,

1. Reiterates that, by virtue of the principle of equal rights and self-determination of peoples enshrined in the Charter of the United Nations, all peoples have the right, freely and without external interference, to determine their political status and to pursue their economic, social and cultural development, and that every

State has the duty to respect that right in accordance with the provisions of the Charter;

2. Affirms that it is the concern solely of peoples to determine methods and to establish institutions regarding the electoral process, as well as to determine the ways for its implementation according to their constitutional and national legislation;

3. Also affirms that any extraneous activities that attempt, directly or indirectly, to interfere in the free development of national electoral processes, in particular in the developing countries, or that intend to sway the results of such processes, violate the spirit and letter of the principles established in the Charter and in the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations;

4. Urges all States to respect the principle of non-interference in the internal affairs of States and the sovereign right of peoples to determine their political, economic and social system;

5. Strongly appeals to all States to abstain from financing or providing, directly or indirectly, any other form of overt or covert support for political parties or groups and from taking actions to undermine the electoral processes in any country;

6. Condemns any act of armed aggression or threat or use of force against peoples, their elected Governments or their legitimate leaders;

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

8. Reaffirms the legitimacy of the struggle of all peoples under colonial and foreign domination, particularly the Palestinian people, for the exercise of their inalienable right to self-determination and national independence, which will enable them to determine their political, economic and social system, without external interference;

9. Calls upon the Commission on Human Rights, at its forty-seventh session, to give priority to the review of the fundamental factors that negatively affect the observance of the principle of national sovereignty and non-interference in the internal affairs of States in their electoral processes and to report to the General Assembly at its forty-sixth session, through the Economic and Social Council;

10. Requests the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution under the item entitled "Enhancing the effectiveness of the principle of periodic and genuine elections".

General Assembly resolution 45/151
18 December 1990 Meeting 69 111-29-11 (recorded vote)

Approved by Third Committee (A/45/766) by recorded vote (94-32-7), 4 December (meeting 62); 9-nation draft (A/C.3/45/L.59), orally revised; agenda item 110.

Sponsors: Afghanistan, Angola, China, Cuba, Libyan Arab Jamahiriya, United Republic of Tanzania, Yemen, Zambia, Zimbabwe.

Meeting numbers. GA 45th session: 3rd Committee 35-42,49,62; plenary 69.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Côte d'Ivoire, Cuba, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama,* Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Australia, Austria, Belgium, Bulgaria, Canada, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Liechtenstein, Luxembourg, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Spain, Sweden, Turkey, United Kingdom, United States.

Abstaining: Byelorussian SSR, Costa Rica, Cyprus, Czechoslovakia; El Salvador, Honduras, Malta, Saint Kitts and Nevis, Ukrainian SSR, USSR, Zaire.

*Later advised the Secretariat it had intended to vote against.

Administration of justice

On 7 March [E/1990/22 (res. 1990/81)], the Commission on Human Rights, emphasizing the importance of education and public information programmes geared particularly to those responsible for the administration of justice, requested the Secretary-General to provide for appropriate action under the World Public Information Campaign for Human Rights (see below, under "Advancement of human rights").

Taking note of the Secretary-General's note on the feasibility of drafting model texts for national legislation or other measures for the effective implementation of standards relating to human rights in the administration of justice (see below), the Commission asked him to establish a consolidated list of provisions contained in the relevant UN standards for the drafting of the texts, and invited him to forward the list, together with comments solicited in accordance with a 1989 General Assembly resolution [YUN 1989, p. 493], to the Sub-Commission. It invited the Sub-Commission to recommend measures to implement UN norms and standards, to consider the elaboration of model texts for national legislation and to report in 1991. The Commission asked the Secretary-General to inform it of the relevant decisions taken by the Eighth (1990) United Nations Congress on the Prevention of Crime and the Treatment of Offenders (see PART THREE, Chapter XII).

In response to a 1989 Commission request [YUN 1989, p. 493], the Secretary-General had submitted a February note [E/CN.4/1990/12] on the feasibility of drafting model texts for national legislation or other measures for the effective implementation of standards relating to human

rights in the administration of justice. The document contained views and information provided by States on the issue of model legislation and on national norms regulating human rights and administration of justice. On the basis of the replies received, the Secretary-General concluded that the preparation of model texts could play a positive role in strengthening the protection of human rights on the national level as part of an overall programme of advisory services. He noted that the first step in preparing the model texts would be to analyse the different national laws and machinery protecting human rights in the administration of justice.

In a July report [E/CN.4/Sub.2/1990/23], the Secretary-General presented to the Sub-Commission information on developments in the human rights programme and on the activities within the UN programme on crime prevention and control. In view of the Eighth (1990) United Nations Congress on the Prevention of Crime and the Treatment of Offenders (see PART THREE, Chapter XII), the report focused on crime prevention and control and preparations for the Congress as they related to the question of human rights of persons subjected to any form of detention or imprisonment. In particular, it covered the implementation of relevant standards, capital punishment, extra-legal, arbitrary and summary executions, the prevention of victimization and protection of victims, AIDS in prison and the computerization of criminal justice administration.

By a November note [E/CN.4/1991/19], the Secretary-General transmitted to the Commission the decisions taken by the Eighth Congress [A/CONF.144/28/Rev.1].

GENERAL ASSEMBLY ACTION

On 18 December, the General Assembly adopted resolution 45/166.

Human rights in the administration of justice

The General Assembly

Bearing in mind the principles embodied in articles 3, 5, 9, 10 and 11 of the Universal Declaration of Human Rights and the relevant provisions of the International Covenant on Civil and Political Rights and the Optional Protocols thereto, in particular article 6 of the Covenant, which explicitly states that no one shall be arbitrarily deprived of his life and prohibits the imposition of the death penalty for crimes committed by persons below eighteen years of age,

Bearing in mind also the relevant principles embodied in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and in the International Convention on the Elimination of All Forms of Racial Discrimination,

Calling attention to the numerous international standards in the field of the administration of justice, such as the Body of Principles for the Protection of All Per-

sons under Any Form of Detention or Imprisonment, the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power and the safeguards guaranteeing protection of the rights of those facing the death penalty, as well as the Basic Principles on the Independence of the Judiciary, the Model Agreement on the Transfer of Foreign Prisoners and recommendations on the treatment of foreign prisoners, the Code of Conduct for Law Enforcement Officials and the Standard Minimum Rules for the Treatment of Prisoners,

Reaffirming in this context the importance of the principles contained in its resolution 41/120 of 4 December 1986 on standard-setting in the field of human rights,

Recognizing the important contribution of the Commission on Human Rights in the field of human rights in the administration of justice, as reflected in its resolutions 1990/81 of 7 March 1990 on human rights in the administration of justice, 1990/33 of 2 March 1990 on the independence and impartiality of the judiciary, jurors and assessors and the independence of lawyers, 1990/35 of 2 March 1990 on compensation for victims of gross violations of human rights, 1990/37 of 6 March 1990 on the use of force by law enforcement officials and 1990/51 of 6 March 1990 on summary or arbitrary executions,

Welcoming resolution 1990/33 of 31 August 1990 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, by which the Sub-Commission adopted a draft declaration on the protection of all persons from enforced or involuntary disappearances, and invited the Commission on Human Rights to consider the draft declaration as a matter of high priority at its forty-seventh session.

Also welcoming the decision of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, in its resolution 1990/23, to entrust Mr. Louis Joinet with the preparation of a report on strengthening the independence of the judiciary and the protection of practising lawyers and encouraging the Sub-Commission, in giving further consideration to the question of the independence and impartiality of the judiciary and the independence of lawyers, to take into account the basic principles adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

Welcoming further the progress achieved by the Sub-Commission on the subject of compensation for victims of gross violation of human rights,

Recognizing the significant work accomplished in this area under the United Nations crime prevention and criminal justice programme, especially by the Eighth Congress, in particular with respect to the formulation and application of United Nations standards and norms in the administration of justice under item 7 of its agenda,

Underlining the need for further co-ordinated and concerted action in promoting respect for human rights in the administration of justice,

Recalling its resolution 44/162 of 15 December 1989,

1. Reaffirms the importance of the full and effective implementation of United Nations norms and standards on human rights in the administration of justice;

2. once again calls upon all States to pay due attention to those norms and standards in developing na-

tional or regional strategies for their practical implementation and to spare no effort in providing for effective legislative and other mechanisms and procedures, as well as for adequate financial resources to ensure more effective implementation of these norms and standards;

3. Takes note with appreciation of the recommendations made by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders 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 Officials, the safeguards guaranteeing protection of the rights of those facing the death penalty, the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules), the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power and the Basic Principles on the Independence of the Judiciary;

4. welcomes the Basic Principles on the Role of Lawyers, the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, the Guidelines on the Role of Prosecutors, the Basic Principles for the Treatment of Prisoners, the United Nations Standard Minimum Rules for Non-custodial Measures (The Tokyo Rules) and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty, unanimously adopted by the Eighth Congress, and invites Governments to respect them and to take them into account within the framework of their national legislation and practice;

5. Welcomes also the Model Treaty on the Transfer of Supervision of Offenders Conditionally Sentenced or Conditionally Released and the recommendations on the treatment of foreign prisoners adopted unanimously by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, and invites Member States to take them into account, as well as the Model Agreement on the Transfer of Foreign Prisoners, in establishing treaty relations with other Member States or in revising existing treaty relations;

6. Endorses Economic and Social Council resolution 1990/21 of 24 May 1990 on the implementation of United Nations standards and norms in crime prevention and criminal justice;

7. Requests the commission on Human Rights, bearing in mind the work of the Committee on Crime Prevention and Control, to invite the Sub-Commission on Prevention of Discrimination and Protection of Minorities:

(a) To study the implementation of United Nations norms and standards in this field;

(b) To identify problems that may impinge on the effective implementation of those standards and norms;

(c) To recommend viable solutions with action-oriented proposals to the Commission;

8. Requests the Secretary-General:

(a) To provide the necessary compilatory and analytical documentation to the Sub-Commission for those tasks;

(b) To prepare, on the basis of comments by Member States and relevant international organizations and bodies, as well as non-governmental organizations, a

draft model text for national legislation in the field of human rights in the administration of justice;

(c) To co-ordinate the activities of the Commission on Human Rights and the Sub-Commission, mentioned in paragraph 7 above, with the relevant activities of the Committee on Crime Prevention and Control;

(d) To invite those Member States and international organizations and bodies which have not yet done so to comment on the aspects of human rights issues in the field of administration of justice they deem relevant to the work of the Sub-Commission;

9. Requests the Commission on Human Rights to invite the Sub-Commission to consider the draft model text requested in paragraph 8 (b) above, with a view to the further elaboration of model texts, and to propose such texts to the Commission for adoption;

10. Requests the Secretary-General:

(a) To continue to assist Member States, at their request, in implementing existing international human rights standards in the administration of justice, in particular under the programme of advisory services;

(b) To continue to provide all necessary support to United Nations bodies working on standard-setting in this field;

(c) To continue to co-ordinate the various technical advisory services provided by the Centre for Human Rights and the Centre for Social Development and Humanitarian Affairs of the Secretariat with a view to undertaking joint programmes and strengthening existing mechanisms for the protection of human rights in the administration of justice;

11. Emphasizes the 'Important role of the regional commissions, specialized agencies and the United Nations institutes in the area of human rights and crime prevention and criminal justice and other organizations of the United Nations system, as well as intergovernmental and non-governmental organizations, "including national professional associations concerned with promoting United Nations standards in this field;

12. Decides to consider at its forty-sixth session the question of human rights in the administration of justice on the basis of a report of the Secretary-General on the implementation of the present resolution.

General Assembly resolution 45/166

18 December 1990 Meeting 69 Adopted without vote
Approved by Third Committee (A/45/838) without vote, 29 November (meeting 57); 24-nation draft (A/C.3/45/L.86), orally revised; agenda item 12.

Meeting numbers. GA 45th session: 3rd Committee 48-50, 56, 57; plenary 69.

Independence of the judiciary

Endorsing a 1989 Sub-Commission request [YUN 1989, p. 504], asking Special Rapporteur Louis Joinet to prepare a working paper on means of monitoring the independence of the judiciary and the protection of practising lawyers, the Commission, on 2 March 1990 [res. 1990/33], requested the Sub-Commission to study the working paper with a view to recommending any initiative which could be taken to effectuate the implementation of the 1985 Basic Principles on the Independence of the Judiciary [YUN 1985, p. 757] and the protection of practising lawyers. It

called on Governments to respect the independence of the judiciary and to ensure the protection of practising lawyers, prosecutors and judges against undue restrictions and pressures in the exercise of their functions. The Commission recommended that the Eighth (1990) United Nations Congress on the Prevention of Crime and the Treatment of Offenders (see PART THREE, Chapter XII) consider as a matter of priority the draft basic principles on the role of lawyers elaborated by the Committee on Crime Prevention and Control, with a view to adopting them.

The Special Rapporteur submitted in July a working paper [E/CN.4/Sub.2/1990/35] on means in the area of monitoring by which the Sub-Commission could ensure respect for the independence of the judiciary and the protection of practising lawyers. He reviewed current UN standard-setting and reporting activities and enumerated common violations of the principles of the independence of judges and lawyers. He discussed the strengthening of measures currently in place, such as legislative protections, promotional activities and intra-professional solidarity.

The Special Rapporteur recommended that a Sub-Commission member prepare a report which would make a system-wide analysis of UN advisory service and technical assistance programmes regarding the independence of the judiciary and the protection of practising lawyers; propose ways to enhance co-operation between the programmes; and present guidelines and criteria to be taken into account in providing the services. He proposed that the report bring to the Sub-Commission's attention cases in which legislative or practical measures had strengthened the independence of the judiciary and the protection of practising lawyers or those which constituted extreme violations of those norms.

On 30 August [res. 1990/23], the Sub-Commission called on Governments to strengthen the independence of the judiciary and the protection of practising lawyers and, taking note of the Special Rapporteur's working paper, endorsed his recommendations. It further decided to entrust him with preparing a report and asked him to bring to its attention information on legislative or judicial measures or other practices affecting the independence of the judiciary and the protection of practising lawyers in accordance with UN standards. The Sub-Commission asked the Secretary-General to assist the Special Rapporteur and to transmit its resolution to Governments, intergovernmental organizations and NGOs, requesting specific information on meas-

ures taken to strengthen the independence of the judiciary and lawyers or on practices which had undermined it.

Right to a fair trial

On 7 March [dec. 1990/108], the Commission welcomed the Sub-Commission's 1989 decision [YUN 1989, p. 504] to appoint Stanislav Chernichenko (USSR) and William Treat (United States) as rapporteurs to prepare a report on existing international norms and standards pertaining to the right to a fair trial, and requested the Sub-Commission to consider the report in 1990.

In a June report [E/CN.4/Sub.2/1990/34], the Special Rapporteurs provided an overview of the right to a fair trial and indicated the areas needing further study. They discussed principal treaties and other instruments containing provisions on the right to a fair trial, analysed the elements of a fair criminal trial and examined the right to a fair trial as a non-derogable right.

The Special Rapporteurs recommended that the Sub-Commission appoint two of its members to prepare a study entitled "The right to a fair trial: current recognition and measures necessary for its strengthening". They proposed that a questionnaire be prepared, to be sent to Governments to obtain their views on the considerations expressed in their report and on the possibility of making the standards more specific or protective of human rights.

On 30 August [res. 1990/18], the Sub-Commission took note of the report and its recommendations and decided to entrust the Special Rapporteurs with preparing the recommended study. The Secretary-General was asked to assist them.

Treatment of prisoners and detainees

In a July report with later addendum [E/CN.4/Sub.2/1990/20 & Add.1], the Secretary-General submitted replies received from Governments pursuant to a 1974 Sub-Commission resolution [YUN 1974, p. 676], in which it had decided to review annually developments relating to the human rights of persons subjected to any form of detention or imprisonment. The Governments reviewed, among other things, instances of death during detention, extrajudicial executions, capital punishment, enforced and involuntary disappearance, torture and the use of force by law enforcement officials. Similar information from one UN body and one specialized agency, and a synopsis of material received from NGOs were presented in July [E/CN.4/Sub.2/1990/21] and August [E/CN.4/Sub.2/1990/22] reports, respectively.

Torture and cruel treatment

Special Rapporteur Peter H. Kooijmans (Netherlands) submitted to the Commission on Human Rights his annual report [E/CN.4/1990/17] on the question of torture. He continued to receive requests for urgent action or information, principally concerning persons who were allegedly being subjected to torture, usually while being held incommunicado in police or army custody, or during interrogation. He brought 51 cases of such treatment to the immediate attention of the respective Governments and appealed to them to ensure the protection of the right to physical and mental integrity of those concerned and humane treatment while in detention. Details on the contents of the appeals and of government replies thereto were given in the report.

The Special Rapporteur was particularly alarmed by the fact that he received a number of allegations referring to torture of children and juveniles. Education in the field of human rights, he stated, seemed one of the most urgent tasks the international community had to tackle. He highlighted the 1988 Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment [GA res. 43/173], stating that the principles contained therein could function as a check-list for Governments to see whether their administrative practices were in conformity with the principles and to take corrective measures if that was not the case.

The Special Rapporteur made a series of recommendations which the Commission emphasized in a resolution (see below). Other recommendations dealt with sanctions for those who carried out illegal detentions; inquiries into the death of a person during detention or shortly after release by a judicial or other impartial authority; and translation into national languages of the 1988 Body of Principles, the 1979 Code of Conduct for Law Enforcement Officials [CA res. 34/169] and the Standard Minimum Rules for the Treatment of Prisoners and their use for training law enforcement and security forces personnel.

In a later addendum [E/CN.4/1990/17/Add.1], the Special Rapporteur described his visit to Zaïre (13-20 January 1990), made at the invitation of the Government. He noted that the human rights situation in Zaïre had improved considerably during recent years and the phenomenon of torture had decreased.

Commission action. Commending the Special Rapporteur on his report, the Commission, on 2 March [E/1990/22 (res. 1990/34)], stressed his conclusions and recommendations, concerning: instituting a system of periodic visits by independent

experts to places of detention; limiting, and eventually declaring illegal, incommunicado detention; giving a person prompt access to legal counsel after arrest and the obligation promptly to inform the relatives of an arrested person of the arrest and place of detention; proper medical inspections; interrogating detainees only at official interrogation centres and recording the interrogations; and establishing, at the national level, an independent authority to receive complaints of torture by individuals. In addition, it endorsed the recommendation that, whenever found to be responsible for acts of torture or severe maltreatment, a person should be brought to trial and, if found guilty, severely punished. The Commission called on States to sign and accede to or ratify the 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (see below). Deciding to extend the mandate of the Special Rapporteur for a further two years, the Commission appealed to Governments to co-operate with and assist him and encouraged them to give serious consideration to inviting him to visit their country. It also asked the Secretary-General to assist him.

On 25 May, the Economic and Social Council, by decision 1990/231, approved the Commission's decision to extend the Special Rapporteur's mandate and its request to the Secretary-General to assist him.

Convention against torture

As at 31 December 1990, 55 States had ratified or acceded to the 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment [GA res. 39/46], 7 of them (Germany, Guatemala, Liechtenstein, Malta, Paraguay, Romania, Somalia) in 1990. The Convention had entered into force in 1987 [YUN 1987, p. 755]. The optional provisions of articles 21 and 22 (under which a party recognized the competence of the Committee against Torture to receive and consider communications to the effect that a party claimed that another was not fulfilling its obligations under the Convention, and to receive communications from or on behalf of individuals claiming to be victims of a violation of the Convention by a State party) also entered into force in 1987; 26 parties had made the required declarations in 1990.

The Secretary-General reported to the Commission and to the General Assembly on the status of the Convention as at 15 December 1989 [E/CN.4/1990/15] and 1 August 1990 [A/45/405], respectively.

Committee against Torture

The Committee against Torture, at its fourth session (Geneva, 23 April-4 May) [A/45/44 & Corr.I], considered reports submitted by China, the Netherlands, Senegal, Tunisia and the Ukrainian SSR under article 19 of the Convention. It approved its draft consolidated guidelines on the form and content of the initial part of the reports of States parties under international human rights instruments. In four closed meetings during the session, it commenced its work under article 20, reviewing information which appeared to contain well-founded indications that torture was being systematically practised in the territory of a State party.

During its fifth session (Geneva, 12-23 November) [A/46/46], the Committee examined reports from Aruba, Ecuador, Finland, Greece, the Netherlands Antilles, Spain and Turkey and continued its work under article 20 of the Convention in four closed meetings. The Committee also considered three communications under article 22, whereby individuals who claimed that their rights enumerated in the Convention had been violated by a State party and who had exhausted all available domestic remedies could submit their cases to the Committee. It concluded consideration of one of them by declaring it inadmissible.

Commission action. On 2 March [E/1990/22 (res. 1990/28)], the Commission asked the Secretary-General to continue submitting annual reports on the status of the Convention. It stressed the need for the Committee against Torture to give early attention to the development of an effective reporting system on implementation of the Convention by States parties and reminded States parties of their obligations regarding the financing of the Committee. The Commission asked the Secretary-General to ensure the provision of appropriate staff and facilities for the Committee. Reiterating its request to all States to become parties to the Convention as a matter of priority, it also invited all States ratifying or acceding to the Convention and those States parties that had not done so to consider the possibility of making the declaration provided for in articles 21 and 22.

GENERAL ASSEMBLY ACTION

On 14 December, the General Assembly adopted **resolution 45/142**.

Report of the Committee against Torture and 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 Rights and article 7 of the International Cove-

nant on Civil and Political Rights, 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, ratification 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, as well as its subsequent resolutions on the status of the Convention, most recently its resolution 44/144 of 15 December 1989, as well as the Commission on Human Rights resolutions on the subject, most recently resolution 1990/28 of 2 March 1990,

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 Officials and of the Principles of Medical Ethics relevant to the role of health personnel, particularly physicians, in the protection of prisoners and detainees against torture and other cruel, inhuman or degrading treatment or punishment,

Recalling the adoption of the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment,

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,

Taking note of the decision of the Commission on Human Rights, in its resolution 1990/34 of 2 March 1990, to extend for two years the mandate of the Special Rapporteur to examine questions relevant to torture,

1. Welcomes the report of the Committee against Torture;

2. Takes note of the report of the Secretary-General on the status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

3. Stresses the importance of strict adherence by States parties to the obligations under the Convention regarding the financing of the Committee against Torture, thus enabling it to carry out in an effective and efficient manner all the functions entrusted to it under the Convention, so as to ensure the long-term viability of the Committee as an essential mechanism for overseeing the effective implementation of the provisions of the Convention;

4. Welcomes the attention that the Committee against Torture has given to the development of an effective system of reporting on the implementation of the Convention by States parties, and especially its revision of its general guidelines for the submission of initial reports by States parties;

5. Welcomes also the continuing close contacts and exchange of information, reports and documents be-

tween the Committee against Torture and the Special Rapporteur of the Commission on Human Rights on questions relating to torture;

6. Requests the Secretary-General to ensure the provision of appropriate staff and facilities for the effective performance of the functions of the Committee against Torture;

7. Reiterates its request to all States to become parties to the Convention as a matter of priority;

8. Once again invites all States, upon ratification of or accession to the Convention, or subsequently, to consider the possibility of making the declarations provided for in articles 21 and 22 of the Convention;

9. Also requests the Secretary-General to submit to the Commission on Human Rights at its forty-seventh session and to the General Assembly at its forty-sixth session a report on the status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

10. Decides to consider the report of the Secretary-General at its forty-sixth session under the item entitled "Torture and other cruel, inhuman or degrading treatment or punishment".

General Assembly resolution 45/142

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/45/765) without vote, 28 November (meeting 55); 38-nation draft (A/C.3/45/L.49); agenda item 109. Meeting numbers. GA 45th session: 3rd Committee 35-42, 49, 55; plenary 68.

Fund for victims of torture

The Commission on Human Rights, on 2 March [E/1990/22 (res. 1990/29)], appealed to Governments, organizations and individuals in a position to do so to contribute regularly to the United Nations Voluntary Fund for Victims of Torture, which was established in 1981 [GA res. 36/151]. The Commission renewed its request to the Secretary-General to transmit to all Governments its appeal for contributions and also to make use of all existing possibilities to assist the Board of Trustees of the Fund.

In an October report [A/45/633], the Secretary-General stated that the Board of Trustees, at its ninth session (Geneva, 11-15 June 1990), considered 60 requests for assistance concerning continuing projects and 30 requests concerning new projects. The Board recommended to the Secretary-General the approval of 61 grants, representing a total of \$1,766,300. As in the past, the focus of the Board's recommendations was on supporting programmes providing direct medical, psychological, social or other assistance to torture victims and their family members. The Board had also made recommendations for support for training programmes for health professionals of several countries on the techniques of treatment of victims of torture as well as for meetings of health professionals, at which they could learn from each other's experiences. Those proj-

ects were carried out in some 30 countries and benefited persons from many other countries.

Between 16 October 1989 and 16 October 1990, 15 States contributed \$628,051. Contributions were also received from a number of individuals.

GENERAL ASSEMBLY ACTION

On 14 December, the General Assembly adopted resolution 45/143.

United Nations Voluntary Fund for Victims of Torture

The General Assembly,

Recalling article 5 of the Universal Declaration of Human Rights, which states that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment,

Recalling also the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,

Recalling with satisfaction the entry into force on 26 June 1987 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,

Recalling 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.

Alarmed at the widespread occurrence of torture and other cruel, inhuman or degrading treatment or punishment,

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,

1. Expresses its gratitude and appreciation to the 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. Invites Governments to make contributions to the Fund, preferably on a regular basis, in order to enable the Fund to provide continuous support to projects that depend on recurrent grants;

4. Expresses its appreciation to the Governments that pledged a contribution to the Fund at the 1990 United Nations Pledging Conference for Development Activities;

5. Requests the Secretary-General to continue to include the Fund on an annual basis among the programmes for which funds are pledged at the United Nations Pledging Conference for Development Activities;

6. Expresses its appreciation to the Board of Trustees of the Fund for the work it has carried out;

7. Also expresses its appreciation to the Secretary-General for the support given to the Board of Trustees of the Fund by carrying out its decisions on an increasing number of projects;

8. 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..

General Assembly resolution 45/143

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/45/765) without vote, 28 November (meeting 55); 29-nation draft (A/C.3/45/L.52); agenda item 109.

Meeting numbers. GA 45th session: 3rd Committee 35-42, 49, 55; plenary 68.

Torture and inhuman treatment of detained children in South Africa

The Secretary-General in January submitted to the Commission on Human Rights a report [E/CN.4/1990/6] on torture and inhuman treatment of children in detention in South Africa and Namibia, as requested in 1989 [YUN 1989, p. 497]. He stated that there had been no reply to his request to South Africa for information on the subject and drew the Commission's attention to an interim report of the Ad Hoc Working Group of Experts on Southern Africa [E/CN.4/1990/7], which contained information on the question of the treatment of children in South Africa and Namibia (see also below, under "Human rights violations").

On 23 February [E/1990/22 (res. 1990/11)], the Commission reiterated its vigorous condemnation of the detention, torture and inhuman treatment of children in South Africa. It demanded their unconditional release, that the restrictions imposed on them be lifted, and that their basic and legitimate freedoms of movement, association and education be ensured. Demanding the termination of the state of emergency and the abrogation of all repressive and discriminatory legislation, it requested all relevant UN bodies, specialized agencies and NGOs to launch a world-wide campaign aimed at drawing attention to, monitoring and exposing those practices. Further demanding the abolition of apartheid, the Commission appealed to the international community to adopt measures to bring pressure against the Government until it dismantled apartheid and abandoned all inhuman practices associated with that policy. The Commission requested the Ad Hoc Working Group of Experts on Southern Africa to pay special attention to the question of detention, torture and other inhuman treatment of children in South Africa and to report to it in 1991, and asked the Secretary-General to provide assistance to the Group. It further requested the Secretary-General to intervene with the Government to bring an end to the practice, to report to it on the outcome of his efforts and to bring the

Commission's resolution to the attention of relevant UN bodies, specialized agencies and NGOs.

In an October report [A/45/615], the Secretary-General stated that detailed replies from UN bodies, specialized agencies and NGOs to his request for information on torture and inhuman treatment of children in detention in South Africa were still being awaited. He presented relevant excerpts from the latest report of the Ad Hoc Working Group [E/CN.4/1990/7], adding that the Group was no longer charged with the responsibility of conducting an inquiry into the situation of children in Namibia, following its independence in March (see PART FOUR, Chapter III). The Group expressed concern that ill-treatment of children in detention appeared to be as widespread as before.

GENERAL ASSEMBLY ACTION

On 14 December, the General Assembly adopted resolution 45/144.

Torture and inhuman treatment of children in detention in South Africa

The General Assembly,

Recalling its resolution 44/143 of 15 December 1989 and taking note of Commission on Human Rights resolution 1990/11 of 23 February 1990,

Recalling also the relevant provisions of the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Declaration on the Rights of the Child,

Welcoming the entry into force of the Convention on the Rights of the Child and the results of the World Summit for Children, in particular the adoption on 30 September 1990 of the World Declaration on the Survival, Protection and Development of Children and the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s,

Taking note of the report of the Secretary-General and in particular of the condemnation expressed therein by the Ad Hoc Working Group of Experts on Southern Africa of the Commission on Human Rights with regard to the lack of government concern for the violation of the human rights of the children of South Africa in matters of freedom of movement and the right to education and health,

1. Expresses its profound outrage at evidence of detention, torture and inhuman treatment of children in South Africa;

2. Vigorously condemns the apartheid racist régime for the continued detention, torture and inhuman treatment of children in South Africa;

3. Reiterates its demand for the immediate and unconditional release of all children held in detention by the apartheid regime in South Africa;

4. Reiterates its appeal to all relevant United Nations bodies, specialized agencies and non-governmental organizations to intensify the world-wide campaign

aimed at drawing attention to, monitoring and exposing these inhuman practices;

5. Requests the Commission on Human Rights to continue to pay special attention to the question of detention, torture and other inhuman treatment of children in South Africa;

6. Requests the Secretary-General to submit a report to the General Assembly at its forty-sixth session on the implementation of the present resolution;

7. Decides to consider this question at its forty-sixth session under the item entitled "Torture and other cruel, inhuman or degrading treatment or punishment".

General Assembly resolution 45/144

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/45/765) without vote, 28 November (meeting 55); 28-nation draft (A/C.3/45/L.54); agenda item 109.

Meeting numbers. GA 45th session: 3rd Committee 35-42, 49, 55; plenary 68.

Detention of juveniles

In June, the Secretary-General submitted a report, with later addenda [E/CN.4/Sub.2/1990/25 & Add.1,2], containing information provided by UN bodies, specialized agencies, Governments, NGOs and intergovernmental organizations on the application of international standards concerning the human rights of detained juveniles. Annexed to the report was a questionnaire on the subject, prepared by the Centre for Human Rights, in consultation with the Centre for Social Development and Humanitarian Affairs, which had been sent with the Secretary-General's request for information.

Recalling the 1989 resolution [YUN 1989, p. 498] by which it requested Maria Concepción Bautista (Philippines) to prepare a report on the application of international standards concerning the human rights of detained juveniles, the Sub-Commission, on 30 August 1990 [E/CN.4/1991/2 (res. 1990/21)], noted that the information received by the Secretary-General from Governments and NGOs could not be incorporated into the preliminary report, for lack of sufficient time. It asked the Secretary-General to circulate the questionnaire on juvenile detention to the widest possible range of Governments, specialized agencies and NGOs, at the earliest possible time, so that the replies could be included in a 1991 report. The Sub-Commission extended the mandate of Mrs. Bautista until its 1991 session.

Detention without charge or trial

Noting that the Sub-Commission had been unable to consider the report on the practice of administrative detention prepared by Special Rapporteur Louis Joinet (France) in 1989 [YUN 1989, p. 498], the Commission, on 7 March, again invited

the Sub-Commission to make any proposals it deemed necessary.

In a July report [E/CN.4/Sub.2/1990/29], Mr. Joinet presented information on the practice of administrative detention based on replies received to a questionnaire sent to Governments, UN bodies, specialized agencies, regional inter-governmental organization and NGOs.

The Rapporteur discussed the extent of resort to administrative detention, and noted that the inquiries undertaken suggested five cases in which it was found to be used significantly: situations threatening public order and State security, notably during crises; measures relating to the status of foreigners, including asylum-seekers and refugees; detention for the purposes of "political re-education"; disciplinary measures; and measures to combat social maladjustment. He examined all of those situations, as well as the legal framework of administrative detention and the circumvention of legal procedures and abuses.

In a series of recommendations to the Commission, the Rapporteur proposed: the annual submission of a report on the development of all forms of administrative detention throughout the world; paying particular attention to the subject by the Special Rapporteurs on summary executions, torture and states of emergency, as well as the Working Group on Enforced or Involuntary Disappearances and the Working Group on the Question of Persons Detained on the Grounds of Mental Ill-health or Suffering from Mental Disorders, and any other relevant monitoring or investigative body of the UN system; gathering information on the conditions in which administrative detention was applied to new categories of persons, such as those suffering from communicable diseases (quarantine) and those allegedly detained in specialized health centres once their illness was diagnosed (AIDS, for example); and inviting the Special Rapporteur to carry out an in-depth study, with a view to submitting proposals to the Commission, of the conditions under which the right to habeas corpus or any other similar remedy could be declared intangible. He concluded that the appointment of a special rapporteur would give the UN system a monitoring machinery covering all the sectors at risk, in the form of reports on the protection of intangible rights (prohibition of enforced disappearances, torture and summary executions) and reports on tangible rights that were likely to be violated on account of the "limitations or restrictions accepted in a democratic society".

In an addendum to his report [E/CN.4/Sub.2/1990/29/Add.1], Mr. Joinet expressed a strong need

for suitable machinery to prevent and report violations of international standards on the legality of all forms of detention and recommended the appointment of a special rapporteur or of a five-person working group to address the issue.

On 30 August [res. 1990/22], the Sub-Commission endorsed the recommendations contained in the addendum to Mr. Joinet's report and transmitted them to the Commission. It invited the Commission to consider the proposals and asked the Secretary-General to keep the Sub-Commission informed of any action the Commission might take.

Working Group on Detention

The five-member Working Group on Detention met on 13, 15, 17, 22 and 24 August in Geneva [E/CN.4/Sub.2/1990/32]. It discussed and adopted a revised draft declaration on the protection of all persons from enforced or involuntary disappearance, which was annexed to its report. The Group reviewed developments concerning the human rights of persons subjected to any form of detention or imprisonment, focusing on the synopsis of information received from NGOs in consultative status with the Economic and Social Council. It was decided that the Group would prepare and discuss a working paper on habeas corpus as a non-derogable right. The Group also discussed the death penalty, with special reference to its imposition on persons of less than 18 years of age, and further considered the issue of the right to a fair trial.

Pursuant to a 1989 Sub-Commission request [YUN 1989, p. 498], the Secretary-General submitted a June report [E/CN.4/Sub.2/1990/26 & Add.1,2] transmitting comments from Governments, intergovernmental organizations and NGOs on legislation concerning the death penalty for persons under 18 years of age.

On 31 August [res. 1990/33], the Sub-Commission adopted the draft declaration on the protection of all persons from enforced or involuntary disappearance, and transmitted it to the Commission on Human Rights for its consideration, with the recommendation that it be endorsed and transmitted to the Economic and Social Council and the General Assembly for final adoption.

On the same date [dec. 1990/124], the Sub-Commission took note of the Working Group's report.

Capital punishment

In a March report [E/1990/38 & Corr.1] to the Economic and Social Council, the Secretary-General submitted his fourth quinquennial report on

capital punishment, based on replies received from Governments in response to his request for information on the use of and trends in the death penalty during the period from 1984 to 1988. He stated that the most significant development since 1984 was the adoption by the General Assembly in 1989 of the Second Optional Protocol [GA res. 44/128] to the International Covenant on Civil and Political Rights, aiming at the abolition of capital punishment. While many countries had cited public opinion as one of the major reasons for retaining the death penalty, the Secretary-General emphasized that efforts should be made to reverse popular support for capital punishment, which was often a spontaneous reaction to certain forms of crime.

On 24 May, the Economic and Social Council, by resolution 1990/29, requested the Secretary-General to submit a revised version of the fourth report at its second regular session, which he did in June [E/1990/38/Rev.1]. That report contained additional responses to the Secretary-General's request for information. The Secretary-General stated that, since 1984, 11 countries had abolished capital punishment, which he noted as a significant trend towards abolition. He added that 21 countries should be considered abolitionist, *de facto*, since no executions had taken place for 10 years or more. Annexed to the Secretary-General's March report and revised June report were a list of retentionist countries or areas; information on types of capital offences in retentionist countries; and supplementary information on the status of capital punishment in a variety of circumstances.

By resolution 1990/51 of 24 July, the Economic and Social Council recommended that the quinquennial reports of the Secretary-General on capital punishment should, beginning in 1995, also cover the implementation of the safeguards guaranteeing protection of the rights of those facing the death penalty.

By letters dated 18 July [E/1990/105] and 6 August [E/1990/119], the Governments of Cuba and Antigua and Barbuda, respectively, referred to the list of retentionist countries annexed to the revised report and requested that, as their countries did not contemplate capital punishment for ordinary crimes, they be removed from the list.

Summary or arbitrary executions

In a January report on summary or arbitrary executions [E/CN.4/1990/22], Special Rapporteur S. Amos Waco (Kenya) described urgent appeals and other communications sent to 48 Governments, their replies and his observations thereon. He stated that he had received more appeals than

in previous years for urgent intervention in cases of death threats made against judges, lawyers, magistrates, prosecutors, human rights activists, public office holders, trade unionists, educators, journalists, eyewitnesses to crimes and members of opposition groups, including political parties. He took immediate action in cases where death threats posed *prima facie* imminent danger to the lives of those who had allegedly received such threats.

The Special Rapporteur concluded that summary or arbitrary executions were still prevalent in many parts of the world, in the form of armed conflicts causing the death of civilians, political assassinations, illegal and/or excessive use of force by law enforcement or security force personnel, deaths in custody and executions without trial, or with a trial but without safeguards to protect the rights of the defendant.

The Special Rapporteur recommended that Governments review their national laws and regulations, with a view to implementing the Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions, adopted by the Economic and Social Council in 1989 [E/CN.4/1989/65]; ensure the protection of persons who played key roles in defending human rights and promoting social justice from death threats and assassination attempts; include a human rights curriculum in training all law enforcement and military personnel; and establish a government office to improve co-operation with the United Nations and other international organizations in human rights matters.

His recommendations to international organizations included organizing human rights seminars and training courses; promoting information activities to disseminate the latest human rights achievements; emphasizing the importance of international human rights norms and principles; and strengthening the UN Centre for Human Rights to meet the ever-growing requirements in the monitoring of human rights protection and advisory services.

In an addendum to his report [E/CN.4/1990/22/Add.1], the Special Rapporteur reported on his visit to Colombia (11-20 October 1989).

On 6 March [res. 1990/51], the Commission on Human Rights, strongly condemning the large number of summary or arbitrary executions, including extra-legal executions, appealed urgently to Governments, UN bodies, the specialized agencies, regional intergovernmental organizations and NGOs to take effective action to combat and eliminate them. The Commission decided to extend the Special Rapporteur's mandate for an additional two years; it asked him to con-

tinue to examine situations of summary or arbitrary executions and to respond effectively to information that came before him, particularly when a summary or arbitrary execution was imminent or threatened or when such an execution had occurred. The Commission encouraged Governments, intergovernmental organizations and NGOs to set up training programmes and to support projects with a view to training or educating law enforcement officers in human rights issues connected with their work. Governments were urged to co-operate with and assist the Special Rapporteur. The Commission asked the Secretary-General to assist the Special Rapporteur and to consider ways of publicizing his work as well as his recommendations. It also asked him to continue to use his best endeavours in cases where the minimum standard of legal safeguards provided for in articles 6, 14 and 15 of the International Covenant on Civil and Political Rights [GA res. 2200 A (XXI)] appeared not to be respected.

By decision 1990/233 of 25 May, the Economic and Social Council approved the Commission's decision to extend the Special Rapporteur's mandate and its request to the Secretary-General to assist him.

Also on 6 March [res. 1990/37], the Commission called on Governments to take into account and respect UN standards on the use of force by law enforcement officials and to ensure their implementation. It also called on them to ensure that the standards and the relevant national rules and regulations be made known and available in the languages of the country to practising lawyers, judges, prosecutors and the general public. Governments were further called on to include information on such international standards and national rules and regulations in education and training programmes for law enforcement officials. The Commission asked the Secretary-General to help organize workshops and other meetings on issues relevant to the 1979 Code of Conduct for Law Enforcement Officials [GA res. 34/169].

GENERAL ASSEMBLY ACTION

On 18 December, the General Assembly adopted resolution 45/162.

Summary or arbitrary executions

The General Assembly,

Recalling the provisions of the Universal Declaration of Human Rights, in which it is stated 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, in which it is stated 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 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, 39/110 of 14 December 1984, 40/143 of 13 December 1985, 41/144 of 4 December 1986, 42/141 of 7 December 1987, 43/151 of 8 December 1988 and 44/159 of 15 December 1989,

Deeply alarmed at the continued occurrence on a large scale of summary or arbitrary executions, including extra-legal executions,

Recalling 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,

Welcoming the close co-operation established between the Centre for Human Rights, the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs of the Secretariat and the Committee on Crime Prevention and Control with regard to the elaboration of the principles on the effective prevention and investigation of arbitrary and summary executions, including extra-legal executions,

Recalling Economic and Social Council resolution 1989/65 of 24 May 1989, containing the Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions,

Recalling also Economic and Social Council resolution 1989/64 of 24 May 1989, entitled "Implementation of the safeguards guaranteeing protection of the rights of those facing the death penalty" and the recommendations contained therein,

Convinced of the need for appropriate action to combat and eventually eliminate the abhorrent practice of summary or arbitrary executions, which represents a flagrant violation of the most fundamental human right, the right to life,

1. Once again strongly condemns the large number of summary or arbitrary executions, including extra-legal executions, that 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. Appeals urgently to Governments, United Nations bodies, the specialized agencies, regional intergovernmental organizations and non-governmental organizations to take effective action to combat and eliminate summary or arbitrary executions, including extra-legal executions;

4. Reaffirms Economic and Social Council resolution 1982/35 of 7 May 1982, in which the Council decided to appoint a special rapporteur to consider the questions related to summary or arbitrary executions;

5. Welcomes Economic and Social Council decision 1990/233 of 25 May 1990, in which the Council approved the decision of the Commission on Human Rights to extend the mandate of the Special Rapporteur for another two years and also approved the Commission's request to the Secretary-General to continue to provide all necessary assistance to the Special Rapporteur;

6. Urges all Governments, in particular those which have consistently not responded to communications transmitted to them by the Special Rapporteur, and all others concerned to co-operate with and assist the Special Rapporteur so that he may carry out his mandate effectively;

7. 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, and, furthermore, to promote exchanges of views between Governments and those who provide reliable information to the Special Rapporteur, where the Special Rapporteur considers that such exchanges of information might be useful;

8. Welcomes the recommendations made by the Special Rapporteur in his reports to the Commission on Human Rights at its forty-fourth, forty-fifth and forty-sixth sessions with a view to eliminating summary or arbitrary executions;

9. Encourages Governments, international organizations and non-governmental organizations to organize training programmes and support projects with a view to training or educating law enforcement officers in human rights issues connected with their work, and appeals to the international community to support endeavours to that end;

10. 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 as well as medical and forensic experts;

11. Requests the Secretary-General to continue to provide all necessary assistance to the Special Rapporteur so that he may effectively carry out his mandate;

12. Again requests the Secretary-General to continue to use his best endeavours in cases where the minimum standard of legal safeguards provided for in articles 6, 14 and 15 of the International Covenant on Civil and Political Rights appear not to have been respected;

13. Requests the Commission on Human Rights at its forty-seventh 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, 1985/40, 1986/36, 1987/60 and 1988/38, to make recommendations concerning appropriate action to combat and eventually eliminate the abhorrent practice of summary or arbitrary executions.

General Assembly resolution 45/162

18 December 1990 Meeting 69 Adopted without vote

Approved by Third Committee (4/45/838) without vote, 29 November (meeting 57); 25-nation draft (A/C.3/45/L.81); agenda item 12.

Meeting numbers. GA 45th session: 3rd Committee 48-50, 55, 57; plenary 69.

State of siege or emergency

In a July report [E/CN.4/Sub.2/1990/33], the Sub-Commission's Special Rapporteur, Leandro Despouy (Argentina), stated that he was unable to

present a fourth annual report updating information on States or territories which, since January 1985, had proclaimed, extended or terminated a state of emergency. Previous reports were issued in 1987 [YUN 1987, p. 741], 1988 [YUN 1988, p. 499] and 1989 [YUN 1989, p. 486]. He presented observations and recommendations on the criteria of legality applicable to guarantee respect for human rights in states of emergency.

In an addendum to his report [E/CN.4/Sub.2/1990/33/Add.1], the Special Rapporteur analysed a chapter of the new Constitution of Namibia (see PART FOUR, Chapter III), which dealt with states of emergency. In a further addendum [E/CN.4/Sub.2/1990/33/Add.2], he updated the summary table contained in his 1989 revised and updated annual report [YUN 1989, p. 486], on the proclamation, extension or termination of states of emergency in South Africa. The summary table covered the lifting of some emergency regulations throughout the entire territory on 2 February and the proclamation of a state of emergency in the province of Natal on 8 June.

On 30 August [E/CN.4/1991/2 (res. 1990/19)], the Sub-Commission invited the Special Rapporteur to update his report on States or territories which, since 1 January 1985, had proclaimed, extended or terminated a state of emergency, so that the Commission, in 1991, would have before it the most recent and accurate information available. It also asked him to continue his work with the aim of submitting to the Sub-Commission draft standard provisions on emergency situations, including situations of internal unrest. The Secretary-General was asked to assist him. Inviting Governments, competent organs of the United Nations, specialized agencies, regional intergovernmental organizations and NGOs in consultative status with the Economic and Social Council to provide further information to the Special Rapporteur, the Sub-Commission asked Governments to limit states of emergency exclusively to situations which were sufficiently serious and exceptional to justify them.

Disappearance of persons

On 2 March [res. 1990/30], the Commission on Human Rights decided to extend the mandate of the Working Group on Enforced or Involuntary Disappearances for two years, and to ask the Group to report on its work in 1991. The Commission expressed appreciation to the Sub-Commission's Working Group on Detention for the progress made in preparing the first draft of a declaration on the protection of all persons from enforced or involuntary disappearance and invited the Sub-Commission to finalize the draft

as soon as possible (see above, under "Detention without charge or trial").

Noting with concern that some Governments had never provided substantive replies concerning disappearances alleged to have occurred in their countries, the Commission urged the Governments concerned to co-operate with and assist the Working Group and to answer expeditiously requests for information addressed to them. It also urged Governments to take steps to protect the families of disappeared persons against any intimidation or ill-treatment to which they might be subjected and, when a state of emergency was introduced, to take steps to ensure that the protection of human rights was guaranteed, particularly as regards the prevention of enforced or involuntary disappearances. The Commission asked the Secretary-General to provide all necessary assistance to the Working Group, especially in carrying out missions or holding sessions in countries which would be prepared to receive it.

On 25 May, the Economic and Social Council, by decision 1990/230, approved the Commission's decision to extend the mandate of the Working Group and its request to the Secretary-General to assist the Group.

Working Group activities. The five-member Working Group on Enforced or Involuntary Disappearances held three sessions in 1990: its thirtieth session in New York from 4 to 8 June, and its thirty-first and thirty-second sessions in Geneva from 10 to 14 September and from 5 to 14 December, respectively [E/CN.4/1991/20]. During those sessions, the Group met with representatives of Governments, representatives of human rights organizations, associations of relatives of missing persons, and families or witnesses directly concerned with reports on enforced or involuntary disappearances, and examined information received from them. In an addendum to its report [E/CN.4/1991/20/Add.1], the Group described its visit to the Philippines (27 August -7 September 1990).

During the year, the Working Group received 3,864 reports on enforced or involuntary disappearances and transmitted 987 newly reported cases to the Governments concerned; 509 of the cases were reported to have occurred in 1990, 447 were transmitted under the urgent action procedure and 101 were clarified in the same year. Some of the remaining cases were referred back to the sources as they lacked one or more elements required for their transmission and others were considered inadmissible within the context of the Group's mandate. The Group also reviewed information concerning disappearances in 46 countries. It continued to receive petitions

from private individuals and organizations expressing support for the adoption of an international instrument on enforced disappearances. In response to a 1990 Commission request [res. 1990/76] (see also below), the Group decided to transmit to Governments concerned any reports of intimidation, persecution or reprisals requiring prompt intervention, with the appeal that Governments take immediate steps to protect all fundamental rights of the person affected.

The Working Group indicated that impunity, compounded by reticence in the administration of justice, was perhaps the single most important factor contributing to the phenomenon of disappearance. Another contributing factor to impunity, the Group said, might be the administration of civilian justice, which was often seen to suffer from institutional paralysis. Prosecutors and judges might find themselves overburdened and over-threatened, making them slow to respond to the need for inquiries. The Group felt deeply frustrated that habeas corpus-the most powerful weapon against unlawful detention-remained virtually inoperative in situations of widespread disappearance.

Annexed to the report was a graph charting disappearances world wide from 1973 to 1990, and other graphs showing the development of disappearances in countries with more than 50 transmitted cases.

GENERAL ASSEMBLY ACTION

On 18 December, the General Assembly adopted resolution 45/165.

Question of enforced or involuntary disappearances

The General Assembly,

Recalling its resolution 33/173 of 20 December 1978 concerning disappeared persons, and its resolution 44/160 of 15 December 1989 on the question of enforced or involuntary disappearances,

Deeply concerned about the persistence, in certain cases, of the practice of enforced or involuntary disappearances, and about the fact that, in certain cases, the families of disappeared persons have been the target of intimidation and ill-treatment,

Expressing its profound emotion at the anguish and sorrow of the families concerned, who are unsure of the fate of their relatives,

Concerned by the growing number of reports concerning harassment of witnesses of disappearances or relatives of disappeared persons,

Convinced of the need to continue 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 1990/30 of 2 March 1990,

1. Expresses its appreciation to the Working Group on Enforced or Involuntary Disappearances for its hu-

manitarian work and to those Governments that have co-operated with it;

2. Welcomes the decision made by the Commission on Human Rights at its forty-sixth session to extend for two years the term of the mandate of the Working Group, as defined in Commission resolution 20(XXXVI) of 29 February 1980, while maintaining the principle of annual reporting by the Working Group;

3. Recalls the provisions made by the Commission on Human Rights in its resolution 1986/55 of 13 March 1986 to enable the Working Group to fulfil its mandate with greater efficiency;

4. Notes with satisfaction that the Working Group on Detention of the Sub-Commission on Prevention of Discrimination and Protection of Minorities has completed preparation of the draft declaration on the protection of all persons from enforced or involuntary disappearances and that the Sub-Commission has decided to transmit the draft to the Commission on Human Rights;

5. Appeals to the Governments concerned, particularly those which have not yet replied to the communications addressed to them by the Working Group on Enforced or Involuntary Disappearances, to co-operate fully with it so as to enable it, with respect for its working methods based on discretion, to perform its strictly humanitarian role, and in particular to reply more quickly to the requests for information addressed to them;

6. Encourages the Governments concerned to consider the wish of the Working Group, when such a wish is expressed, to visit their countries, thus enabling it to fulfil its mandate even more effectively;

7. Extends its warm thanks to those Governments which have invited the Working Group and requests them to give all necessary attention to it; recommendations;

8. Appeals to the Governments concerned to take steps to protect the families of disappeared persons against any intimidation or ill-treatment of which they may be the target;

9. 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 Working Group to the Commission at its forty-seventh session;

10. Renews its request to the Secretary-General to continue to provide the Working Group with all necessary facilities.

General Assembly resolution 45/165

18 December 1990 Meeting 69 Adopted without vote
Approved by Third Committee (A/45/838) without vote, 29 November (meeting 57); 22-nation draft (A/C.3/45/L.85); agenda item 12.
Meeting numbers. GA 45th session: 3rd Committee 48-50,56,57; plenary 69.

Hostage-taking

On 6 March [res. 1990/36], the Commission on Human Rights strongly condemned the taking of any person hostage and censured the actions of people responsible for hostage-taking. It called on States to take measures to prevent and punish

the taking of hostages and to put an immediate end to cases of abduction and unlawful restraint on their territory. Whenever so requested by a State, the Secretary-General was asked to employ all means at his disposal to secure the immediate release of hostages. The Commission appealed for the humanitarian action of the International Committee of the Red Cross and its delegates to be respected in all circumstances.

Detained UN staff members

Pursuant to a 1989 Commission request [YUN 1989, p. 499], the Secretary-General in February [E/CN.4/1990/14] updated action taken by the General Assembly, the Commission and the Sub-Commission regarding the detention of international civil servants and their families.

On 2 March [res. 1990/31], the Commission on Human Rights appealed to Member States to respect and to ensure respect for the rights of staff members and others acting under the authority of the United Nations and their families. It urged them to provide adequate and prompt information concerning the arrest or detention of UN staff members, experts and their families, and to grant access to them without delay, in accordance with the 1988 Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment [GA res. 43/173]. It further urged Member States to allow medical teams to investigate the health of such persons who were detained and to permit medical treatment, and called on them to allow the representative of the competent international organization to attend any hearing concerning UN staff members, experts and their families. It asked the Secretary-General to continue his efforts to ensure that the human rights, privileges and immunities of UN staff members, experts and their families were fully respected and to submit an updated report in 1991.

In August, Special Rapporteur Maria Concepción Bautista submitted an updated report [E/CN.4/Sub.2/1990/30] on the protection of the human rights of UN staff members, experts and their families, as requested by the Sub-Commission in 1989 [YUN 1989, p. 499]. She reviewed UN concerns with respect to their human rights and privileges and immunities, and the legal rights of the United Nations in cases of arrest or detention of staff members. The Special Rapporteur also discussed international instruments dealing with the issue and efforts to ensure respect for the privileges and immunities of UN staff members, experts and their families. A list of some 150 staff members, victims of human rights violations, was annexed to the report.

The Special Rapporteur suggested that a more open information campaign was one means to combat the detention or imprisonment of UN staff members, experts and their families, and that UN Headquarters and other duty stations should publish lists of arrested, detained and missing staff members. She discussed recommendations received from UN bodies, agencies and staff groups, and reiterated her support for a proposal made by the United Nations Development Programme that Member States should agree to grant access by the designated official to detained staff within 24 hours of their arrest and that the Government formally explain the reasons for and the whereabouts of the arrest within 48 hours. Among other recommendations, the Special Rapporteur advised that each organization should be provided with regularly updated information on the status of the various regional and global human rights instruments, thus enabling organizations, when intervening, to invoke relevant international obligations of the Government concerned.

On 30 August [res. 1990/20], the Sub-Commission, expressing appreciation to the Special Rapporteur for her updated report, invited her to submit a final version in 1991. It again urged Governments and other entities holding de facto territorial power to respect and to ensure respect for the rights of staff members and others acting under UN authority and their families, and requested the Secretary-General to redouble his efforts to that end. The Sub-Commission also urged Governments to allow medical examinations of those detained, to provide information concerning arrests and detentions of staff members and their families, and to grant the representatives of the competent organizations access to them. It requested Member States, the Secretary-General and the heads of secretariat of the specialized agencies who had not done so to communicate all information concerning cases of arrest, detention or abduction of officials of the United Nations or the specialized agencies since 1980, for inclusion in the Special Rapporteur's report.

On the same date [dec. 1990/120], the Sub-Commission expressed the wish that, on the commemoration of the forty-second anniversary of the 1948 Universal Declaration of Human Rights [GA res. 217 A (III)], scheduled to take place within the United Nations on 10 December, the situation of UN staff members, experts and their families detained, missing or held in a country against their will be described to the general public and the existing means of guaranteeing the independence and security of UN officials be examined.

Genocide

On 23 February [E/1990/22 (res. 1990/19)], the Commission on Human Rights, strongly condemning the crime of genocide, urged States that had not become parties to the 1948 Convention on the Prevention and Punishment of the Crime of Genocide [GA res. 260 A (III)] to ratify it or accede thereto.

Status of the 1948 Convention

As at 31 December 1990, 101 States had ratified, acceded to or succeeded to the Convention. During the year, Bahrain acceded to it. The Secretary-General reported on the status of the Convention as at 1 August [A/45/404].

GENERAL ASSEMBLY ACTION

On 18 December, the General Assembly adopted resolution 45/152.

Status of the Convention on the Prevention and Punishment of the Crime of Genocide

The General Assembly,

Recalling its resolutions 40/142 of 13 December 1985, 41/147 of 4 December 1986, 42/133 of 7 December 1987, 43/138 of 8 December 1988 and 44/158 of 15 December 1989,

Recalling also Commission on Human Rights resolutions 1986/18 of 10 March 1986, 1987/25 of 10 March 1987, 1988/28 of 7 March 1988 and 1989/16 of 2 March 1989 and taking note of Commission resolution 1990/19 of 23 February 1990,

Recalling further its resolution 260 A (III) of 9 December 1948, by which it approved and proposed for signature the Convention on the Prevention and Punishment of the Crime of Genocide annexed thereto,

Reaffirming once again its conviction that genocide is a crime that violates the norms of international law and runs counter to the spirit and aims of the United Nations,

Recognizing that crimes of genocide have caused great losses and privations to mankind throughout its history,

Expressing its conviction that strict observance of the provisions of the Convention by all countries is necessary for the prevention and punishment of the crime of genocide,

Taking note of the report of the Secretary-General,

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 crime;

3. Notes with satisfaction that more than one hundred States have ratified the Convention on the Prevention and Punishment of the Crime of Genocide or have acceded thereto;

4. Urges those States which 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-seventh session a report on the status of the Convention.

General Assembly resolution 45/152

18 December 1990 Meeting 69 Adopted without vote

Approved by Third Committee (A/45/838) without vote, 29 November (meeting 57); 2-nation draft (A/C.3/45/L.69); agenda item 12.

Sponsors: Byelorussian SSR, Poland.

Meeting numbers. GA 45th session: 3rd Committee 48-50, 55, 57; plenary 69.

Slavery

On 7 March [res. 1990/63], the Commission on Human Rights asked the Secretary-General to invite States parties to the 1926 Slavery Convention, the 1956 Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery [YUN 1956, p. 228] and the 1949 Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others [GA res. 317(IV)] to submit to the Sub-Commission regular reports on the situation in their countries. It invited States which had not done so to ratify the relevant conventions or to explain in writing why they felt unable to do so, and to consider providing information regarding their national legislation and practices in that field. Intergovernmental organizations, relevant organizations of the UN system and NGOs were invited to continue to supply information to the Working Group on Contemporary Forms of Slavery. Relevant NGOs in consultative status with the Economic and Social Council were called on to attend the sessions of the Working Group.

The Commission invited Member States to consider taking action to protect children and migrant women against exploitation by prostitution and other slavery-like practices, including establishing national bodies to achieve those objectives, and requested Governments to pursue a policy of information, prevention and rehabilitation of women victims and to take the necessary economic and social measures. Welcoming the Secretary-General's 1989 study on ways and means of establishing an effective mechanism for the implementation of the slavery conventions [YUN 1989, p. 502], the Commission encouraged the Sub-Commission to continue its debate on the study and to elaborate recommendations on the issue. It asked the Secretary-General to report to the Economic and Social Council on the implementation of its 1983 resolution [ESC res. 1983/30] on the suppression of the traffic in persons and of the exploitation of the prostitution of others, and to make that report available to the Working Group.

Pursuant to a 1989 Economic and Social Council request [YUN 1989, p. 502], the Secretary-General, in April, submitted a report on the suppression of the traffic in persons and of the exploitation of the prostitution of others [E/1990/33], containing in-

formation received from States, UN organs, specialized agencies and intergovernmental organizations on their implementation of the 1983 Council resolution.

Working Group activities. The Sub-Commission's five-member Working Group on Contemporary Forms of Slavery, at its fifteenth session (Geneva, 30 July -3 August and 22 August) [E/CN.4/Sub.2/1990/44], considered as its main theme the eradication of the exploitation of child labour and of debt bondage (see below, under "Rights of the child"). In addition, it reviewed developments in slavery and the slave trade, the sale of children, child prostitution and child pornography, the prevention of traffic in persons and the exploitation of the prostitution of others, slavery-like practices of apartheid and colonialism, and children in armed conflict. The Working Group had before it, among other documents, a May note and addenda [E/CN.4/Sub.2/AC.2/1990/4 & Add. 1, 2] by the Secretary-General, summarizing information on the status and the implementation of conventions on slavery and slavery-like practices received from States in response to a 1989 request by the Economic and Social Council [YUN 1989, p. 502].

Despite the progress made in the protection of human rights and the preservation of human dignity, certain forms of slavery still existed all over the world, the Group noted. Calling for effective action to make the 1990s the decade of the elimination of the most odious forms of slavery, it expressed the hope that the end of the twentieth century would coincide with the eradication of all forms of slavery. On the issue of debt bondage, the Group urged that Member States enact laws to deal with the problem and take effective means to eradicate bonded labour. It asked UN organs, specialized agencies, development banks and intergovernmental bodies to ensure that their development projects did not perpetuate or involve bonded labour, that they contributed to its elimination and that transnational financial benefits be provided to liberated bonded labourers within the framework of rehabilitation measures. The Group also recommended that products, such as carpets, whose manufacture was liable to involve child labour should bear a special mark guaranteeing that they had not been produced by children. It decided to consider in greater depth the allegations concerning trafficking in organs and invited the World Health Organization to inform it of the results of its work on the question of organ transplantation. The Group recommended to the Sub-Commission the adoption of two draft resolutions, one containing a programme of action for the elimination of the exploitation of

child labour and the other on the work of the Group.

Sub-Commission action. On 31 August, the Sub-Commission adopted a resolution [res. 1990/30] covering the report of the Working Group, notably its review of the exploitation of child labour and debt bondage, the sale of children, child prostitution and child pornography and the issue of child soldiers.

In addition, the Sub-Commission asked the Working Group to study the possibility of preparing guiding principles to combat various contemporary forms of slavery. It recommended that: the Human Rights Committee give increased attention to the implementation of the provisions of articles 8 and 24 of the 1966 International Covenant on Civil and Political Rights [GA res. 2200 A (XXI)], with a view to eliminating the contemporary forms of slavery affecting children; the Committee on the Elimination of Discrimination against Women give particular attention to the implementation of the provisions of article 6 of the 1979 Convention on the Elimination of All Forms of Discrimination against Women [GA res. 34/180], with a view to suppressing all forms of traffic in women; and that the ILO supervisory bodies and the UNESCO Committee on Conventions and Recommendations give particular attention in their work to the implementation of provisions and standards designed to ensure protection of children and other persons exposed to contemporary forms of slavery, such as the sale of children, child prostitution and child pornography, the exploitation of child labour, bonded labour and the traffic in persons. The Sub-Commission further recommended that the Committee on the Rights of the Child devote full attention to the phenomena which most gravely impaired the rights of the child.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 25 May, the Economic and Social Council adopted resolution 1990/46.

Suppression of the traffic in persons

The Economic and Social Council,

Recalling Commission on Human Rights resolutions 1982/20 of 10 March 1982 on the question of slavery and the slave trade in all their practices and manifestations, including the slavery-like practices of apartheid and colonialism, and 1988/42 of 8 March 1988, 1989/35 of 6 March 1989 and 1990/63 of 7 March 1990 on the report of the Working Group on Contemporary Forms of Slavery of the Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Recalling also its Council resolutions 1982/20 of 4 May 1982 and 1983/30 of 26 May 1983 on the suppression of the traffic in persons and of the exploitation of the prostitution of others, and 1988/34 of 27 May 1988 and 1989/74 of 24 May 1989 on the Working Group

on Contemporary Forms of Slavery of the Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Considering that the report of the Special Rapporteur of the Economic and Social Council on the suppression of the traffic in persons and the exploitation of the prostitution of others still constitutes a useful basis for further action,

Having considered the report of the Secretary-General on the implementation of Council resolution 1983/30 on the suppression of the traffic in persons and of the exploitation of the prostitution of others,

Noting that only a few Member States, United Nations organizations and other intergovernmental organizations have submitted information on the steps taken to implement the recommendations contained in Council resolution 1983/30,

Gravely concerned that slavery, the slave trade and slavery-like practices still exist, that there are modern manifestations of those phenomena and that such practices represent some of the gravest violations of human rights,

Aware of the complexity of the issue of the suppression of the traffic in persons and the exploitation of the prostitution of others, and the need for further co-ordination and co-operation to implement the recommendations made by the Special Rapporteur and by various United Nations bodies,

1. Reminds States parties to the Slavery Convention of 1926, the Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery of 1956, and the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others of 1949 of their obligation to submit to the Working Group on Contemporary Forms of Slavery of the Sub-Commission on Prevention of Discrimination and Protection of Minorities regular reports on the situation in their countries, as provided for under the relevant conventions and under Council decision 16(LVI) of 17 May 1974;

2. Takes note with appreciation of the report of the Secretary-General on the implementation of Economic and Social Council resolution 1983/30 on the suppression of the traffic in persons and of the exploitation of the prostitution of others;

3. Requests the Secretary-General to submit a further report to the Council, at its first regular session of 1991, on the steps taken to implement the recommendations contained in its resolution 1983/30 by those Member States, United Nations organizations and other intergovernmental organizations that have not yet submitted such information and to make that report available to the Working Group on Contemporary Forms of Slavery of the Sub-Commission on Prevention of Discrimination and Protection of Minorities;

4. Endorses the request of the Commission on Human Rights, in its resolution 1990/63, that the staff member appointed to serve the Working Group and undertake other activities relating to contemporary forms of slavery in the post which has been included in the budget of the Centre for Human Rights of the Secretariat for questions relating to slavery and slavery-like practices be assigned on a full-time basis;

5. Endorses the request of the Commission on Human Rights, in its resolution 1989/35, which was reiterated in its resolution 1990/63, that the Secretary-General designate the Centre for Human Rights as the focal point for the co-ordination of activities in the United Nations for the suppression of contemporary forms of slavery;

6. Decides to consider the question of the suppression of traffic in persons at its first regular session of 1991 under the item entitled "Human rights".

Economic and Social Council resolution 1990/46

25 May 1990 Meeting 14 Adopted without vote

Approved by Second Committee (E/1990/70/Add.1) without vote, 22 May (meeting 18); 11-nation draft (E/1990/C.2/L.12); agenda item 3.

Trade union rights

On 23 February [res. 1990/16], the Commission on Human Rights, recognizing that trade unions played an important role in efforts to achieve social justice, appealed to States to ensure that all persons under their jurisdiction could exercise their trade union rights freely and in full. It requested Governments to put an end to existing violations of those rights immediately and invited Member States that had not done so to ratify and apply in full the 1948 ILO Convention concerning Freedom of Association and Protection of the Right to Organise (No. 87) [YUN 1947-48, p. 823] and the 1949 Convention concerning the Application of the Principles of the Right to Organise and Bargain Collectively (No. 98) [YUN 1948-49, p. 987].

Freedom of speech

Expressing concern at the extensive occurrence in many parts of the world of the detention of, or discrimination against, persons exercising the right to freedom of opinion and expression, the Commission, on 2 March [res. 1990/32], appealed to States to ensure respect and support for the rights of persons who exercised, promoted or defended the right to freedom of opinion and expression, the rights to freedom of thought, conscience and religion, of peaceful assembly and freedom of association, and the right to take part in the conduct of public affairs, and, where any persons had been detained solely for exercising those rights, to release them immediately. It also appealed to them to ensure that persons seeking to exercise those rights and freedoms were not discriminated against or harassed. Endorsing a 1989 Sub-Commission decision [YUN 1989, p. 503] to entrust Louis Joinet (France) and Danilo Türk (Yugoslavia) with preparing a study on the right to freedom of opinion and expression, the current problems of its realization and on measures necessary for its strengthening and promotion,

the Commission asked the Secretary-General to provide them with all the assistance they needed.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 25 May, the Economic and Social Council adopted resolution 1990/35.

Right to freedom of opinion and expression

The Economic and Social Council,

Recalling Commission on Human Rights resolutions 1984/26 of 12 March 1984, 1985/17 of 11 March 1985, 1986/46 of 12 March 1986, 1987/32 of 10 March 1987, 1988/37 and 1988/39 of 8 March 1988, 1989/31 of 6 March 1989 and 1989/56 of 7 March 1989,

Recalling also decision 1988/110 of 1 September 1988 and resolution 1989/14 of 31 August 1989 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Taking into account the working paper on the right to freedom of opinion and expression prepared by Mr. Danilo Türk,

1. Endorses the decision of the Sub-Commission on Prevention of Discrimination and Protection of Minorities to entrust Mr. Louis Joinet and Mr. Danilo Türk, members of the Sub-Commission, with the preparation of a study on the right to freedom of opinion and expression, current problems in the realization of that right and measures necessary for strengthening and promoting it;

2. Requests the Secretary-General to provide all necessary assistance to the Special Rapporteurs to carry out the above-mentioned study;

3. Requests the Special Rapporteurs to submit a preliminary report on the study to the Sub-Commission for Consideration at its forty-second session and to the Commission on Human Rights at its forty-seventh session, for comments.

Economic and Social Council resolution 1990/35

25 May 1990 Meeting 14 Adopted without vote

Approved by Second Committee (E/1990/70) without vote, 18 May (meeting 17); draft by Commission on Human Rights (E/1990/22); agenda item 3.

Report of Special Rapporteurs. In July, the Special Rapporteurs submitted a preliminary report [E/CN.4/Sub.2/1990/11] on the right to freedom of opinion and expression, which focused on current problems of its realization and measures to strengthen and promote it. They analysed the interpretations given to the legal regime governing the right to freedom of opinion and expression at the international and domestic levels. They considered recent changes made in various countries which had started on a process of democratization and examined types of restrictions on the right to freedom of opinion and expression. They recommended a series of issues that should be studied in greater detail with a view to the preparation of the final report. They invited members of the Sub-Commission and observers to make suggestions and proposals.

On 30 August [dec. 1990/1171], the Sub-Commission, taking note of the preliminary report, decided to give priority consideration in 1991 to the updated report. It asked the Secretary-General to assist the Special Rapporteurs.

Co-operation with UN human rights bodies

On 7 March [res. 1990/76], the Commission on Human Rights condemned all acts of intimidation or reprisal against persons who co-operated with the United Nations or who had sought to avail themselves of United Nations procedures for the protection of human rights and fundamental freedoms. Representatives of UN human rights bodies reporting to the Commission or Sub-Commission on human rights violations were requested to take steps to prevent intimidation or reprisal and to devote special attention to that question in their reports. The Commission asked the Secretary-General to report to it in 1991 on reprisals against witnesses or victims of human rights violations.

Freedom of movement

In accordance with a 1989 Sub-Commission request [YUN 1989, p. 503], the Secretary-General in June submitted a report [E/CN.4/Sub.2/1990/47] containing an analytical compilation of comments on the draft declaration on freedom and non-discrimination received from Governments, specialized agencies, intergovernmental organizations and NGOs and of the comments made by members of the Sub-Commission. The document summarized general observations and transmitted specific comments and alternative drafts or suggestions to the text prepared by the Special Rapporteur on the subject in 1988 [YUN 1988, p. 524].

The Working Group on a draft declaration on freedom and non-discrimination in respect of the right of everyone to leave any country, including his own, and to return to his country, established by the Sub-Commission in 1989 [YUN 1989, p. 503], met on 7, 8 and 14 August 1990 [E/CN.4/Sub.2/1990/48] to discuss the draft articles. At the end of the third meeting, the Chairman/Rapporteur proposed that the Sub-Commission consider allocating more time for next year's deliberations of the Working Group. In addition, he suggested that informal consultations concerning the draft declaration be held prior to the next session of the Sub-Commission in order to accelerate the drafting of the declaration.

On 31 August [E/CN.4/1991/2 (dec. 1990/123)], the Sub-Commission decided to establish, in 1991, a

sessional open-ended working group with a view to continuing work on a revised version of the draft declaration. It also decided to ask Waleed Sadi (Jordan), a member of the Working Group, to prepare, without financial implications, the revised version of the draft declaration, on the basis of the Group's discussions in 1990 and the Secretary-General's June report. The revised version would be analysed and discussed by the working group for possible submission to the Sub-Commission in 1991.

Population transfer

Recognizing that mass population movements were often a significant factor in ethnic conflicts and unrest and that the practice was often achieved either without the free and informed consent of those people being moved or without the consent of those people into whose territory they were being moved, the Sub-Commission, on 30 August [res. 1990/17], decided to consider the matter at future sessions, especially the human rights dimensions of population transfer, including the policy and practice of the implantation of settlers and settlements.

Mass exoduses

On 6 March [E/1990/22 (res. 1990/52)], the Commission invited Governments and intergovernmental and humanitarian organizations concerned to intensify their co-operation and assistance to address the problems resulting from mass exoduses of refugees and displaced persons, and also the causes of such exoduses. Taking note of the Secretary-General's 1989 report [YUN 1989, p. 557] on the subject, the Commission encouraged him to continue discharging the function and responsibilities described in the 1986 report of the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees [YUN 1986, p. 851], including the continuous monitoring of all potential outflows. The Secretary-General was asked to continue developing the role of the Secretariat's Office for Research and the Collection of Information (ORCI) to strengthen the co-ordination of information-gathering and analysis with agencies and to make the necessary information available to the competent UN organs. The Commission urged the Secretary-General to use available resources to consolidate and strengthen the system for undertaking early-warning activities in the humanitarian area.

In response to General Assembly resolution 44/164 [YUN 1989, p. 557], the Secretary-General submitted an October report [A/45/607] on his strengthened role in undertaking early-warning activities, as well as on further developments re-

lating to the recommendations contained in the 1986 report of the Group of Governmental Experts. The Secretary-General provided information and views relating to those recommendations received from Governments, UN bodies, specialized agencies and NGOs concerned.

The Secretary-General reported that ORCI continued to make concerted efforts to consolidate, enhance and strengthen the role of the United Nations in undertaking early-warning activities. He stated that the Joint Inspection Unit (JIU), acting on a suggestion of ORCI, would undertake a study on the co-ordination of early-warning activities with regard to potential refugee outflows. The Secretary-General added that he had also sent letters to several heads of agencies and programmes and called for close co-operation with a view to furthering the development of an integrated early-warning capacity regarding new massive flows of refugees and displaced persons.

By an October note [A/45/649], the Secretary-General transmitted to the General Assembly the JIU report on the co-ordination of activities related to early warning of possible refugee flows. JIU concluded that ORCI had overwhelming constraints from an administrative, financial and staffing point of view, in comparison with the magnitude and complexity of functions entrusted to it. It made a series of recommendations, including designating a central focal point of the UN system for co-ordinating and monitoring factors related to possible refugee flows and establishing a working group on early warning of refugee flows. JIU suggested that a regular inter-agency consultative mechanism should be created to consider concrete cases of early warning and to meet in case of emergencies. UN resident co-ordinators should serve as co-ordination points in the field. JIU asked the Administrative Committee on Co-ordination to make administrative and technical arrangements to achieve the highest possible degree of sharing equipment and communication facilities within the UN system. ORCI was requested to take an initiative in promoting consultative discussions with entities which might contribute to early warning and to further develop links with existing data bases both within and outside the UN system. JIU also recommended that ORCI concentrate more on the development of appropriate methodology, as not sufficient emphasis had been placed on the monitoring of early warning of refugee flows, which was one of the functions of the Office.

GENERAL ASSEMBLY ACTION

On 18 December, the General Assembly adopted resolution 45/153.

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 human suffering of millions of refugees and displaced persons,

Conscious of the fact that human rights violations are one of the multiple and complex factors causing mass exoduses of refugees and displaced persons, as indicated in the study of the Special Rapporteur of the Commission on Human Rights on this subject and also in the report of the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees,

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 special rapporteurs to be taken into account when studying violations of human rights in any part of the world,

Deeply preoccupied by the increasingly heavy burden being imposed, particularly upon developing countries with limited resources of their own and upon the international community as a whole, by these 'sudden mass exoduses and displacements of population,

Stressing the need for international co-operation aimed at averting new massive flows of refugees while providing durable solutions to actual refugee situations,

Reaffirming its resolution 41/70 of 3 December 1986, in which it endorsed the conclusions and recommendations contained in the report of the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees,

Bearing in mind its resolution 44/164 of 15 December 1989 and Commission on Human Rights resolution 1990/52 of 6 March 1990, as well as all previous relevant resolutions of the General Assembly and the Commission on Human Rights,

Welcoming 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,

Noting that the Executive Committee of the Programme of the United Nations High Commissioner for Refugees has specifically acknowledged the direct relationship between observance of human rights standards, refugee movements and problems of protection,

1. Reaffirms its support for the recommendation of the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees that the principal organs of the United Nations should make fuller use of their respective competencies under the Charter of the United Nations for the prevention of new massive flows of refugees and displaced persons;

2. Again invites all Governments and intergovernmental and humanitarian organizations concerned to intensify their co-operation with and assistance to world-wide efforts to address the serious problems resulting from mass exoduses of refugees and displaced persons, and also the causes of such exoduses;

3. Requests all Governments to ensure the effective implementation of the relevant international instruments, in particular in the field of human rights, as this would contribute to averting new massive flows of refugees and displaced persons;

4. Invites the Commission on Human Rights to keep the question of human rights and mass exoduses under review with a view to supporting the early-warning arrangement instituted by the Secretary-General to avert new massive flows of refugees and displaced persons;

5. Takes note of the establishment by the Executive Committee of the Programme of the United Nations High Commissioner for Refugees of the Working Group on Solutions and Protection;

6. Also takes note of the report of the Secretary-General on human rights and mass exoduses and invites him to inform the General Assembly in future reports of the modalities of early-warning activities to avert new and massive flows of refugees;

7. Welcomes the report of the Joint Inspection Unit entitled "The co-ordination of activities related to early warning of possible refugee flows";

8. Specially encourages the Secretary-General to continue to discharge the task described in the report of the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees, including the continuous monitoring of all potential outflows, keeping in mind the recommendations of the Joint Inspection Unit;

9. Requests the Secretary-General to intensify his efforts to develop the role of the Office for Research and the Collection of Information of the Secretariat as a focal point for the operation of an effective early-warning system and the strengthening of co-ordination of information-gathering and analysis among United Nations agencies with a view to preventing new massive flows of refugees and displaced persons;

10. Urges the Secretary-General to allocate the necessary resources to consolidate and strengthen the system for undertaking early-warning activities in the humanitarian area by, inter alia, the computerization of the Office for Research and the Collection of Information and strengthened co-ordination among the relevant parts of the United Nations system, especially the Office for Research and the Collection of Information, the Office of the United Nations High Commissioner for Refugees, the Centre for Human Rights of the Secretariat and the relevant specialized agencies;

11. Requests the Secretary-General to make the necessary information available to the competent United Nations organs, bearing in mind the recommendations of the Joint Inspection Unit;

12. Invites bodies of the United Nations system to consider the most expedient ways and means of following up the recommendations of the Joint Inspection Unit on co-ordination;

13. Requests the Secretary-General to report to the General Assembly at its forty-sixth session on the strengthened role that he is playing with regard to early-warning activities, especially in the humanitarian area, as well as on any further developments relating to the recommendations contained in the report of the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees;

14. Invites the Secretary-General to keep the General Assembly informed of the efforts to follow up recommendations of the Joint Inspection Unit;

15. Decides to continue consideration of the question of human rights and mass exoduses at its forty-sixth session.

General Assembly resolution 45/153

18 December 1990 Meeting 69 Adopted without vote

Approved by Third Committee (A/45/838) without vote, 29 November (meeting 57); 15-nation draft (A/C.3/45/L.70); agenda item 12.

Meeting numbers. GA 45th session: 3rd Committee 48-50,55,57; plenary 69.

Economic, social and cultural rights

On 23 February [E/1990/22 (res. 1990/17)], the Commission on Human Rights asked the Secretary-General to intensify co-ordination between UN human rights activities and the programmes of development agencies, and to consult with the Committee on Economic, Social and Cultural Rights with a view to eliciting its recommendations as to how the human rights programme of advisory services could best be used to promote enhanced respect for economic, social and cultural rights.

Welcoming the preliminary report on the realization of economic, social and cultural rights prepared by the Sub-Commission's Special Rapporteur in 1989 [YUN 1989, p. 504], it asked him, when preparing his progress report, to give priority to identifying practical strategies to promote for everyone the economic, social and cultural rights contained in the 1966 International Covenant on Economic, Social and Cultural Rights [YUN 1966, p. 419, GA res. 2200 A (XXI)], paying particular attention to the most vulnerable and disadvantaged.

On 27 February [(res. 1990/24)1], the Commission, by 36 votes to 2, with 5 abstentions, invited the Sub-Commission to submit the Special Rapporteur's second report in 1991 and asked Governments wishing to do so to provide him with their comments concerning the impact of economic adjustment policies arising from foreign debt on the enjoyment of economic, social and cultural rights. The Commission asked the Special Rapporteur to take into account, in his report, the comments and views of Governments on the subject.

In July, Special Rapporteur Danilo Türk (Yugoslavia) submitted a progress report [E/CN.4/Sub.2/1990/19] on the realization of economic, social and cultural rights. It was based on his 1989 preliminary report [YUN 1989, p. 504] and took account of comments made by members of the Sub-Commission, the Committee on Eco-

nomic, Social and Cultural Rights and the Commission.

The Special Rapporteur provided information on social and economic indicators and their role in the realization of economic, social and cultural rights. He discussed standard-setting regarding the right to adequate housing and land rights, and the question of extreme poverty. Regarding those subjects, the Special Rapporteur made a series of recommendations to the Sub-Commission, including inviting the Commission in 1991 to consider asking the Secretary-General to organize in 1992-1993 a seminar to discuss indicators to measure achievements in the realization of economic, social and cultural rights; suggesting to the Special Rapporteur areas in which further standard-setting might be considered necessary; and appointing one of its members as special rapporteur to study the question of extreme poverty.

On 30 August [E/CN.4/1991/2 (res. 1990/16)], the Sub-Commission asked the Special Rapporteur to prepare a second progress report and the Secretary-General to assist him.

Covenant on Economic, Social and Cultural Rights

As at 31 December 1990, the International Covenant on Economic, Social and Cultural Rights, adopted by the General Assembly in 1966 [GA res. 2200 A (XXI)] and in force since 1976 [YUN 1976, p. 609], had been ratified, acceded to or succeeded to by 97 States. Burundi, Malta, the Republic of Korea and Somalia became parties in 1990 (see also p. 628-31).

The Secretary-General submitted a report [A/45/403] on the status of the Covenant as at 1 August.

Implementation of the Covenant

On 23 February [E/1990/22 (res. 1990/20)], the Commission on Human Rights appealed to States that had not become parties to the Covenant to do so. Governments were encouraged to publish the text of the Covenant in as many languages as possible and to disseminate it widely. The Secretary-General was asked to report in 1991 on the status of the Covenant.

The Committee on Economic, Social and Cultural Rights, established in 1985 [ESC res. 1985/17], held its fourth (15 January-2 February) [E/1990/23 & Corr.1] and fifth (26 November-14 December) [E/1991/23] sessions, both in Geneva. By decision 1990/254 of 25 May, the Economic and Social Council took note of the report of the Committee on its fourth session. The Committee's pre-session working group, a five-member group established in 1988 [YUN 1988, p. 527] to meet for

one week prior to each session, met in Geneva from 8 to 12 January. It also met prior to the Committee's fifth session, from 8 to 12 October, following the Council's approval of holding the meeting of the pre-sessional working group at a time one to three months prior to the Committee's session (see below).

Concerning the rights covered under articles 6 to 9 of the Covenant (the right to work and to favourable conditions of work, trade union rights and the right to social security), the Committee examined reports from Jamaica [E/1984/7/Add.30] and Panama [E/1984/6/Add.19]. Rights covered by articles 10 to 12 (the protection of the family, mothers and children, and the right to an adequate living standard and to physical and mental health) were considered in reports submitted by Colombia [E/1986/4/Add.25], Cyprus [E/1986/4/Add.2 & Add.26], Ecuador [E/1986/3/Add.14], Jamaica [E/1986/3/Add.12] and Mexico [E/1986/3/Add.13]. As to rights covered under articles 13 to 15 (education, including compulsory education, and cultural participation), the Committee examined reports from Argentina [E/1988/5/Add.4], Ecuador [E/1988/5/Add.7], India [E/1988/5/Add.5], Iran [E/1982/3/Add.43], Jamaica [E/1988/5/Add.3], Jordan [E/1982/3/Add.38/Rev.1] and the Philippines [E/1988/5/Add.2]. Reports covering articles 1 to 15 of the Covenant, submitted by Costa Rica, [E/1990/5/Add.3] the Dominican Republic [E/1990/5/Add.4] and Luxembourg [E/1990/5/Add.1], were also considered.

The day of general discussion at the Committee's fourth session focused on the right to housing.

The Committee adopted its second general comment, which dealt with international technical assistance measures, and its third, which concerned the nature of States parties' obligations. The general comments, based on the articles and provisions of the Covenant, were aimed at assisting the States parties in fulfilling their reporting obligations.

At its fourth session, the Committee agreed that an amendment to rule 68 should be incorporated into the provisional rules of procedure before their adoption by the Economic and Social Council in order to reflect the actual practice adopted by the Committee at that session. Rule 68 dealt with the participation of the specialized agencies in the Committee's meetings. On 25 May, by decision 1990/251, the Council approved the Committee's amendment to rule 68.

Annexed to the Committee reports were the texts of the general comments, a chart of the States parties and status of submission of reports, and revised guidelines regarding the form and content of reports.

The Economic and Social Council, by decision 1990/209 of 1 May, decided to invite the Committee's Rapporteur to attend meetings of the Council's Second (Social) Committee during its review of the composition, organization and administrative arrangements of the Committee on Economic, Social and Cultural Rights.

The Secretary-General transmitted to the Council the twelfth report [E/1990/9] of the International Labour Organisation on progress made in achieving observance of the Covenant. He also transmitted to the Council the third report [E/1990/8] of the United Nations Educational, Scientific and Cultural Organization concerning rights covered by articles 13 to 15 of the Covenant.

ECONOMIC AND SOCIAL COUNCIL ACTION

In May, the Economic and Social Council adopted decision 1990/252.

Pre-sessional working group of the Committee on Economic, Social and Cultural Rights

At the 14th plenary meeting, on 25 May 1990, the Economic and Social Council, having considered the report of the Committee on Economic, Social and Cultural Rights on its fourth session, noted the considerable advantages to be obtained from holding the meeting of the Committee's pre-sessional working group and the actual session of the Committee at separate times and approved the holding of the former one to three months prior to the latter.

Economic and Social Council decision 1990/252

Adopted without vote

Approved by Second Committee (E/1990/70/Add.1) without vote, 22 May (meeting 18); draft by Committee on Economic, Social and Cultural Rights (E/1990/23); agenda item 3.

Migrant workers convention

On 6 March [E/1990/22 (res. 1990/44)], the Commission on Human Rights welcomed the progress made by 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, the headway made in the second reading of the draft Convention. It requested the Secretary-General to inform the Commission in 1991 of progress made.

The Working Group on the Drafting of an International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (the words "Members of" were added at the meeting), at its ninth inter-sessional meeting (New York, 29 May-8 June) [A/C.3/45/1], continued to discuss provisions of the draft Convention, and, following the adoption of the pending provisions, considered a technical review of the draft. On 6 June, the Working Group adopted the draft text on second reading, as it had emerged from the consideration of the tech-

nical review. It asked its Chairman to request the Secretary-General to send the draft text as finally adopted to all Governments as soon as possible so that the General Assembly might take a decision during its forty-fifth session.

GENERAL ASSEMBLY ACTION

On 18 December, the General Assembly adopted resolution 45/158.

International Convention on the Protection of the Rights of AU Migrant Workers and Members of Their Families

The General Assembly,

Reaffirming once more the permanent validity of the principles and standards set forth in the basic instruments regarding the international protection of human rights, in particular in the Universal Declaration of Human Rights, the International Covenants on Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Elimination of All Forms of Discrimination against Women,

Bearing in mind the principles and standards established within the framework of the International Labour Organisation 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, in 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, 39/102 of 14 December 1984, 40/130 of 13 December 1985, 41/151 of 4 December 1986, 42/140 of 7 December 1987, 43/146 of 8 December 1988 and 44/155 of 15 December 1989, 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 report of the Working Group on its ninth inter-sessional meeting, held from 29 May to 8 June 1990, with a view to completing the remaining articles and considering the results of the technical revision of the draft Convention entrusted to the Centre for Human Rights of the Secretariat in accordance with resolution 44/155,

Bearing in mind that the Working Group was able to achieve its goals in accordance with the mandate entrusted to it by the General Assembly,

1. Expresses its appreciation to the Working Group for having concluded the elaboration of the draft International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;

2. Adopts and opens for signature, ratification and accession the International Convention on the Protec-

tion of the Rights of All Migrant Workers and Members of Their Families, contained in the annex to the present resolution;

3. Calls upon all Member States to consider signing and ratifying or acceding to the Convention as a matter of priority, and expresses the hope that it will enter into force at an early date;

4. Requests the Secretary-General to provide all facilities and assistance necessary for the dissemination of information on the Convention;

5. Invites United Nations agencies and organizations, as well as intergovernmental and non-governmental organizations, to intensify their efforts with a view to disseminating information on the Convention and to promoting understanding thereof;

6. Requests the Secretary-General to submit to the General Assembly at its forty-sixth session a report on the status of the Convention;

7. Decides to consider the report of the Secretary-General at its forty-sixth session under an item entitled "Implementation of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families".

ANNEX

International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

Preamble

The States Parties to the present Convention,

Taking into account the principles embodied in the basic instruments of the United Nations concerning human rights, in particular the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child,

Taking into account also the principles and standards set forth in the relevant instruments elaborated within the framework of the International Labour Organisation, especially the Convention concerning Migration for Employment (No. 97), the Convention concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers (No. 143), the Recommendation concerning Migration for Employment (No. 86), the Recommendation concerning Migrant Workers (No. 151), the Convention concerning Forced or Compulsory Labour (No. 29) and the Convention concerning Abolition of Forced Labour (No. 105),

Reaffirming the importance of the principles contained in the Convention against Discrimination in Education of the United Nations Educational, Scientific and Cultural Organization,

Recalling the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Declaration of the Fourth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, the Code of Conduct for Law Enforcement Officials and the Slavery Conventions,

Recalling that one of the objectives of the International Labour Organisation, as stated in its Constitution, is the protection of the interests of workers when employed in countries other than their own, and bearing in mind the expertise and experience of that or-

ganization in matters related to migrant workers and members of their families,

Recognizing the importance of the work done in connection with migrant workers and members of their families in various organs of the United Nations, in particular in the Commission on Human Rights and the Commission for Social Development, and in the Food and Agriculture Organization of the United Nations, the United Nation Educational, Scientific and Cultural Organization and the World Health Organization, as well as in other international organizations,

Recognizing also the progress made by certain States on a regional or bilateral basis towards the protection of the rights of migrant workers and members of their families, as well as the importance and usefulness of bilateral and multilateral agreements in this field,

Realizing the importance and extent of the migration phenomenon, which involves millions of people and affects a large number of States in the international community,

Aware of the impact of the flows of migrant workers on States and people concerned, and desiring to establish norms which may contribute to the harmonization of the attitudes of States through the acceptance of basic principles concerning the treatment of migrant workers and members of their families,

Considering the situation of vulnerability in which migrant workers and members of their families frequently find themselves owing, among other things, to their absence from their State of origin and to the difficulties they may encounter arising from their presence in the State of employment,

Convinced that the rights of migrant workers and members of their families have not been sufficiently recognized everywhere and therefore require appropriate international protection,

Taking into account the fact that migration is often the cause of serious problems for the members of the families of migrant workers as well as for the workers themselves, in particular because of the scattering of the family,

Bearing in mind that the human problems involved in migration are even more serious in the case of irregular migration and convinced therefore that appropriate action should be encouraged in order to prevent and eliminate clandestine movements and trafficking in migrant workers, while at the same time assuring the protection of their fundamental human rights,

Considering that workers who are non-documented or in an irregular situation are frequently employed under less favourable conditions of work than other workers and that certain employers find this an inducement to seek such labour in order to reap the benefits of unfair competition,

Considering also that recourse to the employment of migrant workers who are in an irregular situation will be discouraged if the fundamental human rights of all migrant workers are more widely recognized and, moreover, that granting certain additional rights to migrant workers and members of their families in a regular situation will encourage all migrants and employers to respect and comply with the laws and procedures established by the States concerned,

Convinced, therefore, of the need to bring about the international protection of the rights of all migrant workers and members of their families, reaffirming

and establishing basic norms in a comprehensive convention which could be applied universally,

Have agreed as follows:

PART I

Scope and definitions

Article 1

1. The present Convention is applicable, except as otherwise provided hereafter, to all migrant workers and members of their families without distinction of any kind such as sex, race, colour, language, religion or conviction, political or other opinion, national, ethnic or social origin, nationality, age, economic position, property, marital status, birth or other status.

2. The present Convention shall apply during the entire migration process of migrant workers and members of their families, which comprises preparation for migration, departure, transit and the entire period of stay and remunerated activity in the State of employment as well as return to the State of origin or the State of habitual residence.

Article 2

For the purposes of the present Convention:

1. The term "migrant worker" refers to a person who is to be engaged, is engaged or has been engaged in a remunerated activity in a State of which he or she is not a national.

2. (a) The term "frontier worker" refers to a migrant worker who retains his or her habitual residence in a neighbouring State to which he or she normally returns every day or at least once a week;

(b) The term "seasonal worker" refers to a migrant worker whose work by its character is dependent on seasonal conditions and is performed only during part of the year;

(c) The term "seafarer", which includes a fisherman, refers to a migrant worker employed on board a vessel registered in a State of which he or she is not a national;

(d) The term "worker on an offshore installation" refers to a migrant worker employed on an offshore installation that is under the jurisdiction of a State of which he or she is not a national;

(e) The term "itinerant worker" refers to a migrant worker who, having his or her habitual residence in one State, has to travel to another State or States for short periods, owing to the nature of his or her occupation;

(f) The term "project-tied worker" refers to a migrant worker admitted to a State of employment for a defined period to work solely on a specific project being carried out in that State by his or her employer;

(g) The term "specified-employment worker" refers to a migrant worker:

- (i) Who has been sent by his or her employer for a restricted and defined period of time to a State of employment to undertake a specific assignment or duty; or
- (ii) Who engages for a restricted and defined period of time in work that requires professional, commercial, technical or other highly specialized skill; or
- (iii) Who, upon the request of his or her employer in the State of employment, engages for a restricted and defined period of time in work whose nature is transitory or brief;

and who is required to depart from the State of employment either at the expiration of his or her authorized period of stay, or earlier if he or she no longer undertakes that specific assignment or duty or engages in that work;

(h) The term "self-employed worker" refers to a migrant worker who is engaged in a remunerated activity otherwise than under a contract of employment and who earns his or her living through this activity normally working alone or together with members of his or her family, and to any other migrant worker recognized as self-employed by applicable legislation of the State of employment or bilateral or multilateral agreements.

Article 3

The present Convention shall not apply to:

(a) Persons sent or employed by international organizations and agencies or persons sent or employed by a State outside its territory to perform official functions, whose admission and status are regulated by general international law or by specific international agreements or conventions;

(b) Persons sent or employed by a State or on its behalf outside its territory who participate in development programmes and other co-operation programmes, whose admission and status are regulated by agreement with the State of employment and who, in accordance with that agreement, are not considered migrant workers;

(c) Persons taking up residence in a State different from their State of origin as investors;

(d) Refugees and stateless persons, unless such application is provided for in the relevant national legislation of, or international instruments in force for the State Party concerned;

(e) Students and trainees;

(f) Seafarers and workers on an offshore installation who have not been admitted to take up residence and engage in a remunerated activity in the State of employment.

Article 4

For the purposes of the present Convention the term "members of the family" refers to persons married to migrant workers or having with them a relationship that, according to applicable law, produces effects equivalent to marriage, as well as their dependent children and other dependent persons who are recognized as members of the family by applicable legislation or applicable bilateral or multilateral agreements between the States concerned.

Article 5

For the purposes of the present Convention, migrant workers and members of their families:

(a) Are considered as documented or in a regular situation if they are authorized to enter, to stay and to engage in a remunerated activity in the State of employment pursuant to the law of that State and to international agreements to which that State is a party;

(b) Are considered as non-documented or in an irregular situation if they do not comply with the conditions provided for in subparagraph (a) of the present article.

Article 6

For the purposes of the present Convention:

(a) The term "State of origin" means the State of which the person concerned is a national:

(b) The term "State of employment" means a State where the migrant worker is to be engaged, is engaged or has been engaged in a remunerated activity, as the case may be;

(c) The term "State of transit" means any State through which the person concerned passes on any journey to the State of employment or from the State of employment to the State of origin or the State of habitual residence.

PART II

Non-discrimination with respect to rights

Article 7

States Parties undertake, in accordance with the international instruments concerning human rights, to respect and to ensure to all migrant workers and members of their families within their territory or subject to their jurisdiction the rights provided for in the present Convention without distinction of any kind such as sex, race, colour, language, religion or conviction, political or other opinion, national, ethnic or social origin, nationality, age, economic position, property, marital status, birth or other status.

PART III

Human rights of all migrant workers and members of their families

Article 8

1. Migrant workers and members of their families shall be free to leave any State, including their State of origin. This right shall not be subject to any restrictions except those that are provided by law, are necessary to protect national security, public order (*ordre public*), public health or morals or the rights and freedoms of others and are consistent with the other rights recognized in the present part of the Convention.

2. Migrant workers and members of their families shall have the right at any time to enter and remain in their State of origin.

Article 9

The right to life of migrant workers and members of their families shall be protected by law.

Article 10

No migrant worker or member of his or her family shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 11

1. No migrant worker or member of his or her family shall be held in slavery or servitude.

2. No migrant worker or member of his or her family shall be required to perform forced or compulsory labour.

3. Paragraph 2 of the present article shall not be held to preclude, in States where imprisonment with hard labour may be imposed as a punishment for a crime, the performance of hard labour in pursuance of a sentence to such punishment by a competent court.

4. For the purpose of the present article the term "forced or compulsory labour" shall not include:

(a) Any work or service not referred to in paragraph 3 of the present article normally required of a person who is under detention in consequence of a lawful order of a court or of a person during conditional release from such detention;

(b) Any service exacted in cases of emergency or calamity threatening the life or well-being of the community;

(c) Any work or service that forms part of normal civil obligations so far as it is imposed also on citizens of the State concerned.

Article 12

1. Migrant workers and members of their families shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of their choice and freedom either individually or in community with others and in public or private to manifest their religion or belief in worship, observance, practice and teaching.

2. Migrant workers and members of their families shall not be subject to coercion that would impair their freedom to have or to adopt a religion or belief of their choice.

3. Freedom to manifest one's religion or belief may be 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.

4. States Parties to the present Convention undertake to have respect for the liberty of parents, at least one of whom is a migrant worker; and, when-applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions.

Article 13

1. Migrant workers and members of their families shall have the right to hold opinions without interference.

2. Migrant workers and members of their families shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art or through any other media of their choice.

3. The exercise of the right provided for in paragraph 2 of the present article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:

(a) For respect of the rights or reputation of others;

(b) For the protection of the national security of the States concerned or of public order (ordre public) or of public health or morals;

(c) For the purpose of preventing any propaganda for war;

(d) For the purpose of preventing any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence.

Article 14

No migrant worker or member of his or her family shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home, correspondence or other communications, or to unlawful attacks on his or her honour and reputation. Each migrant worker and member of his or her family shall have the right to the protection of the law against such interference or attacks.

Article 15

No migrant worker or member of his or her family shall be arbitrarily deprived of property, whether owned individually or in association with others. Where, under the legislation in force in the State of employment, the assets of a migrant worker or a member of his or her family are expropriated in whole or in part, the person concerned shall have the right to fair and adequate compensation.

Article 16

1. Migrant workers and members of their families shall have the right to liberty and security of person.

2. Migrant workers and members of their families shall be entitled to effective protection by the State against violence, physical injury, threats and intimidation, whether by public officials or by private individuals, groups or institutions.

3. Any verification by law enforcement officials of the identity of migrant workers or members of their families shall be carried out in accordance with procedures established by law.

4. Migrant workers and members of their families shall not be subjected individually or collectively to arbitrary arrest or detention; they shall not be deprived of their liberty except on such grounds and in accordance with such procedures as are established by law.

5. Migrant workers and members of their families who are arrested shall be informed at the time of arrest as far as possible in a language they understand of the reasons for their arrest and they shall be promptly informed in a language they understand of any charges against them.

6. Migrant workers and members of their families who are arrested or detained on a criminal charge shall be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release. It shall not be the general rule that while awaiting trial they shall be detained in custody, but release may be subject to guarantees to appear for trial, at any other stage of the judicial proceedings and, should the occasion arise, for the execution of the judgement.

7. When a migrant worker or a member of his or her family is arrested or committed to prison or custody pending trial or is detained in any other manner:

(a) The consular or diplomatic authorities of his or her State of origin or of a State representing the interests of that State shall, if he or she so requests, be informed without delay of his or her arrest or detention and of the reasons therefor;

(b) The person concerned shall have the right to communicate with the said authorities. Any communication by the person concerned to the said authorities shall be forwarded without delay, and he or she shall also have the right to receive communications sent by the said authorities without delay;

(c) The person concerned shall be informed without delay of this right and of rights deriving from relevant treaties, if any, applicable between the States concerned, to correspond and to meet with representatives of the said authorities and to make arrangements with them for his or her legal representation.

8. Migrant workers and members of their families who are deprived of their liberty by arrest or detention shall be entitled to take proceedings before a court, in

order that that court may decide without delay on the lawfulness of their detention and order their release if the detention is not lawful. When they attend such proceedings, they shall have the assistance, if necessary without cost to them, of an interpreter, if they cannot understand or speak the language used.

9. Migrant workers and members of their families who have been victims of unlawful arrest or detention shall have an enforceable right to compensation.

Article 17

1. Migrant workers and members of their families who are deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person and for their cultural identity.

2. Accused migrant workers and members of their families shall, save in exceptional circumstances, be separated from convicted persons and shall be subject to separate treatment appropriate to their status as unconvicted persons. Accused juvenile persons shall be separated from adults and brought as speedily as possible for adjudication.

3. Any migrant worker or member of his or her family who is detained in a State of transit or in a State of employment for violation of provisions relating to migration shall be held, in so far as practicable, separately from convicted persons or persons detained pending trial.

4. During any period of imprisonment in pursuance of a sentence imposed by a court of law, the essential aim of the treatment of a migrant worker or a member of his or her family shall be his or her reformation and social rehabilitation. Juvenile offenders shall be separated from adults and be accorded treatment appropriate to their age and legal status.

5. During detention or imprisonment, migrant workers and members of their families shall enjoy the same rights as nationals to visits by members of their families.

6. Whenever a migrant worker is deprived of his or her liberty, the competent authorities of the State concerned shall pay attention to the problems that may be posed for members of his or her family, in particular for spouses and minor children.

7. Migrant workers and members of their families who are subjected to any form of detention or imprisonment in accordance with the law in force in the State of employment or in the State of transit shall enjoy the same rights as nationals of those States who are in the same situation.

8. If a migrant worker or a member of his or her family is detained for the purpose of verifying any infraction of provisions related to migration, he or she shall not bear any costs arising therefrom.

Article 18

1. Migrant workers and members of their families shall have the right to equality with nationals of the State concerned before the courts and tribunals. In the determination of any criminal charge against them or of their rights and obligations in a suit of law, they shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law.

2. Migrant workers and members of their families who are charged with a criminal offence shall have the right to be presumed innocent until proven guilty according to law.

3. In the determination of any criminal charge against them, migrant workers and members of their families shall be entitled to the following minimum guarantees:

(a) To be informed promptly and in detail in a language they understand of the nature and cause of the charge against them;

(b) To have adequate time and facilities for the preparation of their defence and to communicate with counsel of their own choosing;

(c) To be tried without undue delay;

(d) To be tried in their presence and to defend themselves in person or through legal assistance of their own choosing; to be informed, if they do not have legal assistance, of this right; and to have legal assistance assigned to them, in any case where the interests of justice so require and without payment by them in any such case if they do not have sufficient means to pay;

(e) To examine or have examined the witnesses against them and to obtain the attendance and examination of witnesses on their behalf under the same conditions as witnesses against them;

(f) To have the free assistance of an interpreter if they cannot understand or speak the language used in court;

(g) Not to be compelled to testify against themselves or to confess guilt.

4. In the case of juvenile persons, the procedure shall be such as will take account of their age and the desirability of promoting their rehabilitation.

5. Migrant workers and members of their families convicted of a crime shall have the right to their conviction and sentence being reviewed by a higher tribunal according to law.

6. When a migrant worker or a member of his or her family has, by a final decision, been convicted of a criminal offence and when subsequently his or her conviction has been reversed or he or she has been pardoned on the ground that a new or newly discovered fact shows conclusively that there has been a miscarriage of justice, the person who has suffered punishment as a result of such conviction shall be compensated according to law, unless it is proved that the non-disclosure of the unknown fact in time is wholly or partly attributable to that person.

7. No migrant worker or member of his or her family shall be liable to be tried or punished again for an offence for which he or she has already been finally convicted or acquitted in accordance with the law and penal procedure of the State concerned.

Article 19

1. No migrant worker or member of his or her family shall be held guilty of any criminal offence on account of any act or omission that did not constitute a criminal offence under national or international law at the time when the criminal offence was committed, nor shall a heavier penalty be imposed than the one that was applicable at the time when it was committed. If, subsequent to the commission of the offence, provision is made by law for the imposition of a lighter penalty, he or she shall benefit thereby.

2. Humanitarian considerations related to the status of a migrant worker, in particular with respect to his or her right of residence or work, should be taken

into account in imposing a sentence for a criminal offence committed by a migrant worker or a member of his or her family.

Article 20

1. No migrant worker or member of his or her family shall be imprisoned merely on the ground of failure to fulfil a contractual obligation.

2. No migrant worker or member of his or her family shall be deprived of his or her authorization of residence or work permit or expelled merely on the ground of failure to fulfil an obligation arising out of a work contract unless fulfilment of that obligation constitutes a condition for such authorization or permit.

Article 21

It shall be unlawful for anyone, other than a public official duly authorized by law, to confiscate, destroy or attempt to destroy identity documents, documents authorizing entry to or stay, residence or establishment in the national territory or work permits. No authorized confiscation of such documents shall take place without delivery of a detailed receipt. In no case shall it be permitted to destroy the passport or equivalent document of a migrant worker or a member of his or her family.

Article 22

1. Migrant workers and members of their families shall not be subject to measures of collective expulsion. Each case of expulsion shall be examined and decided individually.

2. Migrant workers and members of their families may be expelled from the territory of a State Party only in pursuance of a decision taken by the competent authority in accordance with law.

3. The decision shall be communicated to them in a language they understand. Upon their request where not otherwise mandatory, the decision shall be communicated to them in writing and, save in exceptional circumstances on account of national security, the reasons for the decision likewise stated. The persons concerned shall be informed of these rights before or at the latest at the time the decision is rendered.

4. Except where a final decision is pronounced by a judicial authority, the person concerned shall have the right to submit the reason he or she should not be expelled and to have his or her case reviewed by the competent authority, unless compelling reasons of national security require otherwise. Pending such review, the person concerned shall have the right to seek a stay of the decision of expulsion.

5. If a decision of expulsion that has already been executed is subsequently annulled, the person concerned shall have the right to seek compensation according to law and the earlier decision shall not be used to prevent him or her from re-entering the State concerned.

6. In case of expulsion, the person concerned shall have a reasonable opportunity before or after departure to settle any claims for wages and other entitlements due to him or her and any pending liabilities.

7. Without prejudice to the execution of a decision of expulsion, a migrant worker or a member of his or her family who is subject to such a decision may seek entry into a State other than his or her State of origin.

8. In case of expulsion of a migrant worker or a member of his or her family, the costs of expulsion shall not be borne by him or her. The person concerned may be required to pay his or her own travel costs.

9. Expulsion from the State of employment shall not in itself prejudice any rights of a migrant worker or a member of his or her family acquired in accordance with the law of that State, including the right to receive wages and other entitlements due to him or her.

Article 23

Migrant workers and members of their families shall have the right to have recourse to the protection and assistance of the consular or diplomatic authorities of their State of origin or of a State representing the interests of that State whenever the rights recognized in the present Convention are impaired. In particular, in case of expulsion, the person concerned shall be informed of this right without delay and the authorities of the expelling State shall facilitate the exercise of such right.

Article 24

Every migrant worker and every member of his or her family shall have the right to recognition everywhere as a person before the law.

Article 25

1. Migrant workers shall enjoy treatment not less favourable than that which applies to nationals of the State of employment in respect of remuneration and:

(a) Other conditions of work, that is to say, overtime, hours of work, weekly rest, holidays with pay, safety, health, termination of the employment relationship and any other conditions of work which, according to national law and practice, are covered by this term;

(b) Other terms of employment, that is to say, minimum age of employment, restriction on home work and any other matters which, according to national law and practice, are considered a term of employment.

2. It shall not be lawful to derogate in private contracts of employment from the principle of equality of treatment referred to in paragraph 1 of the present article.

3. States Parties shall take all appropriate measures to ensure that migrant workers are not deprived of any rights derived from this principle by reason of any irregularity in their stay or employment. In particular, employers shall not be relieved of any legal or contractual obligations, nor shall their obligations be limited in any manner by reason of any such irregularity.

Article 26

1. States Parties recognize the right of migrant workers and members of their families:

(a) To take part in meetings and activities of trade unions and of any other associations established in accordance with law, with a view to protecting their economic, social, cultural and other interests, subject only to the rules of the organization concerned;

(b) To join freely any trade union and any such association as aforesaid, subject only to the rules of the organization concerned;

(c) To seek the aid and assistance of any trade union and of any such association as aforesaid.

2. No restrictions may be placed on the exercise of these rights other than those that are prescribed by law

and which are necessary in a democratic society in the interests of national security, public order (*ordre public*) or the protection of the rights and freedoms of others.

Article 27

1. With respect to social security, migrant workers and members of their families shall enjoy in the State of employment the same treatment granted to nationals in so far as they fulfil the requirements provided for by the applicable legislation of that State and the applicable bilateral and multilateral treaties. The competent authorities of the State of origin and the State of employment can at any time establish the necessary arrangements to determine the modalities of application of this norm.

2. Where the applicable legislation does not allow migrant workers and members of their families a benefit, the States concerned shall examine the possibility of reimbursing interested persons the amount of contributions made by them with respect to that benefit on the basis of the treatment granted to nationals who are in similar circumstances.

Article 28

Migrant workers and members of their families shall have the right to receive any medical care that is urgently required for the preservation of their life or the avoidance of irreparable harm to their health on the basis of equality of treatment with nationals of the State concerned. Such emergency medical care shall not be refused them by reason of any irregularity with regard to stay or employment.

Article 29

Each child of a migrant worker shall have the right to a name, to registration of birth and to a nationality.

Article 30

Each child of a migrant worker shall have the basic right of access to education on the basis of equality of treatment with nationals of the State concerned. Access to public pre-school educational institutions or schools shall not be refused or limited by reason of the irregular situation with respect to stay or employment of either parent or by reason of the irregularity of the child's stay in the State of employment.

Article 31

1. States Parties shall ensure respect for the cultural identity of migrant workers and members of their families and shall not prevent them from maintaining their cultural links with their State of origin.

2. States Parties may take appropriate measures to assist and encourage efforts in this respect.

Article 32

Upon the termination of their stay in the State of employment, migrant workers and members of their families shall have the right to transfer their earnings and savings and, in accordance with the applicable legislation of the States concerned, their personal effects and belongings.

Article 33

1. Migrant workers and members of their families shall have the right to be informed by the State of origin, the State of employment or the State of transit as the case may be concerning:

(a) Their rights arising out of the present Convention;

(b) The conditions of their admission, their rights and obligations under the law and practice of the State concerned and such other matters as will enable them to comply with administrative or other formalities in that State.

2. States Parties shall take all measures they deem appropriate to disseminate the said information or to ensure that it is provided by employers, trade unions or other appropriate bodies or institutions. As appropriate, they shall co-operate with other States concerned.

3. Such adequate information shall be provided upon request to migrant workers and members of their families, free of charge, and, as far as possible, in a language they are able to understand.

Article 34

Nothing in the present part of the Convention shall have the effect of relieving migrant workers and the members of their families from either the obligation to comply with the laws and regulations of any State of transit and the State of employment or the obligation to respect the cultural identity of the inhabitants of such States.

Article 35

Nothing in the present part of the Convention shall be interpreted as implying the regularization of the situation of migrant workers or members of their families who are non-documented or in an irregular situation or any right to such regularization of their situation, nor shall it prejudice the measures intended to ensure sound and equitable conditions for international migration as provided in part VI of the present Convention.

PART IV

Other rights of migrant workers and members of their families who are documented or in a regular situation

Article 36

Migrant workers and members of their families who are documented or in a regular situation in the State of employment shall enjoy the rights set forth in the present part of the Convention in addition to those set forth in part III.

Article 37

Before their departure, or at the latest at the time of their admission to the State of employment, migrant workers and members of their families shall have the right to be fully informed by the State of origin or the State of employment, as appropriate, of all conditions applicable to their admission and particularly those concerning their stay and the remunerated activities in which they may engage as well as of the requirements they must satisfy in the State of employment and the authority to which they must address themselves for any modification of those conditions.

Article 38

1. States of employment shall make every effort to authorize migrant workers and members of their families to be temporarily absent without effect upon their authorization to stay or to work, as the case may be. In doing so, States of employment shall take into account the special needs and obligations of migrant workers and members of their families, in particular in their States of origin.

2. Migrant workers and members of their families shall have the right to be fully informed of the terms on which such temporary absences are authorized.

Article 39

1. Migrant workers and members of their families shall have the right to liberty of movement in the territory of the State of employment and freedom to choose their residence there.

2. The rights mentioned in paragraph 1 of the present article shall not be subject to any restrictions except those that are provided by law, are necessary to protect national security, public order (*ordre public*), public health or morals, or the rights and freedoms of others and are consistent with the other rights recognized in the present Convention.

Article 40

1. Migrant workers and members of their families shall have the right to form associations and trade unions in the State of employment for the promotion and protection of their economic, social, cultural and other interests.

2. No restrictions may be placed on the exercise of this right other than those that are prescribed by law and are necessary in a democratic society in the interests of national security, public order (*ordre public*) or the protection of the rights and freedoms of others.

Article 41

1. Migrant workers and members of their families shall have the right to participate in public affairs of their State of origin and to vote and to be elected at elections of that State, in accordance with its legislation.

2. The States concerned shall, as appropriate and in accordance with their legislation, facilitate the exercise of these rights.

Article 42

1. States Parties shall consider the establishment of procedures or institutions through which account may be taken, both in States of origin and in States of employment, of special needs, aspirations and obligations of migrant workers and members of their families and shall envisage, as appropriate, the possibility for migrant workers and members of their families to have their freely chosen representatives in those institutions.

2. States of employment shall facilitate, in accordance with their national legislation, the consultation or participation of migrant workers and members of their families in decisions concerning the life and administration of local communities.

3. Migrant workers may enjoy political rights in the State of employment if that State, in the exercise of its sovereignty, grants them such rights.

Article 43

1. Migrant workers shall enjoy equality of treatment with nationals of the State of employment in relation to:

(a) Access to educational institutions and services subject to the admission requirements and other regulations of the institutions and services concerned;

(b) Access to vocational guidance and placement services;

(c) Access to vocational training and retraining facilities and institutions;

(d) Access to housing, including social housing schemes, and protection against exploitation in respect of rents;

(e) Access to social and health services, provided that the requirements for participation in the respective schemes are met;

(f) Access to co-operatives and self-managed enterprises, which shall not imply a change of their migration status and shall be subject to the rules and regulations of the bodies concerned;

(g) Access to and participation in cultural life.

2. States Parties shall promote conditions to ensure effective equality of treatment to enable migrant workers to enjoy the rights mentioned in paragraph 1 of the present article whenever the terms of their stay, as authorized by the State of employment, meet the appropriate requirements.

3. States of employment shall not prevent an employer of migrant workers from establishing housing or social or cultural facilities for them. Subject to article 70 of the present Convention, a State of employment may make the establishment of such facilities subject to the requirements generally applied in that State concerning their installation.

Article 44

1. States Parties, recognizing that the family is the natural and fundamental group unit of society and is entitled to protection by society and the State, shall take appropriate measures to ensure the protection of the unity of the families of migrant workers.

2. States Parties shall take measures that they deem appropriate and that fall within their competence to facilitate the reunification of migrant workers with their spouses or persons who have with the migrant worker a relationship that, according to applicable law, produces effects equivalent to marriage, as well as with their minor dependent unmarried children.

3. States of employment, on humanitarian grounds, shall favourably consider granting equal treatment, as set forth in paragraph 2 of the present article, to other family members of migrant workers.

Article 45

1. Members of the families of migrant workers shall, in the State of employment, enjoy equality of treatment with nationals of that State in relation to:

(a) Access to educational institutions and services, subject to the admission requirements and other regulations of the institutions and services concerned;

(b) Access to vocational guidance and training institutions and services, provided that requirements for participation are met;

(c) Access to social and health services, provided that requirements for participation in the respective schemes are met;

(d) Access to and participation in cultural life.

2. States of employment shall pursue a policy, where appropriate in collaboration with the States of origin, aimed at facilitating the integration of children of migrant workers in the local school system, particularly in respect of teaching them the local language.

3. States of employment shall endeavour to facilitate for the children of migrant workers the teaching of their mother tongue and culture and, in this regard, States of origin shall collaborate whenever appropriate.

4. States of employment may provide special schemes of education in the mother tongue of children of migrant workers, if necessary in collaboration with the States of origin.

Article 46

Migrant workers and members of their families shall, subject to the applicable legislation of the States concerned, as well as relevant international agreements and the obligations of the States concerned arising out of their participation in customs unions, enjoy exemption from import and export duties and taxes in respect of their personal and household effects as well as the equipment necessary to engage in the remunerated activity for which they were admitted to the State of employment:

- (a) Upon departure from the State of origin or State of habitual residence;
- (b) Upon initial admission to the State of employment;
- (c) Upon final departure from the State of employment;
- (d) Upon final return to the State of origin or State of habitual residence.

Article 47

1. Migrant workers shall have the right to transfer their earnings and savings, in particular those funds necessary for the support of their families, from the State of employment to their State of origin or any other State. Such transfers shall be made in conformity with procedures established by applicable legislation of the State concerned and in conformity with applicable international agreements.

2. States concerned shall take appropriate measures to facilitate such transfers.

Article 48

1. Without prejudice to applicable double taxation agreements, migrant workers and members of their families shall, in the matter of earnings in the State of employment:

- (a) Not be liable to taxes, duties or charges of any description higher or more onerous than those imposed on nationals in similar circumstances;
- (b) Be entitled to deductions or exemptions from taxes of any description and to any tax allowances applicable to nationals in similar circumstances, including tax allowances for dependent members of their families.

2. States Parties shall endeavour to adopt appropriate measures to avoid double taxation of the earnings and savings of migrant workers and members of their families.

Article 49

1. Where separate authorizations to reside and to engage in employment are required by national legislation, the States of employment shall issue to migrant workers authorization of residence for at least the same period of time as their authorization to engage in remunerated activity.

2. Migrant workers who in the State of employment are allowed freely to choose their remunerated activity shall neither be regarded as in an irregular situation nor shall they lose their authorization of residence by the mere fact of the termination of their remunerated

activity prior to the expiration of their work permits or similar authorizations.

3. In order to allow migrant workers referred to in paragraph 2 of the present article sufficient time to find alternative remunerated activities, the authorization of residence shall not be withdrawn at least for a period corresponding to that during which they may be entitled to unemployment benefits.

Article 50

1. In the case of death of a migrant worker or dissolution of marriage, the State of employment shall favourably consider granting family members of that migrant worker residing in that State on the basis of family reunion an authorization to stay; the State of employment shall take into account the length of time they have already resided in that State.

2. Members of the family to whom such authorization is not granted shall be allowed before departure a reasonable period of time in order to enable them to settle their affairs in the State of employment.

3. The provisions of paragraphs 1 and 2 of the present article may not be interpreted as adversely affecting any right to stay and work otherwise granted to such family members by the legislation of the State of employment or by bilateral and multilateral treaties applicable to that State.

Article 51

Migrant workers who in the State of employment are not permitted freely to choose their remunerated activity shall neither be regarded as in an irregular situation nor shall they lose their authorization of residence by the mere fact of the termination of their remunerated activity prior to the expiration of their work permit, except where the authorization of residence is expressly dependent upon the specific remunerated activity for which they were admitted. Such migrant workers shall have the right to seek alternative employment, participation in public work schemes and re-training during the remaining period of their authorization to work, subject to such conditions and limitations as are specified in the authorization to work.

Article 52

1. Migrant workers in the State of employment shall have the right freely to choose their remunerated activity, subject to the following restrictions or conditions.

2. For any migrant worker a State of employment may:

(a) Restrict access to limited categories of employment, functions, services or activities where this is necessary in the interests of this State and provided for by national legislation;

(b) Restrict free choice of remunerated activity in accordance with its legislation concerning recognition of occupational qualifications acquired outside its territory. However, States Parties concerned shall endeavour to provide for recognition of such qualifications.

3. For migrant workers whose permission to work is limited in time, a State of employment may also:

(a) Make the right freely to choose their remunerated activities subject to the condition that the migrant worker has resided lawfully in its territory for the purpose of remunerated activity for a period of time prescribed in its national legislation that should not exceed two years;

(b) Limit access by a migrant worker to remunerated activities in pursuance of a policy of granting priority to its nationals or to persons who are assimilated to them for these purposes by virtue of legislation or bilateral or multilateral agreements. Any such limitation shall cease to apply to a migrant worker who has resided lawfully in its territory for the purpose of remunerated activity for a period of time prescribed in its national legislation that should not exceed five years.

4. States of employment shall prescribe the conditions under which a migrant worker who has been admitted to take up employment may be authorized to engage in work on his or her own account. Account shall be taken of the period during which the worker has already been lawfully in the State of employment.

Article 53

1. Members of a migrant worker's family who have themselves an authorization of residence or admission that is without limit of time or is automatically renewable shall be permitted freely to choose their remunerated activity under the same conditions as are applicable to the said migrant worker in accordance with article 52 of the present Convention.

2. With respect to members of a migrant worker's family who are not permitted freely to choose their remunerated activity, States Parties shall consider favourably granting them priority in obtaining permission to engage in a remunerated activity over other workers who seek admission to the State of employment, subject to applicable bilateral and multilateral agreements.

Article 54

1. Without prejudice to the terms of their authorization of residence or their permission to work and the rights provided for in articles 25 and 27 of the present Convention, migrant workers shall enjoy equality of treatment with nationals of the State of employment in respect of:

- (a) Protection against dismissal;
- (b) Unemployment benefits;
- (c) Access to public work schemes intended to combat unemployment;
- (d) Access to alternative employment in the event of loss of work or termination of other remunerated activity, subject to article 52 of the present Convention.

2. If a migrant worker claims that the terms of his or her work contract have been violated by his or her employer, he or she shall have the right to address his or her case to the competent authorities of the State of employment, on terms provided for in article 18, paragraph 1, of the present Convention.

Article 55

Migrant workers who have been granted permission to engage in a remunerated activity, subject to the conditions attached to such permission, shall be entitled to equality of treatment with nationals of the State of employment in the exercise of that remunerated activity.

Article 56

1. Migrant workers and members of their families referred to in the present part of the Convention may not be expelled from a State of employment, except for reasons defined in the national legislation of that State, and subject to the safeguards established in part III.

2. Expulsion shall not be resorted to for the purpose of depriving a migrant worker or a member of his or her family of the rights arising out of the authorization of residence and the work permit.

3. In considering whether to expel a migrant worker or a member of his or her family, account should be taken of humanitarian considerations and of the length of time that the person concerned has already resided in the State of employment.

PART V

Provisions applicable to particular categories of migrant workers and members of their families

Article 57

The particular categories of migrant workers and members of their families specified in the present part of the Convention who are documented or in a regular situation shall enjoy the rights set forth in part III and, except as modified below, the rights set forth in part IV.

Article 58

1. Frontier workers, as defined in article 2, paragraph 2 (a), of the present Convention, shall be entitled to the rights provided for in part IV that can be applied to them by reason of their presence and work in the territory of the State of employment, taking into account that they do not have their habitual residence in that State.

2. States of employment shall consider favourably granting frontier workers the right freely to choose their remunerated activity after a specified period of time. The granting of that right shall not affect their status as frontier workers.

Article 59

1. Seasonal workers, as defined in article 2, paragraph 2 (b), of the present Convention, shall be entitled to the rights provided for in part IV that can be applied to them by reason of their presence and work in the territory of the State of employment and that are compatible with their status in that State as seasonal workers, taking into account the fact that they are present in that State for only part of the year.

2. The State of employment shall, subject to paragraph 1 of the present article, consider granting seasonal workers who have been employed in its territory for a significant period of time the possibility of taking up other remunerated activities and giving them priority over other workers who seek admission to that State, subject to applicable bilateral and multilateral agreements.

Article 60

Itinerant workers, as defined in article 2, paragraph 2 (e), of the present Convention, shall be entitled to the rights provided for in part IV that can be granted to them by reason of their presence and work in the territory of the State of employment and that are compatible with their status as itinerant workers in that State.

Article 61

1. Project-tied workers, as defined in article 2, paragraph 2 (f), of the present Convention, and members of their families shall be entitled to the rights provided for in part IV except the provisions of article 43, paragraphs 1 (b) and (c), article 43, paragraph 1 (d), as it per-

tains to social housing schemes, article 45, paragraph 1 (b), and articles 52 to 55.

2. If a project-tied worker claims that the terms of his or her work contract have been violated by his or her employer, he or she shall have the right to, address his or her case to the competent authorities of the State which has jurisdiction over that employer, on terms provided for in article 18, paragraph 1, of the present Convention.

3. Subject to bilateral or multilateral agreements in force for them, the States Parties concerned shall endeavour to enable project-tied workers to remain adequately protected by the social security systems of their States of origin or habitual residence during their engagement in the project. States Parties concerned shall take appropriate measures with the aim of avoiding any denial of rights or duplication of payments in this respect.

4. Without prejudice to the provisions of article 47 of the present Convention and to relevant bilateral or multilateral agreements, States Parties concerned shall permit payment of the earnings of project-tied workers in their State of origin or habitual residence.

Article 62

1. Specified-employment workers, as defined in article 2, paragraph 2 (g), of the present Convention, shall be entitled to the rights provided for in part IV, except the provisions of article 43, paragraphs 1 (b) and (c) article 43, paragraph 1 (d), as it pertains to social housing schemes, article 52, and article 54, paragraph 1 (d).

2. Members of the families of specified-employment workers shall be entitled to the rights relating to family members of migrant workers provided for in part IV of the present Convention, except the provisions of article 53.

Article 63

1. Self-employed workers, as defined in article 2, paragraph 2 (h), of the present Convention, shall be entitled to the rights provided for in part IV with the exception of those rights which are exclusively applicable to workers having a contract of employment.

2. Without prejudice to articles 52 and 79 of the present Convention, the termination of the economic activity of the self-employed workers shall not in itself imply the withdrawal of the authorization for them or for the members of their families to stay or to engage in a remunerated activity in the State of employment except where the authorization of residence is expressly dependent upon the specific remunerated activity for which they were admitted.

PART VI

Promotion of sound, equitable, humane and lawful conditions in connection with international migration of workers and members of their families

Article 64

1. Without prejudice to article 79 of the present Convention, the States Parties concerned shall as appropriate consult and co-operate with a view to promoting sound, equitable and humane conditions in connection with international migration of workers and members of their families.

2. In this respect, due regard shall be paid not only to labour needs and resources, but also to the social,

economic, cultural and other needs of migrant workers and members of their families involved, as well as to the consequences of such migration for the communities concerned.

Article 65

1. States Parties shall maintain appropriate services to deal with questions concerning international migration of workers and members of their families. Their functions shall include, *inter alia*:

(a) The formulation and implementation of policies regarding such migration;

(b) An exchange of information, consultation and co-operation with the competent authorities of other States Parties involved in such migration;

(c) The provision of appropriate information, particularly to employers, workers and their organizations on policies, laws and regulations relating to migration and employment, on agreements concluded with other States concerning migration and on other relevant matters;

(d) The provision of information and appropriate assistance to migrant workers and members of their families regarding requisite authorizations and formalities and arrangements for departure, travel, arrival, stay, remunerated activities, exit and return, as well as on conditions of work and life in the State of employment and on customs, currency, tax and other relevant laws and regulations.

2. States Parties shall facilitate as appropriate the provision of adequate consular and other services that are necessary to meet the social, cultural and other needs of migrant workers and members of their families.

Article 66

1. Subject to paragraph 2 of the present article, the right to undertake operations with a view to the recruitment of workers for employment in another State shall be restricted to:

(a) Public services or bodies of the State in which such operations take place;

(b) Public services or bodies of the State of employment on the basis of agreement between the States concerned;

(c) A body established by virtue of a bilateral or multilateral agreement.

2. Subject to any authorization, approval and supervision by the public authorities of the States Parties concerned as may be established pursuant to the legislation and practice of those States, agencies, prospective employers or persons acting on their behalf may also be permitted to undertake the said operations.

Article 67

1. States Parties concerned shall co-operate as appropriate in the adoption of measures regarding the orderly return of migrant workers and members of their families to the State of origin when they decide to return or their authorization of residence or employment expires or when they are in the State of employment in an irregular situation.

2. Concerning migrant workers and members of their families in a regular situation, States Parties concerned shall co-operate as appropriate, on terms agreed upon by those States, with a view to promoting adequate economic conditions for their resettlement

and to facilitating their durable social and cultural re-integration in the State of origin.

Article 68

1. States Parties, including States of transit, shall collaborate with a view to preventing and eliminating illegal or clandestine movements and employment of migrant workers in an irregular situation. The measures to be taken to this end within the jurisdiction of each State concerned shall include:

(a) Appropriate measures against the dissemination of misleading information relating to emigration and immigration;

(b) Measures to detect and eradicate illegal or clandestine movements of migrant workers and members of their families and to impose effective sanctions on persons, groups or entities which organize, operate or assist in organizing or operating such movements;

(c) Measures to impose effective sanctions on persons, groups or entities which use violence, threats or intimidation against migrant workers or members of their families in an irregular situation.

2. States of employment shall take all adequate and effective measures to eliminate employment in their territory of migrant workers in an irregular situation, including, whenever appropriate, sanctions on employers of such workers. The rights of migrant workers vis-à-vis their employer arising from employment shall not be impaired by these measures.

Article 69

1. States Parties shall, when there are migrant workers and members of their families within their territory in an irregular situation, take appropriate measures to ensure that such a situation does not persist.

2. Whenever States Parties concerned consider the possibility of regularizing the situation of such persons in accordance with applicable national legislation and bilateral or multilateral agreements, appropriate account shall be taken of the circumstances of their entry, the duration of their stay in the States of employment and other relevant considerations, in particular those relating to their family situation.

Article 70

States Parties shall take measures not less favourable than those applied to nationals to ensure that working and living conditions of migrant workers and members of their families in a regular situation are in keeping with the standards of fitness, safety, health and principles of human dignity.

Article 71

1. States Parties shall facilitate, whenever necessary, the repatriation to the State of origin of the bodies of deceased migrant workers or members of their families.

2. As regards compensation matters relating to the death of a migrant worker or a member of his or her family, States Parties shall, as appropriate, provide assistance to the persons concerned with a view to the prompt settlement of such matters. Settlement of these matters shall be carried out on the basis of applicable national law in accordance with the provisions of the present Convention and any relevant bilateral or multilateral agreements.

PART VII Application of the Convention

Article 72

1. (a) For the purpose of reviewing the application of the present Convention, there shall be established a Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families (hereinafter referred to as "the Committee");

(b) The Committee shall consist, at the time of entry into force of the present Convention, of ten and, after the entry into force of the Convention for the forty-first State Party, of fourteen experts of high moral standing, impartiality and recognized competence in the field covered by the Convention.

2. (a) Members of the Committee shall be elected by secret ballot by the States Parties from a list of persons nominated by the States Parties, due consideration being given to equitable geographical distribution, including both States of origin and States of employment, and to the representation of the principal legal systems. Each State Party may nominate one person from among its own nationals;

(b) Members shall be elected and shall serve in their personal capacity.

3. The initial election shall be held no later than six months after the date of the entry into force of the present Convention and subsequent elections every second year. At least four months before the date of each election, the Secretary-General of the United Nations shall address a letter to all 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 that have nominated them, and shall submit it to the States Parties not later than one month before the date of the corresponding election, together with the curricula vitae of the persons thus nominated.

4. Elections of members of the Committee 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 Committee shall be those nominees who obtain the largest number of votes and an absolute majority of the votes of the States Parties present and voting.

5. (a) The members of the Committee shall serve for a term of four years. However, the terms of five of the members elected in the first election shall expire at the end of two years; immediately after the first election, the names of these five members shall be chosen by lot by the Chairman of the meeting of States Parties:

(b) The election of the four additional members of the Committee shall be held in accordance with the provisions of paragraphs 2, 3 and 4 of the present article, following the entry into force of the Convention for the forty-first State Party. The term of two of the additional members elected on this occasion shall expire at the end of two years; the names of these members shall be chosen by lot by the Chairman of the meeting of States Parties;

(c) The members of the Committee shall be eligible for re-election if renominated.

6. If a member of the Committee dies or resigns or declares that for any other cause he or she can no longer perform the duties of the Committee, the State

Party that nominated the expert shall appoint another expert from among its own nationals for the remaining part of the term. The new appointment is subject to the approval of the Committee.

7. The Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Committee.

8. The members of the Committee shall receive emoluments from United Nations resources on such terms and conditions as the General Assembly may decide.

9. The members of the Committee shall be entitled to the facilities, privileges and immunities of experts on mission for the United Nations as laid down in the relevant sections of the Convention on the Privileges and Immunities of the United Nations.

Article 73

1. States Parties undertake to submit to the Secretary-General of the United Nations for consideration by the Committee a report on the legislative, judicial, administrative and other measures they have taken to give effect to the provisions of the present Convention:

(a) Within one year after the entry into force of the Convention for the State Party concerned;

(b) Thereafter every five years and whenever the Committee so requests.

2. Reports prepared under the present article shall also indicate factors and difficulties, if any, affecting the implementation of the Convention and shall include information on the characteristics of migration flows in which the State Party concerned is involved.

3. The Committee shall decide any further guidelines applicable to the content of the reports.

4. States Parties shall make their reports widely available to the public in their own countries.

Article 74

1. The Committee shall examine the reports submitted by each State Party and shall transmit such comments as it may consider appropriate to the State Party concerned. This State Party may submit to the Committee observations on any comment made by the Committee in accordance with the present article. The Committee may request supplementary information from States Parties when considering these reports.

2. The Secretary-General of the United Nations shall, in due time before the opening of each regular session of the Committee, transmit to the Director-General of the International Labour Office copies of the reports submitted by States Parties concerned and information relevant to the consideration of these reports, in order to enable the Office to assist the Committee with the expertise the Office may provide regarding those matters dealt with by the present convention that fall within the sphere of competence of the International Labour Organisation. The Committee shall consider in its deliberations such comments and materials as the Office may provide.

3. The Secretary-General of the United Nations may also, after consultation with the Committee, transmit to other specialized agencies, as well as to intergovernmental organizations, copies of such parts of these reports as may fall within their competence.

4. The Committee may invite the specialized agencies and organs of the United Nations, as well as intergovernmental organizations and other concerned bodies, to submit, for consideration by the Committee, written information on such matters dealt with in the present Convention as fall within the scope of their activities.

5. The International Labour Office shall be invited by the Committee to appoint representatives to participate, in a consultative capacity, in the meetings of the Committee.

6. The Committee may invite representatives of other specialized agencies and organs of the United Nations, as well as of intergovernmental organizations, to be present and to be heard in its meetings whenever matters falling within their field of competence are considered.

7. The Committee shall present an annual report to the General Assembly of the United Nations on the implementation of the present Convention, containing its own considerations and recommendations, based, in particular, on the examination of the reports and any observations presented by States Parties.

8. The Secretary-General of the United Nations shall transmit the annual reports of the Committee to the States Parties to the present Convention, the Economic and Social Council, the Commission on Human Rights of the United Nations, the Director-General of the International Labour Office and other relevant organizations.

Article 75

1. The Committee shall adopt its own rules of procedure.

2. The Committee shall elect its officers for a term of two years.

3. The Committee shall normally meet annually.

4. The meetings of the Committee shall normally be held at United Nations Headquarters.

Article 76

1. A State Party to the present Convention may at any time declare under this article that it recognizes the competence of the Committee to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the present Convention. Communications under this article may be received and considered only if submitted by a State Party that has made a declaration recognizing in regard to itself the competence of the Committee. No communication shall be received by the Committee if it concerns a State Party which has not made such a declaration. Communications received under this article shall be dealt with in accordance with the following procedure:

(a) If a State Party to the present Convention considers that another State Party is not fulfilling its obligations under the present Convention, it may, by written communication, bring the matter to the attention of that State Party. The State Party may also inform the Committee of the matter. Within three months after the receipt of the communication, the receiving State shall afford the State that sent the communication an explanation, or any other statement in writing clarifying the matter which should include, to the extent possible and pertinent, reference to domestic procedures and remedies taken, pending or available in the matter;

(b) If the matter is not adjusted to the satisfaction of both States Parties concerned within six months after the receipt by the receiving State of the initial communication, either State shall have the right to refer the matter to the Committee, by notice given to the Committee and to the other State;

(c) The Committee shall deal with a matter referred to it only after it has ascertained that all available domestic remedies have been invoked and exhausted in the matter, in conformity with the generally recognized principles of international law. This shall not be the rule where, in the view of the Committee, the application of the remedies is unreasonably prolonged;

(d) Subject to the provisions of subparagraph (c) of the present paragraph, the Committee shall make available its good offices to the States Parties concerned with a view to a friendly solution of the matter on the basis of the respect for the obligations set forth in the present Convention;

(e) The Committee shall hold closed meetings when examining communications under the present article;

(f) In any matter referred to it in accordance with subparagraph (b) of the present paragraph, the Committee may call upon the States Parties concerned, referred to in subparagraph (b), to supply any relevant information;

(g) The States Parties concerned, referred to in subparagraph (b) of the present paragraph, shall have the right to be represented when the matter is being considered by the Committee and to make submissions orally and/or in writing;

(h) The Committee shall, within twelve months after the date of receipt of notice under subparagraph (b) of the present paragraph, submit a report, as follows:

- (i) If a solution within the terms of subparagraph (d) of the present paragraph is reached, the Committee shall confine its report to a brief statement of the facts and of the solution reached;
- (ii) If a solution within the terms of subparagraph (d) is not reached, the Committee shall, in its report, set forth the relevant facts concerning the issue between the States Parties concerned. The written submissions and record of the oral submissions made by the States Parties concerned shall be attached to the report. The Committee may also communicate only to the States Parties concerned any views that it may consider relevant to the issue between them.

In every matter, the report shall be communicated to the States Parties concerned.

2. The provisions of the present article shall come into force when ten States Parties to the present Convention have made a declaration under paragraph 1 of the present article. Such declarations shall be deposited by the States Parties with the Secretary-General of the United Nations, who shall transmit copies thereof to the other States Parties. A declaration may be withdrawn at any time by notification to the Secretary-General. Such a withdrawal shall not prejudice the consideration of any matter that is the subject of a communication already transmitted under the present article; no further communication by any State Party shall be received under the present article after the notification of withdrawal of the declaration has been received by

the Secretary-General, unless the State Party concerned has made a new declaration.

Article 77

1. A State Party to the present Convention may at any time declare under the present article that it recognizes the competence of the Committee to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim that their individual rights as established by the present Convention have been violated by that State Party. No communication shall be received by the Committee if it concerns a State Party that has not made such a declaration.

2. The Committee shall consider inadmissible any communication under the present article which is anonymous or which it considers to be an abuse of the right of submission of such communications or to be incompatible with the provisions of the present Convention.

3. The Committee shall not consider any communications from an individual under the present article unless it has ascertained that:

(a) The same matter has not been, and is not being, examined under another procedure of international investigation or settlement;

(b) The individual has exhausted all available domestic remedies; this shall not be the rule where, in the view of the Committee, the application of the remedies is unreasonably prolonged or is unlikely to bring effective relief to that individual.

4. Subject to the provisions of paragraph 2 of the present article, the Committee shall bring any communications submitted to it under this article to the attention of the State Party to the present Convention that has made a declaration under paragraph 1 and is alleged to be violating any provisions of the Convention. Within six months, the receiving State shall submit to the Committee written explanations or statements clarifying the matter and the remedy, if any, that may have been taken by that State.

5. The Committee shall consider communications received under the present article in the light of all information made available to it by or on behalf of the individual and by the State Party concerned.

6. The Committee shall hold closed meetings when examining communications under the present article.

7. The Committee shall forward its views to the State Party concerned and to the individual.

8. The provisions of the present article shall come into force when ten States Parties to the present Convention have made declarations under paragraph 1 of the present article. Such declarations shall be deposited by the States Parties with the Secretary-General of the United Nations, who shall transmit copies thereof to the other States Parties. A declaration may be withdrawn at any time by notification to the Secretary-General. Such a withdrawal shall not prejudice the consideration of any matter that is the subject of a communication already transmitted under the present article; no further communication by or on behalf of an individual shall be received under the present article after the notification of withdrawal of the declaration has been received by the Secretary-General, unless the State Party has made a new declaration.

Article 78

The provisions of article 76 of the present Convention shall be applied without prejudice to any procedures for settling disputes or complaints in the field covered by the present Convention laid down in the constituent instruments of, or in conventions adopted by, the United Nations and the specialized agencies and shall not prevent the States Parties from having recourse to any procedures for settling a dispute in accordance with international agreements in force between them.

PART VIII
General provisions

Article 79

Nothing in the present Convention shall affect the right of each State Party to establish the criteria governing admission of migrant workers and members of their families. Concerning other matters related to their legal situation and treatment as migrant workers and members of their families, States Parties shall be subject to the limitations set forth in the present Convention.

Article 80

Nothing in the present Convention shall be interpreted as impairing the provisions of the Charter of the United Nations and of the constitutions of the specialized agencies which define the respective responsibilities of the various organs of the United Nations and of the specialized agencies in regard to the matters dealt with in the present Convention.

Article 81

1. Nothing in the present Convention shall affect more favourable rights or freedoms granted to migrant workers and members of their families by virtue of:

- (a) The law or practice of a State Party; or
- (b) Any bilateral or multilateral treaty in force for the State Party concerned.

2. Nothing in the present Convention may be interpreted as implying for any State, group or person any right to engage in any activity or perform any act that would impair any of the rights and freedoms as set forth in the present Convention.

Article 82

The rights of migrant workers and members of their families provided for in the present Convention may not be renounced. It shall not be permissible to exert any form of pressure upon migrant workers and members of their families with a view to their relinquishing or forgoing any of the said rights. It shall not be possible to derogate by contract from rights recognized in the present Convention. States Parties shall take appropriate measures to ensure that these principles are respected.

Article 83

Each State Party to the present Convention undertakes:

- (a) To ensure that any person whose rights or freedoms as herein recognized are violated shall have an effective remedy, notwithstanding that the violation has been committed by persons acting in an official capacity;
- (b) To ensure that any persons seeking such a remedy shall have his or her claim reviewed and decided by

competent judicial, administrative or legislative authorities, or by any other competent authority provided for by the legal system of the State, and to develop the possibilities of judicial remedy;

(c) To ensure that the competent authorities shall enforce such remedies when granted.

Article 84

Each State Party undertakes to adopt the legislative and other measures that are necessary to implement the provisions of the present Convention.

PART IX
Final provisions

Article 85

The Secretary-General of the United Nations is designated as the depositary of the present Convention.

Article 86

1. The present Convention shall be open for signature by all States. It is subject to ratification.

2. The present Convention shall be open to accession by any State.

3. Instruments of ratification or accession shall be deposited with the Secretary-General of the United Nations.

Article 87

1. The present Convention shall enter into force on the first day of the month following a period of three months after the date of the deposit of the twentieth instrument of ratification or accession.

2. For each State ratifying or acceding to the present Convention after its entry into force, the Convention shall enter into force on the first day of the month following a period of three months after the date of the deposit of its own instrument of ratification or accession.

Article 88

A State ratifying or acceding to the present Convention may not exclude the application of any Part of it, or, without prejudice to article 3, exclude any particular category of migrant workers from its application.

Article 89

1. Any State Party may denounce the present Convention, not earlier than five years after the Convention has entered into force for the State concerned, by means of a notification in writing addressed to the Secretary-General of the United Nations.

2. Such denunciation shall become effective on the first day of the month following the expiration of a period of twelve months after the date of the receipt of the notification by the Secretary-General of the United Nations.

3. Such a denunciation shall not have the effect of releasing the State Party from its obligations under the present Convention in regard to any act or omission which occurs prior to the date at which the denunciation becomes effective, nor shall denunciation prejudice in any way the continued consideration of any matter which is already under consideration by the Committee prior to the date at which the denunciation becomes effective.

4. Following the date at which the denunciation of a State Party becomes effective, the Committee shall not commence consideration of any new matter regarding that State.

Article 90

1. After five years from the entry into force of the Convention a request for the revision of the Convention may be made at any time by any State Party by means of a notification in writing addressed to the Secretary-General of the United Nations. The Secretary-General shall thereupon communicate any proposed amendments 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 proposals. In the event that within four months from the date of such communication at least one third of the States Parties favours such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of the States Parties present and voting shall be submitted to the General Assembly for approval.

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

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

Article 91

1. The Secretary-General of the United Nations shall receive and circulate to all States the text of reservations made by States at the time of signature, ratification or accession.

2. A reservation incompatible with the object and purpose of the present Convention shall not be permitted.

3. Reservations may be withdrawn at any time by notification to this effect addressed to the Secretary-General of the United Nations, who shall then inform all States thereof. Such notification shall take effect on the date on which it is received.

Article 92

1. Any dispute between two or more States Parties concerning the interpretation or application of the present Convention that is not settled by negotiation shall, at the request of one of them, be submitted to arbitration. If within six months from the date of the request for arbitration the Parties are unable to agree on the organization of the arbitration, any one of those Parties may refer the dispute to the International Court of Justice by request in conformity with the Statute of the Court.

2. Each State Party may at the time of signature or ratification of the present Convention or accession thereto declare that it does not consider itself bound by paragraph 1 of the present article. The other States Parties shall not be bound by that paragraph with respect to any State Party that has made such a declaration.

3. Any State Party that has made a declaration in accordance with paragraph 2 of the present article may at any time withdraw that declaration by notification to the Secretary-General of the United Nations.

Article 93

1. 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.

2. The Secretary-General of the United Nations shall transmit certified copies of the present Convention to all States.

IN WITNESS WHEREOF the undersigned plenipotentiaries, being duly authorized thereto by their respective Governments, have signed the present Convention.

General Assembly resolution 45/158

18 December 1990 Meeting 69 Adopted without vote

Approved by Third Committee (A/45/838) without vote. 30 November (meeting 58); 28-nation draft (A/C.3/45/L.77), amended by draft decision A/C.3/45/L.62 by recorded vote (126-2-5). 30 November (meeting 58); agenda item 12.

Financial implications. 5th Committee, A/45/844; S-G. A/C.3/45/L.97. A/C.5/45/60.

Meeting numbers. GA 45th session: 3rd Committee 48-50, 55, 56; 5th Committee 42; plenary 69.

Protection of minorities

Draft declaration

Activities related to the protection of minorities continued to focus in 1990 on the elaboration of a declaration of the rights of persons belonging to national, ethnic, religious and linguistic minorities. As in previous years, the Commission on Human Rights set up an open-ended Working Group, which met from 12 to 22 February and on 5 March. In its report [E/CN.4/1990/41], the Working Group described the discussion of draft articles. Annexed to the report was the text of the draft declaration as adopted by the Group in first reading.

On 6 March [E/1990/22 (res. 1990/45)1], the Commission asked the Secretary-General to entrust the Centre for Human Rights with preparing a technical review of the text of the articles of the draft declaration that had been approved by the Working Group at its first reading, and to invite comments thereon, for consideration by the Working Group, from Governments, specialized agencies, intergovernmental organizations and NGOs.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 25 May, the Economic and Social Council adopted resolution 1990/39.

Rights of persons belonging to national, ethnic, religious and linguistic minorities

The Economic and Social Council,

Taking note of Commission on Human Rights resolution 1990/45 of 6 March 1990.

1. Authorizes an open-ended working group of the Commission on Human Rights to hold no fewer than ten fully serviced meetings during the first two weeks of the forty-seventh session of the Commission to continue work on the draft declaration on the rights of per-

sons belonging to national, ethnic, religious and linguistic minorities, through a second reading of the text, with a view to submitting it to the Commission at its forty-seventh session;

2. Requests the Secretary-General to provide the working group with all the assistance it may require for the continuation of its work.

Economic and Social Council resolution 1990/39
25 May 1990 Meeting 14 Adopted without vote
Approved by Second Committee (E/1990/70) without vote, 18 May (meeting 17); draft by Commission on Human Rights (E/1990/22); agenda item 3.

The General Assembly, by decision 45/434 of 18 December, decided to encourage the Commission to complete the final text of the draft declaration as soon as possible and to transmit it to the Assembly through the Council.

Minority problems

On 6 March [dec. 1990/105], the Commission on Human Rights endorsed a 1989 Sub-Commission decision [YUN 1989, p. 482] to entrust Asbjorn Eide (Norway) with preparing a report on national experience regarding peaceful and constructive resolution of problems involving minorities, and requested the Secretary-General to assist him.

On 25 May, by decision 1990/246, the Economic and Social Council approved the Commission's endorsement and request.

Special Rapporteur Eide submitted a July progress report [E/CN.4/Sub.2/1990/46] on peaceful and constructive solutions, or management, of situations involving minorities. He stated that the mandate required an examination of national experiences in order to construct models for such solutions. The models would have to be composed not only of rights granted to minorities, but also of institutions established and procedures used to deal with minority problems, in order to explore their usefulness and possibilities of improvement. The Special Rapporteur discussed non-discrimination and minority rights and examined the diversity of situations, including newly arrived immigrants, migrant workers, refugees, other non-nationals and stateless persons, and ethnic conflicts. He stated that in the search for models for a peaceful and constructive solution of situations involving minorities, two concerns were involved. On the one hand, to clarify the scope of minority rights as applicable to the situation; and on the other, to ensure the existence and effective operation of national institutions and procedures to deal with ethnic relations, minority rights and non-discrimination. Annexed to the report were a questionnaire for Governments and NGOs; the text of the draft declaration as adopted in first reading; and a set of principles on national minorities drawn up by

the European Commission for Democracy through Law.

On 23 August [E/CN.4/1991/2 (res. 1990/5)], the Sub-Commission, expressing appreciation to the Special Rapporteur for his progress report, asked the Secretary-General to transmit the questionnaire annexed thereto to Governments, specialized agencies, regional intergovernmental organizations and NGOs for their comments. It also asked the Secretary-General to assist the Special Rapporteur and the latter to submit in 1991 a preliminary report on progress made.

Indigenous populations

Draft declaration

On 7 March [E/1990/22 (res. 1990/62)1], the Commission on Human Rights, welcoming the Sub-Commission's 1989 decision [YUN 1989, p. 480] to continue to entrust to the Chairman/Rapporteur of the Working Group on Indigenous Populations, Erica-Irene A. Daes (Greece), the further development of a draft declaration on indigenous rights within the framework contained in her working paper, asked the Secretary-General to give her the resources and assistance needed to carry out her task.

The Commission recommended to the Economic and Social Council that the Working Group be authorized to hold 10 serviced meetings in the 10 working days prior to the Sub-Commission's 1990 session, to intensify its efforts to complete a draft declaration in consultation with interested Governments and organizations of indigenous people. It urged the Working Group to complete as soon as possible the elaboration of international standards based on a review of developments pertaining to the promotion and protection of human rights of indigenous populations and of their situation and aspirations. The Secretary-General was asked to assist the Working Group in discharging its tasks and to organize, in 1991, within existing resources and under the UN regular programme of technical co-operation, a technical conference on practical experience in the realization of sustainable and environmentally sound self-development by indigenous peoples, with the participation of experts from Governments, appropriate specialized agencies and indigenous peoples' organizations.

The Commission appealed to Governments, organizations and individuals to consider favourably requests for initial as well as further contributions to the United Nations Voluntary Fund for Indigenous Populations (see below). The Working Group and the Sub-Commission

were asked to consider ways of broadening the scope and activities of the Fund, in order to provide enhanced orientation for representatives of indigenous populations attending annual sessions of the Group, and to transmit their recommendations to the Commission in 1991.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 25 May, the Economic and Social Council, by decision 1990/238, approved the Commission's request to give the Chairman/Rapporteur of the Working Group on Indigenous Populations the resources and assistance needed to carry out her task, and authorized the Working Group to hold 10 serviced meetings in the 10 working days prior to the 1990 session of the Sub-Commission. It also approved the Commission's requests to the Secretary-General to assist the Working Group and to organize in 1991 a technical conference on practical experience in the realization of sustainable and environmentally sound self-development by indigenous peoples.

Working Group activities. At its eighth session (Geneva, 23 July-3 August) [E/CN.4/Sub.2/1990/42], the Working Group on Indigenous Populations continued to review developments pertaining to the promotion and protection of human rights and fundamental freedoms of indigenous peoples. Government observers provided the Group with detailed information about the legal status and factual circumstances of their indigenous peoples, including the protection of their human rights. Regarding the evolution of standards concerning the rights of indigenous peoples, the Working Group established three informal drafting groups to continue developing the draft universal declaration on the rights of indigenous peoples, based on the first revised text [YUN 1989, p. 480] submitted in 1989 and the Chairman/Rapporteur's analytical commentary on the draft [E/CN.4/Sub.2/1990/39]. The Working Group considered comments of Governments [E/CN.4/Sub.2/AC.4/1990/1], UN organs, specialized agencies and intergovernmental organizations [E/CN.4/Sub.2/AC.4/1990/2] and NGOs [E/CN.4/Sub.2/AC.4/1990/3] on the first revised text, as well as their proposals to be taken into account in a second revised text. The Chairmen of the drafting groups introduced the reports on the work carried out in their respective groups [E/CN.4/Sub.2/AC.4/1990/7]. The Working Group requested that its report, together with the first revised text of the draft and the reports of the three informal drafting groups, be circulated for written comments and suggestions to Governments, indigenous peoples, intergovernmental organizations and NGOs. It recommended that its

Chairman/Rapporteur prepare an extensive analytical commentary on the articles of the draft declaration.

The Group recommended that its ninth (1991) session be held for two weeks and welcomed an Economic and Social Council decision recommending that the General Assembly proclaim an international year for the world's indigenous peoples in 1993 (see below). It requested the World Intellectual Property Organization (WIPO) to submit a report to its ninth session concerning its activities affecting the interests of indigenous peoples, including the protection of folklore and traditional arts. It recommended that the Chairman/Rapporteur prepare, prior to its 1991 session, a working paper on the cultural property of indigenous peoples, including questions relating to burial remains and sacred sites, and requested UNESCO to provide the author and the Working Group with information about its standards and activities in that regard. It requested the Secretariat to provide the author with all the necessary assistance, including the compilation of all available information.

Sub-Commission action. On 31 August, the Sub-Commission adopted a resolution [E/CN.4/1991/2 (res. 1990/25)]¹ on ownership and control of the cultural property of indigenous peoples, in which it entrusted the Working Group's Chairman/Rapporteur with preparing a working paper on the question for submission in 1991. On the same date [res. 1990/26], it asked the Secretary-General: to transmit the Working Group's report to Governments, indigenous peoples, intergovernmental organizations and NGOs for suggestions aimed at clarifying, simplifying and generalizing the texts contained in the annexes to its report; to ensure that all meetings of the Working Group in 1991 and beyond were provided with interpretation and documentation in Spanish and English; to prepare a brief note on the financial implications of convening one or more of the future sessions of the Working Group in Latin America or Asia, for consideration by the Working Group; to organize a regional training course in Latin America on the United Nations, human rights and indigenous peoples; and to assist the Working Group.

Also on 31 August [res. 1990/27], the Sub-Commission asked the Secretary-General to convene a meeting of experts on indigenous self-government and a technical conference on achieving environmentally sound and sustainable self-development for indigenous peoples, and to include indigenous experts among the invitees; to bring its resolution to the attention of the Secretary-General of the 1992 UN Conference on Environment and Development and the

Chairman of the Preparatory Committee for the Conference; to arrange for the Centre for Human Rights to enter into discussions with UN operational programmes in development and environment regarding possible mechanisms and guidelines for promoting the rights of indigenous peoples through their direct participation in the planning and implementation of projects; to invite WIPO to prepare recommendations concerning the protection of the intellectual property of indigenous peoples, for discussion at the Working Group's 1991 session; and to report in 1991 on the measures taken to implement the current resolution and on the results achieved.

Other action. In 1989, the Sub-Commission had invited [YUN 1989, p. 480] the UN Centre on Transnational Corporations to assist the Working Group in compiling information on investments and operations on the lands of indigenous peoples, including lands which were currently in dispute. Pursuant to that request, the Centre proposed [E/CN.4/Sub.2/AC.4/1990/6] a research methodology for a data base and for future annual reports to the Working Group.

Study on treaties, agreements and other constructive arrangements

In a working paper annexed to the Working Group's report [E/CN.4/Sub.2/1990/42], Special Rapporteur Miguel Alfonso Martínez (Cuba), appointed in 1989 [YUN 1989, p. 480], presented progress made and identified information needed for his continuing work on the study on treaties, agreements and other constructive arrangements between States and indigenous populations. He stated that the scope of the study was particularly broad and that additional research and collection of texts and other reports and materials were essential. The working paper contained two versions of a questionnaire addressed respectively to Governments and indigenous peoples. The questionnaires reflected closely the issues and questions which had come up in the Special Rapporteur's research. He expressed the wish to receive their responses, preferably by the end of April 1991, in order to take their views into account in his preliminary report.

On 31 August [E/CN.4/1991/2 (res. 1990/28)], the Sub-Commission, taking note of the working paper and questionnaires submitted by the Special Rapporteur, asked the Secretary-General to submit the questionnaires to Governments, inter-governmental organizations and NGOs, as well as to indigenous organizations and/or representatives of indigenous peoples who had attended Working Group sessions, requesting them to sub-

mit to the Special Rapporteur any information they would consider useful for the report not later, if possible, than 30 April 1991. It requested the Special Rapporteur to submit a preliminary report on his study in 1991 to the Working Group and to the Sub-Commission. The Secretary-General was asked to assist the Special Rapporteur, in particular to provide the consultancy originally foreseen and a study trip to Washington, D.C., and Seville, Spain.

UN Voluntary Fund for Indigenous Populations

The United Nations Voluntary Fund for Indigenous Populations, established by the General Assembly in 1985 [GA res. 40/131], provided financial assistance to representatives of indigenous communities and organizations who wished to participate in the deliberations of the Working Group. It was administered by the Secretary-General who was advised by a five-member Board of Trustees.

In October, the Secretary-General reported [A/45/698 & Corr.1] that the Fund's Board of Trustees had held its second session in April 1989 and its third in April 1990, at which the Board examined requests for financial assistance for 93 and 74 indigenous representatives, respectively. In the light of the funds available, it recommended at its second session the awarding of 37 travel and subsistence grants. The 37 beneficiaries came from 21 countries. At its third session, it recommended the awarding of 21 travel and subsistence grants, with beneficiaries coming from 21 countries. The recommendations were endorsed by the Secretary-General. Of the selected beneficiaries, 35 representatives attended the seventh session of the Working Group in 1989 and 19 attended the eighth session in 1990. As at 1 October, contributions to the Fund received in 1989 and 1990 totalled \$209,383.

The fourth session of the Board of Trustees was scheduled to be held in April 1991 in advance of the Working Group's ninth session in August 1991.

GENERAL ASSEMBLY ACTION

On 18 December, the General Assembly, by **decision** 45/433, called on Governments, NGOs and representatives of indigenous groups to consider contributions to the Fund and to disseminate widely information about the Fund's activities, and requested the Secretary-General to report in 1992 on the status of the Fund.

Hopi-Navajo relocation

On 31 August [E/CN.4/1991/2 (res. 1990/34)], the Sub-Commission welcomed initiatives taken by the Navajo Nation and Hopi Tribe to work together on issues of mutual concern and encour-

aged them to pursue further the initiatives they had taken to resolve a relocation situation by agreement, with the effective participation of the families and communities affected in the negotiation and implementation of any settlement.

International Year for the World's Indigenous People (1993)

Consideration of an international year for the promotion of indigenous rights began in 1988 when the Economic and Social Council recommended that the General Assembly proclaim such a year at an appropriate time [YUN 1988, p. 495]. The Sub-Commission had recommended that the year be proclaimed in 1993 to coincide with the end of the Second Decade to Combat Racism and Racial Discrimination.

On 7 March [E/1990/22 (dec. 1990/113)], the Commission on Human Rights decided, in the light of the views expressed by delegations in the course of its 1990 session, to recommend to the Economic and Social Council that the General Assembly proclaim an International Year for the World's Indigenous People, in 1993 or another appropriate year, in accordance with established procedures governing the proclamation of international years.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 25 May, by **decision** 1990/248, the Economic and Social Council recommended that the General Assembly proclaim an international year for the world's indigenous people in 1993, in accordance with established procedures governing the proclamation of international years.

GENERAL ASSEMBLY ACTION

On 18 December, the General Assembly adopted **resolution** 45/164.

International Year for the World's Indigenous People

The General Assembly,

Bearing in mind that one of the purposes of the United Nations set forth in the Charter is the achievement of 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,

Taking note of the recommendation of the Economic and Social Council, in its decision 1990/248 of 25 May 1990, that the General Assembly proclaim 1993 as an international year for the world's indigenous people,

Taking into account the guidelines for international years and anniversaries adopted in its decision 35/424 of 5 December 1980,

1. Proclaims 1993 as International Year for the World's Indigenous People, with a view to strengthen-

ing international co-operation for the solution of problems faced by indigenous communities in areas such as human rights, the environment, development, education and health;

2. Invites States to ensure that preparations are made for the Year;

3. Recommends that the specialized agencies, regional commissions and other organizations of the United Nations system consider in their respective forums the contributions that they can make to the success of the Year;

4. Invites organizations of indigenous people and other interested non-governmental organizations to consider the contributions they can make to the success of the Year, with a view to presenting them to the Commission on Human Rights;

5. Requests the Commission on Human Rights to consider at its forty-seventh session possible United Nations activities in connection with the Year;

6. Authorizes the Secretary-General to accept and administer voluntary contributions from Governments and intergovernmental and non-governmental organizations for the purposes of funding programme activities for the Year;

7. Requests the Secretary-General to submit to the General Assembly at its forty-sixth session a draft programme of activities based on the recommendations of the Economic and Social Council and of the specialized agencies;

8. Decides to include in the provisional agenda of its forty-sixth session an item entitled "Preparation and organization of the International Year for the World's Indigenous People".

General Assembly resolution 45/164

18 December 1990 Meeting 69 150-0-4 (recorded vote)

Approved by Third Committee (A/45/838) without vote, 29 November (meeting 57); 18-nation draft I/C.3/45/L.84; agenda item 12.

Meeting numbers. GA 45th session: 3rd Committee 48-50,56,57; plenary 69.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: None.

Abstaining: Antigua and Barbuda, Dominica, Grenada, Guyana.*

*Later advised the Secretariat it had intended to vote in favour.

Activities for the Year

In May, Asbjørn Eide (Norway) and Christy Mbonu (Nigeria) submitted a working paper on

possible UN activities for an international year for indigenous rights [E/CN.4/Sub.2/1990/41]. The paper was prepared in response to a 1989 Sub-Commission request [YUN 1989, p. 480] and contained chapters on general guidelines; purposes of international years; programmes and activities; planning and co-ordination; and evaluation and follow-up. It also contained a draft programme of activities for an international year for indigenous rights and stated that the Working Group on Indigenous Populations should be encouraged to complete the text of a draft universal declaration of indigenous rights by its eleventh session in 1991, so that the draft could be considered by the General Assembly in 1992 and be proclaimed at the beginning of the international year. The declaration would serve as an overall theme for the year and as a guide for all UN system activities.

On 31 August [E/CN.4/1991/2 (res. 1990/29)], the Sub-Commission asked the Secretary-General to transmit the working paper, through the Commission, to the Economic and Social Council, to bring the working paper to the attention of the General Assembly and to report to the Sub-Commission in 1991. It requested Mr. Eide and Ms. Mbonu to submit a second working paper in 1991 and to evaluate the achievements made when the programme of activities had been carried out, at the end of the international year.

Rights of the child

Convention on the Rights of the Child

Accessions and ratifications

As at 31 December, the 1989 Convention on the Rights of the Child [GA res. 44/25], which opened for signature in New York on 26 January and entered into force on 2 September 1990, following receipt of the twentieth instrument of ratification or accession, had been ratified or acceded to by 62 States.

The Secretary-General reported [A/45/473] on the status of the Convention as at 31 August.

On 7 March [E/1990/22 (res. 1990/74)], the Commission on Human Rights called on all States to consider signing and ratifying or acceding to the Convention. It asked the Secretary-General to assume an active role in diffusing information on the Convention and in promoting it; to prepare a report on its status; and to transmit to the Commission the report of the 1990 World Summit for Children (see PART THREE, Chapter XIV), which he did by a note of 12 December [E/CN.4/1991/59].

GENERAL ASSEMBLY ACTION

On 14 December, the General Assembly adopted **resolution 45/104**.

Convention on the Rights of the Child

The General Assembly,

Recalling its previous resolutions and those of the Commission on Human Rights and the Economic and Social Council related to the question of a convention on the rights of the child,

Recalling in particular its resolution 44/25 of 20 November 1989, by which it adopted and opened for signature, ratification and accession the Convention on the Rights of the Child and called upon all Member States to consider signing and ratifying or acceding to the Convention as a matter of priority,

Reaffirming that children's rights require special protection and call for continuous improvement of the situation of children all over the world, as well as for 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 inadequate social conditions, natural disasters, armed conflicts, exploitation, illiteracy, 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 of the United Nations in promoting the well-being of children and their development,

Convinced that the Convention on the Rights of the Child, as a standard-setting accomplishment of the United Nations in the field of human rights, makes a positive contribution to protecting children's rights and ensuring their well-being,

Welcoming with satisfaction the successful conclusion of the World Summit for Children, held in New York on 29 and 30 September 1990, in particular the adoption of the World Declaration on the Survival, Protection and Development of Children and the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s, and stressing the necessity to ensure follow-up to the Summit at the national and international levels,

Encouraged by the fact that an unprecedented number of States have to date become signatories and parties to the Convention, thereby demonstrating the widespread commitment that exists to strive for the promotion and protection of the rights of the child,

1. Takes note with appreciation of the report of the Secretary-General on the status of the Convention on the Rights of the Child;

2. Welcomes with deep satisfaction the entry into force of the Convention on 2 September 1990 as a major step in international efforts to promote universal respect for and observance of human rights and fundamental freedoms;

3. Expresses its satisfaction at the number of States that have signed, ratified or acceded to the Convention since it was opened for signature, ratification and accession on 26 January 1990;

4. Calls upon all States that have not done so to sign, ratify or accede to the Convention as a matter of priority;

5. Requests the Secretary-General to provide all facilities and assistance necessary for the dissemination of information on the Convention and its implementation, with a view to promoting further ratification of or accession to the Convention;

6. Emphasizes the importance of the strictest compliance by States parties with their obligations under the Convention;

7. Recognizes the importance of the establishment of the Committee on the Rights of the Child as an essential mechanism for overseeing the effective implementation of the provisions of the Convention;

8. Abo requests the Secretary-General to ensure the provision of appropriate staff and facilities so that the functions of the Committee on the Rights of the Child may be carried out effectively;

9. Invites United Nations agencies and organizations, as well as intergovernmental and non-governmental organizations, to intensify their efforts with a view to disseminating information on the Convention and promoting its understanding;

10. Further requests the Secretary-General to submit to the General Assembly at its forty-sixth session a report on the status of the Convention on the Rights of the Child;

11. Decides to consider the report of the Secretary-General at its forty-sixth session under the item entitled "Implementation of the Convention on the Rights of the Child".

General Assembly resolution 45/104

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/45/753) without vote, 28 November (meeting 55); 93-nation draft (A/C.3/45/L.51); agenda item 97.

Meeting numbers. GA 45th session: 3rd Committee 35-42, 49, 55; plenary 68.

Sale of children and child prostitution and pornography

On 7 March [E/1990/22 (res. 1990/67)], the Commission on Human Rights decided to transmit to Governments, specialized agencies and other intergovernmental organizations and NGOs the draft programme of action to counteract occurrences of the sale of children, child prostitution and child pornography, contained in the 1989 report of the Working Group on Contemporary Forms of Slavery [YUN 1989, p. 569]. It asked the Secretary-General to submit in 1991 an analytical summary of the responses received. The Commission decided to examine in 1991 the draft programme of action and the Secretary-General's report.

On the same date [res. 1990/68], the Commission decided to appoint for a one-year period a Special Rapporteur to consider matters relating to the sale of children, child prostitution and child pornography, including the problem of the adoption of children for commercial purposes. It asked its Chairman to appoint as Special Rapporteur a person of international reputation. It invited the Special Rapporteur to take account of the need to be in a position to use any credible and reliable

information made available to him, to request the Governments concerned to state their views and comment on any information he intended to include in his report and to carry out his task with discretion and independence. The Secretary-General was asked to urge Governments to co-operate with the Special Rapporteur and to offer their co-operation and assistance so that he might fulfil his mandate effectively. The Special Rapporteur was asked to report in 1991 and the Secretary-General was requested to assist him.

The Economic and Social Council, by **decision 1990/240** of 25 May, asked the Commission Chairman to appoint a Special Rapporteur for a two-year period. It approved the Commission's request to the Secretary-General to assist the Special Rapporteur.

On 1 August, the Chairman appointed Vitit Muntarbhorn (Thailand) as Special Rapporteur.

Child labour

In 1990, the five-member Working Group on Contemporary Forms of Slavery (see also above, under "Civil and political rights"), at its fifteenth session (Geneva, 30 July-3 August and 22 August) [E/CN.4/Sub.2/1990/44], considered as its main theme the eradication of the exploitation of child labour and debt bondage. In a joint statement, 11 NGOs emphasized that the most serious and inhuman forms of exploitation must be attacked first. They were described as forced labour camps, debt bondage, brothels, sweatshops, domestic service and plantation work, the sale of children into employment and other hazardous work and debilitating working conditions. The Group shared the opinion of the NGOs that the phenomena of child exploitation and debt bondage were very much linked to the problems of social and economic development, but that concerted action could improve the implementation of minimum age requirements for employment and eradicate employment in hazardous and exploitative types of work. The Group decided to develop a programme of action for the eradication of the exploitation of child labour and debt bondage after having listened to the various statements and studied all the information available. A draft programme of action was annexed to the Working Group's report.

The Working Group had before it a May report of the Secretary-General with later addenda [E/CN.4/Sub.2/AC.S/1990/5 & Add.1-4] containing the views of Governments, UN bodies, specialized agencies and intergovernmental organizations on the discussion by the Group of the exploitation of child labour and of debt bondage. In another May report with later addenda

[E/CN.4/Sub.2/AC.2/1990/6 & Add.1,2], the Secretary-General presented the views of NGOs.

In a June report with later addenda [E/CN.4/Sub.2/1990/43 & Add.1,2], the Secretary-General addressed the issues of the adoption of children for commercial purposes and the recruitment of children into government and non-governmental armed forces, and presented information provided by Governments, UN organs, specialized agencies, intergovernmental organizations and NGOs on those subjects.

In August, the United Nations Children's Fund (UNICEF) submitted to the Sub-Commission a written statement regarding the exploitation of child labour [E/CN.4/Sub.2/1990/52]. It stated that many UNICEF country offices had started to work with government agencies and NGOs to combat child labour, and to promote protected and creative work alternatives combined with education for those children who were obliged to work to help sustain themselves and their families. UNICEF was working with the International Labour Organisation in policy research, development of training materials and raising public awareness through seminars on child labour. However, despite the combined efforts of UN agencies, Governments and NGOs, one of the most abusive, exploitative and hazardous forms of child labour—child prostitution—was becoming more widespread.

UNICEF stated that it was prepared to work with others on the suppression of internationally organized sexual exploitation of children in prostitution, and to improve systems for detection and treatment of sexually exploited children.

On 31 August [E/CN.4/1991/2 (res. 1990/31)], the Sub-Commission endorsed the programme of action for the elimination of the exploitation of child labour and debt bondage drawn up by its Working Group and recommended to the Commission a draft text for adoption.

Youth

The Special Rapporteur on human rights and youth, Dumitru Mazilu (Romania), in an August report [E/CN.4/Sub.2/1990/45 & Corr.1], updated information submitted in 1989 [YUN 1989, p. 570]. He stated that child abuse, the sale of children for adoption, the utilization of youth on behalf of adult offenders and the use of youth for pornographic films seemed to be increasing progressively. Of particular concern was the increasing number of summary executions, as well as the continued incidence of arbitrary executions of young people. Enforced or involuntary disappearances were other flagrant violations of the

right to life of young people. In addition, at least 190 million young people had no possibility of enjoying their right to freedom of opinion and expression; at least 150 million were facing serious difficulties in the exercise of their right to freedom of thought, conscience and religion; and at least 300 million had no possibility of enjoying their right to freedom of association. Also, 180 million young people were confronted with difficulties in the exercise of their right to leave and to return to their country. Among measures to be taken to ensure and promote the rights and freedoms of the younger generation were the provision of adequate medical care for children and adolescents; changing the educational system and ensuring the right to universal education; youth training and apprenticeships to develop marketable skills; creating sound employment policy to ensure full enjoyment by youth of the right to work; and reducing disparities between developed and developing countries.

On 31 August [E/CN.4/1991/2 (res. 1990/32)], the Sub-Commission asked the Special Rapporteur to present a progress report in 1991. It asked the Secretary-General to continue to gather and furnish information to the Special Rapporteur relating to his study and to provide him with any assistance he might need.

Traditional practices affecting women and children

On 7 March [E/1990/22 (dec. 1990/109)], the Commission on Human Rights, taking note of a 1989 Sub-Commission resolution [YUN 1989, p. 571], approved the Sub-Commission's recommendations: to extend for a two-year period the mandate of the Special Rapporteur, Halima Embarek Warzazi (Morocco); that field missions be undertaken by the Special Rapporteur; that seminars be held on the harmful traditional practices affecting the health of women and children in Africa and Asia; and that the Centre for Human Rights provide support. Those decisions were approved by the Economic and Social Council by **decision** 1990/247 of 25 May.

The Commission also asked the Special Rapporteur to conduct her work in close consultation with the Committee on the Elimination of Discrimination against Women. (For further information on the human rights of women, see PART THREE, Chapter XIII.)

Right to development

Pursuant to a 1989 request of the Commission on Human Rights [YUN 1989, p. 507], the Global

Consultation on the Realization of the Right to Development as a Human Right took place in Geneva from 8 to 12 January 1990 [E/CN.4/1990/9/Rev.I].

The Consultation included a round-table exchange of views on development and human rights: global perspectives and new policy directions, and reviewed specific examples of the respect for human rights as an integral factor in promoting development and the problems faced in that regard. The examples drew on development problems experienced by women, indigenous peoples and the extremely poor. In addition, the Consultation considered the realization of the right to development as a human right at the national and international levels.

Among the Consultation's conclusions were the notion that the right to development was the right of individuals, groups and peoples to participate in, contribute to and enjoy continuous economic, social, cultural and political development, in which all human rights and fundamental freedoms could be fully realized. It also concluded that the struggle for human rights and development was a global one and must involve all peoples, including indigenous peoples and national, ethnic, linguistic and religious minorities, as well as all individuals and groups; serious barriers preventing the realization of the right to development as a human right included failure to respect the right of peoples to self-determination, human rights violations, and phenomena such as racial discrimination, apartheid and foreign occupation; and criteria for measuring progress in the realization of the right included conditions of life, conditions of work, equality of access to resources and participation.

States were urged to implement the 1986 Declaration on the Right to Development [GA res. 41/128]; strengthen their juridical systems; ensure that corporations and other entities did not violate the right to development; ratify the principal human rights instruments; and co-operate in creating an international economic and political environment conducive to the realization of the right. The need was stressed for greater transparency in negotiations and agreements between States and international financial and aid institutions. The international community was called on to renew its efforts to combat human rights violations, racism and apartheid, and all remaining forms of colonization and foreign occupation. UN activities related to the development process should have explicit guidelines, appraisal criteria and priorities based on the realization of human rights. The Consultation proposed that the Secretary-General appoint a high-level committee of independent experts to report annually

to the General Assembly on progress made in implementing the 1986 Declaration. Human rights NGOs were urged to exchange information and to disseminate information about human rights, including the right to development.

By a note of 17 October [A/45/640], the Secretary-General transmitted to the General Assembly the report on the Global Consultation.

In an October report [A/45/673], the Secretary-General presented comments received from UN bodies and specialized agencies in response to his request for information on activities they had taken to implement the 1986 Declaration.

Commission action. On 23 February [E/1990/22 (res. 1990/18)], the Commission on Human Rights, taking note of the report on the Global Consultation, asked the Secretary-General to transmit it to Governments, UN organs, the General Assembly's special session on international economic co-operation (see PART THREE, Chapter I), the Ad Hoc Committee of the Whole on the Preparation of the International Development Strategy for the Fourth United Nations Development Decade (1991-2000) (see PART THREE, Chapter I), the Administrative Committee on Co-ordination, the specialized agencies and other intergovernmental, governmental and concerned non-governmental organizations with a view to obtaining comments and proposals for further action. The Commission asked the Secretary-General to submit in 1991 a report containing those comments and proposals and information on measures taken and suggestions made for implementing the 1986 Declaration within the UN system. It also asked him to publish the report on the Global Consultation and to circulate it widely; that request was approved on 25 May by the Economic and Social Council in **decision 1990/225**. The Commission asked the Office of the Director-General for Development and International Economic Co-operation and the Centre for Human Rights to continue to co-ordinate activities with regard to the implementation of the Declaration.

GENERAL ASSEMBLY ACTION

On 14 December, the General Assembly adopted **resolution 45/97**.

Right to development

The General Assembly,

Recalling the proclamation by the General Assembly at its forty-first session of the Declaration on the Right to Development,

Recalling also its resolutions and those of the Commission on Human Rights relating to the right to development, and taking note of Commission resolution 1990/18 of 23 February 1990, endorsed by the Economic and Social Council by its decision 1990/225 of 25 May 1990,

Reiterating the importance of the right to development for all countries, in particular the developing countries,

Mindful that the Commission on Human Rights has entered a new phase in its consideration of this matter, which is directed towards the implementation and further enhancement of the right to development,

Having considered the report on the Global Consultation on the Realization of the Right to Development as a Human Right,

Reaffirming the need for an evaluation mechanism so as to ensure the promotion, encouragement and reinforcement of the principles contained in the Declaration on the Right to Development,

Aware of the interest in participation in the Global Consultation expressed by several Member States, specialized agencies and non-governmental organizations,

1. Takes note with interest of the report on the Global Consultation on the Realization of the Right to Development as a Human Right, which was organized by the Secretary-General in pursuance of General Assembly resolution 44/62 of 8 December 1989;

2. Expresses the hope that Governments, United Nations bodies and organs and specialized agencies and governmental and non-governmental organizations, including those active in development and human rights, will submit, at the request of the Secretary-General based on Commission on Human Rights resolution 1990/18, additional, updated and more specific views and concrete comments and proposals for further international and national action aimed at strengthening existing, or creating possible new, mechanisms for the promotion and protection of human rights, taking into account the ideas contained in chapter VII of the report on the Global Consultation and the views expressed on the issue during the debate at the forty-sixth session of the Commission, including the creation of a group of experts;

3. Reiterates the need for a continuing evaluation mechanism so as to ensure the promotion, encouragement and reinforcement of the principles contained in the Declaration on the Right to Development;

4. Requests the Office of the Director-General for Development and International Economic Co-operation and the Centre for Human Rights of the Secretariat to continue co-ordination of the various activities with regard to the implementation of the Declaration;

5. Urges all relevant bodies of the United Nations system, particularly the specialized agencies, when planning their programmes of activities, to take due account of the Declaration and to make efforts to contribute to its application;

6. Urges the regional commissions and regional intergovernmental organizations to convene meetings of governmental experts and representative non-governmental and grass-roots organizations for the purpose of seeking agreement on arrangements for the implementation of the Declaration through international co-operation;

7. Requests the Secretary-General to inform the Commission on Human Rights at its forty-seventh session and the General Assembly at its forty-sixth session of the activities of the organizations of the United Nations system on the implementation of the Declaration;

8. Calls upon the Commission to continue to make proposals to the General Assembly, through the Economic and Social Council, on the future course of action on the question, in particular on practical measures for the implementation and enhancement of the Declaration, taking into account the conclusions and recommendations of the Global Consultation and replies received;

9. Decides to consider this question at its forty-sixth 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".

General Assembly resolution 45/97

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/45/750) without vote, 23 November (meeting 51); 37-nation draft (A/C.3/45/L28), orally revised; agenda item 94.

Meeting numbers. GA 45th session: 3rd Committee 24-27, 36, 51; plenary 68.

Extreme poverty

On 23 February [E/1990/22 (res. 1990/15)], the Commission on Human Rights, reaffirming that extreme poverty and exclusion from society constituted a violation of human dignity and that urgent action was required to eliminate them, requested States, UN bodies, the specialized agencies and other international organizations to give the necessary attention to the problem when they made known their views on human rights based on solidarity, pursuant to General Assembly resolution 44/148 [YUN 1989, p. 529]. The Commission urged the Committee on Economic, Social and Cultural Rights to give attention to the question of extreme poverty and exclusion from society, and asked the Sub-Commission to examine the question and to carry out a study.

On 30 August [E/CN.4/1991/2 (dec. 1990/119)], the Sub-Commission decided to request Eduardo Suescún Monroy (Colombia) to prepare the method and plan of work for the study requested by the Commission and to consider the preliminary version of the study in 1991.

Right to own property

In an October report [A/45/523], the Secretary-General provided the views of Governments, UN bodies and specialized agencies on the means whereby and the degree to which the right to own property alone as well as in association with others contributed to the development of individual liberty and initiative.

GENERAL ASSEMBLY ACTION

On 14 December, the General Assembly, by **decision** 45/427, asked the Secretary-General to seek the views of Member States on Assembly

resolution 43/124 [YUN 1988, p. 532] and to report thereon in 1992.

On the same date, the Assembly adopted **resolution 45/98**.

Respect for the right of everyone to own property alone as well as in association with others and its contribution to the economic and social development of Member States

The General Assembly,

Recalling its resolutions 41/132 of 4 December 1986 and 43/123 of 8 December 1988,

Reaffirming the right of States and their peoples freely to choose and develop their political, social, economic and cultural systems and to determine their laws and regulations,

Recognizing the value of constructive dialogue in the national context on the ways and means by which States can promote the full enjoyment of the right of everyone to own property alone as well as in association with others,

Recognizing also in this context the importance of enabling everyone to acquire property, alone or in association with others, by taking practical actions that assist the economic development of developing countries,

Convinced that the right of everyone to own property alone as well as in association with others, as set forth in article 17 of the Universal Declaration of Human Rights and as reaffirmed in paragraph 4 of the Declaration on the Rights of Disabled Persons and in article 16, paragraph 1 (h), of the Convention on the Elimination of All Forms of Discrimination against Women, is of particular significance in fostering widespread enjoyment of other basic human rights and contributes to securing the goals of economic and social development enshrined in the Charter of the United Nations,

Reaffirming, in accordance with article 29 of the Universal Declaration of Human Rights, that, in the exercise of his or her rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition of and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society,

Taking note of the report of the Secretary-General on respect for the right of everyone to own property alone as well as in association with others and its contribution to the economic and social development of Member States,

1. Recognizes that there exist in Member States many forms of legal property ownership, including private, communal, social and state forms, each of which should contribute to ensuring effective development and utilization of human resources by establishing sound bases for political, economic and social justice;

2. Affirms, in accordance with article 30 of the Universal Declaration of Human Rights, that nothing in the Declaration, including the right of everyone to own property alone as well as in association with others, may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms proclaimed therein;

3. Considers that further measures may be appropriate at the national level, consistent with national policies, to ensure respect for the right of everyone to own property alone as well as in association with others and the right not to be arbitrarily deprived of one's property, as set forth in article 17 of the Universal Declaration of Human Rights, so as to protect and preserve these rights in relation to the following types of property:

(a) Personal property, including the residence of one's self and family;

(b) Economically productive property, including property associated with agriculture, commerce and industry;

4. Urges States, therefore, in accordance with their respective constitutional systems and the Universal Declaration of Human Rights, to provide, where they have not done so, adequate constitutional and legal provisions to protect the right of everyone to own property alone as well as in association with others and the right not to be arbitrarily deprived of one's property;

5. Requests the Commission on Human Rights, while addressing the question of the realization in all countries of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights, to consider the means whereby and the degree to which respect for the right to own property alone as well as in association with others contributes to the development of individual liberty and initiative, which serve to foster, strengthen and enhance the exercise of other human rights and fundamental freedoms;

6. Decides to consider this question at its forty-seventh 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".

General Assembly resolution 45/98

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/45/750) without vote, 23 November (meeting 51); 8-nation draft (A/C.3/45/L.32), orally revised; agenda item 94.

Sponsors: France, Germany, Japan, Panama, Poland, Romania, Turkey, USSR, United States.

Meeting numbers. GA 45th session: 3rd Committee 24-27, 36, 38, 51; plenary 68.

Popular participation and human rights

The Commission on Human Rights had before it in 1990 a report [E/CN.4/1990/8] of the Secretary-General, in which he stated that he had received two substantive replies containing comments on the 1985 study [YUN 1985, p. 881] on popular participation in its various forms as an important factor in development and in the full realization of human rights.

On 23 February [E/1990/22 (res. 1990/14)], the Commission on Human Rights asked the Secretary-General, in preparing a study for submission in 1991 regarding the extent to which the right to participation had been established and

had evolved at the national level, to use all channels to collect information and substantive views and comments on the study on popular participation.

Other issues

Science and technology

In a January note [E/CN.4/1990/29], the Secretary-General stated that, pursuant to a 1988 Commission resolution [YUN 1988, p. 583], the Commission had invited the United Nations University (UNU), in co-operation with other interested academic and research institutions, to continue to study the positive and negative impact of scientific and technological developments on human rights and fundamental freedoms. The Secretary-General reported that, in response to the Commission's invitation, UNU stated that the research phase of the project relating to human rights and scientific and technological progress had been delayed. A workshop was convened in July 1989 to agree on a research plan. UNU expected the final report to be ready in February 1991.

On 6 March [E/1990/22 (res. 1990/39)], the Commission asked UNU, in co-operation with other interested research institutions, to submit in 1991 a final report on its study.

On the same date [res. 1990/40], the Commission called on States to use the achievements of science and technology to promote peaceful social, economic and cultural development and progress, and to do their utmost to assist in implementing the right to life through the adoption of appropriate measures. The Commission called on States, UN bodies, specialized agencies and intergovernmental and non-governmental organizations to ensure that the results of scientific and technological progress and the material and intellectual potential of humankind were used to benefit humankind and to promote and encourage universal respect for human rights and fundamental freedoms.

GENERAL ASSEMBLY ACTION

On 14 December, the General Assembly adopted **resolution 45/93**.

Human rights and scientific and technological developments

The General Assembly,

Noting that scientific and technological progress is one of the decisive factors in the development of human society,

Bearing in mind the relevant provisions of the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the

International Covenant on Civil and Political Rights and the Declaration on Social Progress and Development,

Conscious that it is only the creative genius of humankind that makes progress and the development of civilization possible in a peaceful environment and that human life must be recognized as supreme,

Recalling the fundamental importance of the right to life,

Bearing in mind also 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,

1. 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;

2. Recalls the historic responsibility of the Governments of all countries of the world to preserve civilization and to ensure that everyone enjoys his or her inherent right to life, and calls upon them to do their utmost to assist in implementing the right to life through the adoption of appropriate measures at both the national and the international levels;

3. Also calls upon all States, appropriate United Nations bodies, the specialized agencies and intergovernmental and non-governmental organizations concerned to take the necessary measures to ensure that the results of scientific and technological progress and the material and intellectual potential of mankind are used for the benefit of mankind and for promoting and encouraging universal respect for human rights and fundamental freedoms;

4. Decides to include in the provisional agenda of its forty-sixth session the item entitled "Human rights and scientific and technological developments".

General Assembly resolution 45/93

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/45/749) without vote, 28 November (meeting 55); 28-nation draft (A/C.3/45/L.48); agenda item 93.

Meeting numbers. GA 45th session: 3rd Committee 35-42, 49, 55; plenary 68.

Computerized personal files

Pursuant to General Assembly resolution 44/132 [YUN 1989, p. 572], Special Rapporteur Louis Joinet (France) submitted, in February, a revised version of the guidelines for the regulation of computerized personal data files [E/CN.4/1990/722].

The principles concerning the minimum guarantees that should be provided in national legislation dealt with the principles of lawfulness and fairness, accuracy, purpose-specification, interested-person access, non-discrimination and security. The power to make exceptions to the principles, supervision and sanctions, trans-border data flows and the applicability of the principles were also included in the guidelines. Guidelines were provided for personal data files kept by governmental international organizations.

On 6 March [E/1990/22 (res. 1990/42)], the Commission on Human Rights recommended a draft text for adoption by the Economic and Social Council.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 25 May, the Economic and Social Council adopted **resolution 1990/38**.

Guidelines on the use of computerized personal files

The Economic and Social Council,
Bearing in mind General Assembly resolution 44/132 of 15 December 1989,

Taking account of Commission on Human Rights resolution 1990/42 of 6 March 1990,

1. Expresses its appreciation to the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, Mr. Louis Joinet, for the revised version of the guidelines for the regulation of computerized personal data files;
2. Decides to transmit the revised draft guidelines to the General Assembly for appropriate action;
3. Requests the Secretary-General to draw the attention of all Governments to the revised draft guidelines;
4. Recommends that the General Assembly consider, as a matter of priority, the adoption and publication of the guidelines on the use of computerized personal files.

Economic and Social Council resolution 1990/38

25 May 1990 Meeting 14 Adopted without vote

Approved by Second Committee (E/1990/70) without vote, 18 May (meeting 17); draft by Commission on Human Rights (E/1990/22); agenda item 3.

By an October note [A/45/580], the Secretary-General informed the General Assembly of action taken regarding the revised version of the guidelines.

GENERAL ASSEMBLY ACTION

On 14 December, the General Assembly adopted **resolution 45/95**.

Guidelines for the regulation of computerized personal data files

The General Assembly,

Recalling its resolution 44/132 of 15 December 1989,

Bearing in mind Commission on Human Rights resolution 1990/42 of 6 March 1990 and Economic and Social Council resolution 1990/38 of 25 May 1990, entitled "Guidelines on the use of computerized personal files",

1. Expresses its appreciation to the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, Mr. Louis Joinet, for his report containing a revised version of the draft guidelines for the regulation of computerized personal data files;
2. Conveys its thanks to the Governments that have communicated to the Secretary-General their comments and suggestions concerning the previous version of the draft guidelines;

3. Adopts the guidelines for the regulation of computerized personal data files in their revised version;

4. Requests Governments to take into account those guidelines in their legislation and administrative regulations;

5. Requests governmental, intergovernmental and non-governmental organizations to respect those guidelines in carrying out the activities within their field of competence.

General Assembly resolution 45/95

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/45/749) without vote, 28 November (meeting 55); 4-nation draft (A/C.3/45/L.66); agenda item 93.

Sponsors: France, Italy, Luxembourg, United Kingdom.

Meeting numbers. GA 45th session: 3rd Committee 35-42, 51, 55; plenary 68.

Mental illness

The Working Group on the draft body of principles and guarantees for the protection of mentally ill persons and for the improvement of mental health care, established by the Commission in 1989 [YUN 1989, p.574], met in Geneva (8-19 January and 21 February) [E/CN.4/1990/31]. The Working Group carried out an examination and revision of the draft body of principles and guarantees submitted by the Sub-Commission in 1988 [YUN 1988, p. 517] and supplemented by comments and suggestions received from Governments, specialized agencies and NGOs [E/CN.4/1990/53 & Add.1-3]. The text of the articles adopted were annexed to the Group's report.

On 6 March [E/1990/22 (res. 1990/38)], the Commission on Human Rights decided to make available, prior to its 1991 session, appropriate meeting time for the Working Group and asked the Group to pursue its work at that meeting. The Commission recommended a draft text for adoption by the Economic and Social Council.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 25 May, the Economic and Social Council adopted **resolution 1990/37**.

Question of a draft body of principles and guarantees for the protection of mentally ill persons and for the improvement of mental health care

The Economic and Social Council,

Taking note of Commission on Human Rights resolution 1990/38 of 6 March 1990,

1. Authorizes an open-ended working group of the Commission on Human Rights to meet for a period of two weeks prior to the forty-seventh session of the Commission to continue the examination, revision and simplification of a draft body of principles and guarantees for the protection of mentally ill persons and for the improvement of mental health care, for submission to the Commission at its forty-seventh session;

2. Requests the Secretary-General to extend all facilities to the working group for its meeting to be held prior to the forty-seventh session of the Commission

and to prepare and transmit to the working group a working paper covering the articles that remain to be discussed and taking account of the comments and suggestions made by Governments, specialized agencies and non-governmental organizations.

Economic and Social Council resolution 1990/37
25 May 1990 Meeting 14 Adopted without vote
Approved by Second Committee (E/1990/70) without vote, 18 May (meeting 17); draft by Commission on Human Rights (E/1990/22); agenda item 3.

GENERAL ASSEMBLY ACTION

On 14 December, the General Assembly adopted **resolution 45/92**.

Human rights and scientific and technological developments

The General Assembly,

Mindful of the provisions of the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and other relevant instruments, such as the Declaration on the Rights of Disabled Persons and the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment,

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 44/134 of 15 December 1989, in which it welcomed the establishment of the open-ended Working Group of the Commission on Human Rights to examine, revise and simplify as necessary the draft body of principles and guarantees submitted by the Sub-Commission,

Taking note of Commission on Human Rights resolution 1990/38 of 6 March 1990 and Economic and Social Council resolution 1990/37 of 25 May 1990, by which the Council authorized the Working Group to continue its work with a view to submitting the draft body of principles and guarantees to the Commission at its forty-seventh session,

1. Welcomes the significant progress made by the Working Group in the elaboration of a body of principles for the protection of persons with mental illness and for the improvement of mental health care, and urges the Group to complete its work expeditiously for submission to the Commission on Human Rights;

2. Requests the Commission on Human Rights to consider the subject at its forty-seventh session, in the light of the report and recommendations of the Working Group, with a view to submitting the draft principles to the General Assembly at its forty-sixth session, through the Economic and Social Council.

General Assembly resolution 45/92
14 December 1990 Meeting 68 Adopted without vote
Approved by Third Committee (A/45/749) without vote, 28 November (meeting 55); 19-nation draft (A/C.3/45/L.47); agenda item 93.
Meeting numbers. GA 45th session: 3rd Committee 35-42, 49, 55; plenary 68.

The environment

On 6 March [E/1990/22 (res. 1990/41)], the Commission on Human Rights, by a vote of 40 to none, with 2 abstentions, welcomed the Sub-Commission's 1989 decision [YUN 1989, p. 573] to have a note prepared for its 1990 session on methods by which a study could be made on the problems of the environment and its relation to human rights. It asked the Secretary-General to transmit its resolution to the Preparatory Committee for the UN Conference on Environment and Development (see PART THREE, Chapter VIII) and to keep the Committee informed of the work in that area.

In an August note [E/CN.4/Sub.2/1990/12], Fatma Zohra Ksentini (Algeria) presented proposals for a study of the problems of the environment and its relation to human rights.

The Special Rapporteur stated that in view of the scale, diversity and complexity of environmental problems, a descriptive study of them would be beyond the scope of the Sub-Commission's activities and might overlap with the work of other UN bodies. However, a general examination of the major features of environmental problems would make it possible to identify the risks they entailed for human rights. She stated that emphasis could be placed on pollution of the natural environment, problems linked to natural resources, development problems, aspects linked to human habitats and settlements and the rights of the individual. As human rights might be affected by environmental problems, those rights that were likely to conflict with the requirements of environmental protection could be analysed.

The Special Rapporteur recommended that the Sub-Commission define the subject and determine the principal or priority issues it considered most worth developing; initiate an in-depth debate on environmental problems within the Sub-Commission; and consider ways of collecting information of use for the study.

On 30 August [E/CN.4/1991/2 (res. 1990/7)], the Sub-Commission entrusted the Special Rapporteur with preparing a study on human rights and the environment and asked her to present a preliminary report in 1991.

GENERAL ASSEMBLY ACTION

On 14 December, the General Assembly adopted **resolution 45/94**.

Need to ensure a healthy environment for the well-being of individuals

The General Assembly,

Recalling that, in accordance with the provisions of the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cul-

tural Rights, everyone has the right to an adequate standard of living for his or her own health and well-being and that of his or her family and to the continuous improvement of living conditions,

Recognizing the need to promote universal respect for, and observance of, human rights and fundamental freedoms in all their aspects,

Considering that a better and healthier environment can help contribute to the full enjoyment of human rights by all,

Reaffirming that, in accordance with the Declaration of the United Nations Conference on the Human Environment, men and women have the fundamental right to freedom, equality and adequate conditions of life in an environment of a quality that permits a life of dignity and well-being, and that they bear a solemn responsibility to protect and improve the environment for present and future generations,

Bearing in mind the fact that increasing environmental degradation could endanger the very basis of life,

Bearing in mind also that the economic growth and development of the developing countries are essential in order to address the problems of the degradation and protection of the environment,

Emphasizing the increasing role of the United Nations in addressing global environmental problems,

Recalling that the United Nations Conference on Environment and Development, to be held in Brazil in 1992, will elaborate strategies and measures to halt and reverse the effects of environmental degradation in the context of strengthened national and international efforts to promote sustainable and environmentally sound development in all countries,

Stressing the importance for all countries to take effective actions for the protection and enhancement of the environment in accordance with their respective capacities and responsibilities and taking into account the specific needs of developing countries and that, as the major sources of pollution, the developed countries have the main responsibility for taking appropriate measures urgently,

Welcoming Commission on Human Rights resolution 1990/41 of 6 March 1990 and Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1990/7 of 30 August 1990, in which they decided to study the problems of the environment and its relation to human rights,

1. Recognizes that all individuals are entitled to live in an environment adequate for their health and well-being;
2. Calls upon Member States and intergovernmental and non-governmental organizations dealing with environmental questions to enhance their efforts towards ensuring a better and healthier environment;
3. Encourages the Commission on Human Rights, with the assistance of its Sub-Commission on Prevention of Discrimination and Protection of Minorities, to continue studying the problems of the environment and its relation to human rights, with a view to submitting to the Preparatory Committee for the United Nations Conference on Environment and Development, through the Economic and Social Council, a report on the progress made on the matter;

4. Believes that appropriate organs of the United Nations, within their respective competences, should pursue active efforts in seeking to promote a better and healthier environment.

General Assembly resolution 45/94

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/45/749) without vote, 30 November (meeting 59); 22-nation draft (A/C.3/45/L.57/Rev.1), orally revised; agenda item 93.

Meeting numbers. GA 45th session: 3rd Committee 35-42, 51, 57, 59; plenary 68.

Dumping of toxic wastes

On 6 March [E/1990/22 (res. 1990/43)], the Commission on Human Rights, by a vote of 31 to none, with 11 abstentions, asked the United Nations Environment Programme (UNEP) to enter into negotiations with the Organization of African Unity (OAU) to find global solutions to the problem of the transboundary movement of hazardous wastes and their disposal. It asked the Secretary-General to report to it on the negotiations between UNEP and OAU in 1991 and to the Sub-Commission in 1990.

In a June report [E/CN.4/Sub.2/1990/7] to the Sub-Commission, the Secretary-General stated that UNEP was preparing a global convention on the control of transboundary movements of hazardous wastes and had sought the involvement of all Governments. In that regard, it had invited the African countries to participate in the Group of Technical and Legal Experts entrusted with the preparation of the draft convention. In addition, UNEP was assisting the African countries in developing their own convention dealing with the problem of hazardous wastes.

Advancement of human rights

On 14 December 1990, the General Assembly adopted **resolution 45/96**.

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 Rights and of the International Covenants on Human Rights in promoting respect for and observance of human rights and fundamental freedoms,

Recalling further its resolutions relating to the right to development and its resolution 32/130 of 16 December 1977, in which it decided that the approach to future work within the United Nations system with respect to human rights questions should take into account the concepts set forth in that resolution,

Noting with concern that many of the principles enunciated therein have not yet been taken under consideration by the international community with all the necessary dynamism and objectivity,

Emphasizing also the special importance of the purposes and principles proclaimed in the Declaration on the Right to Development,

Recalling Commission on Human Rights resolutions 1990/17 and 1990/18 of 23 February 1990,

Taking into account the final documents of the Ninth Conference of Heads of State or Government of Non-Aligned Countries, held at Belgrade from 4 to 7 September 1989,

Reiterating that the right to development is an inalienable human right and that equality of development opportunities is a prerogative both of nations and of individuals within nations,

Expressing its particular concern about the progressive worsening of living conditions in the developing world and the negative impact thereof on the full enjoyment of human rights, and especially about the very serious economic situation of the African continent and the disastrous effects of the heavy burden of the external debt for the peoples of Africa, Asia and Latin America,

Reiterating 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 civil and political rights and of economic, social and cultural rights,

Deeply convinced that today more than ever, economic and social development and human rights are complementary elements leading to the same goal, that is, the maintenance of peace and justice among nations as the foundation for the ideals of freedom and well-being to which mankind aspires,

Reiterating that co-operation among all nations on the basis of respect for the independence, sovereignty and territorial integrity of each State, including the right of every people to choose freely its own socio-economic and political system, is essential for the promotion of peace and development,

Convinced that the primary aim of such international co-operation must be the achievement by all human beings of a life of freedom and dignity and freedom from want,

Considering that the efforts of the developing countries for their own development should be supported by an increased flow of resources and by the adoption of appropriate and substantive measures for creating an external environment conducive to such development,

1. Reiterates its request that the Commission on Human Rights should continue its current work on overall analysis with a view to further promoting and strengthening human rights and fundamental freedoms, including the question of the programme and working methods of the Commission, and on the overall analysis of the alternative approaches and ways and means for improving the effective enjoyment of human rights and fundamental freedoms;

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 every 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 promoting and protecting the others;

3. Reaffirms that equal attention and urgent consideration should be given to the implementation, promotion and protection of civil and political rights and of economic, social and cultural rights;

4. 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;

5. Reaffirms also that the right to development is an inalienable human right;

6. Reaffirms further that international peace and security are essential elements for achieving full realization of the right to development;

7. Recognizes that all human rights and fundamental freedoms are indivisible and interdependent;

8. Considers it necessary for all Member States to promote international co-operation on the basis of respect for the independence, sovereignty and territorial integrity of each State, including the right of every people to choose freely its own socio-economic and political system, with a view to solving international economic, social and humanitarian problems;

9. Urges all States to co-operate with the Commission on Human Rights in the promotion and protection of human rights and fundamental freedoms;

10. Reaffirms once again that, in order to facilitate the full enjoyment of all human rights without diminishing 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 the right of workers to participate in management, as well as the adoption of measures at the international level, including the establishment of the new international economic order;

11. Decides that the approach to future work within the United Nations system on human rights matters should also take into account the content of the Declaration on the Right to Development and the need for the implementation thereof;

12. Decides also to include in the provisional agenda of its forty-sixth 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".

General Assembly resolution 45/96

14 December 1990 Meeting 68 121-1-29 (recorded vote)

Approved by Third Committee (A/45/750) by recorded vote (104-1-31), 23 November (meeting 51); 28-nation draft (A/C.3/45/L26); agenda item 94.

Meeting numbers. GA 45th session: 3rd Committee 24-27, 36, 51; plenary 68.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: United States.

Abstaining: Australia, Austria, Belgium, Bulgaria, Canada, Czechoslovakia, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Liechtenstein, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Spain, Sweden, Turkey, United Kingdom.

International human rights instruments

In a June note [E/CN.4/Sub.2/1990/38], the Secretary-General submitted a list of ratifications of and accessions to human rights instruments that had taken place between 2 September 1988 and 1 June 1990. Having provided the note pursuant to a 1988 Sub-Commission request [YUN 1988, p. 543], the Secretary-General added that no additional information had been received from States, following his invitation to them to explain the circumstances which prevented them from ratifying or acceding to international human rights instruments and to explain any difficulties they might face.

The Sub-Commission, on 31 August [E/CN.4/1991/2 (res. 1990/24)], requested its Chairman to appoint one of its members to report in 1992 on information received on the universal acceptance of human rights instruments, to analyse difficulties impeding the ratification of, or accession to, those instruments and to assess the programme of advisory services in the field of human rights with a view to further encouraging universal acceptance. It decided to include the 1989 Convention on the Rights of the Child [GA res. 44/25] in the list of human rights instruments whose universal acceptance was to be encouraged. The Secretary-General was requested to: promote the programme of advisory services; renew the invitation to Member States to submit information on their acceptance of human rights instruments; continue holding informal discussions

concerning prospects for ratification of those instruments with government delegations; and keep the Sub-Commission informed on his endeavours and update the table containing a country-by-country record of developments which had taken place in connection with the ratification of, or accession to, the human rights instruments included in the terms of reference of the Sub-Commission.

Human rights treaty bodies

With the entry into force of the 1989 Convention on the Rights of the Child on 2 February (see above, under "Rights of the child"), there were seven human rights treaty instruments in force in 1990, the implementation of which was monitored by expert bodies established under each treaty. Those instruments and their respective treaty bodies were: the 1965 International Convention on the Elimination of All Forms of Racial Discrimination [GA res. 2106 A (XX)] (Committee on the Elimination of Racial Discrimination (CERD)); the 1966 International Covenant on Civil and Political Rights (Human Rights Committee) and International Covenant on Economic, Social and Cultural Rights [GA res. 2200 A (XXI)] (Committee on Economic, Social and Cultural Rights); the 1973 International Convention on the Suppression and Punishment of the Crime of Apartheid [GA res. 3068 (XXVIII)] (Group of Three); the 1979 Convention on the Elimination of All Forms of Discrimination against Women [GA res. 34/180] (Committee on the Elimination of Discrimination against Women); the 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment [GA res. 39/46] (Committee against Torture); and the 1989 Convention on the Rights of the Child (Committee on the Rights of the Child).

In a February report [E/CN.4/1990/67] to the Commission, the Secretary-General reviewed the need for adequate staffing resources with regard to the various treaty bodies, pursuant to General Assembly resolution 44/135 [YUN 1989, p. 522]. He stated that while the eventual computerization of the work of those bodies was expected to increase productivity, the anticipated requirements for support services to them could not be fully met without some staff increases. Addressing the problem of financing for CERD, the Secretary-General suggested establishing a "contingency reserve fund" of up to \$200,000, based on voluntary contributions from States parties. In a later report [A/45/707], the Secretary-General stated that his proposals for long-term solutions for financing and staffing needs for the operations of the treaty bodies would be reflected in his pro-

posed programme budget for the 1992-1993 biennium.

Commission action. On 27 February [E/1990/22 (res. 1990/25)], the Commission urged all States parties to meet their financial obligations pursuant to UN human rights instruments and invited meetings of States parties to consider ways of strengthening the collection of contributions and of making procedures more effective. Welcoming the conclusions and recommendations of a 1989 study [YUN 1989, p. 521] on possible long-term approaches to enhancing the effective operation of existing and prospective bodies established under UN human rights instruments, the Commission invited the treaty bodies to review the study and to send their comments to the Secretary-General, who was asked to report on those comments in 1991. The Commission invited the meeting of persons chairing human rights treaty bodies to discuss problems affecting the implementation of human rights treaties and requested the Secretary-General to convene the forthcoming meeting sufficiently in advance of the 1990 General Assembly session to enable consideration of the meeting's conclusions and recommendations at that session. That request was approved by the Economic and Social Council by **decision 1990/227** of 25 May.

By an October note [A/45/636], the Secretary-General transmitted to the General Assembly the report of the third meeting of persons chairing the human rights treaty bodies (Geneva, 1-5 October).

Reporting obligations of States parties

Taking note of the 1989 study [YUN 1989, p. 521] on possible long-term approaches to enhancing the effective operation of existing and prospective bodies established under UN human rights instruments, the Commission, on 27 February [res. 1990/25], urged States parties to meet their reporting obligations and to contribute to identifying and implementing ways of further streamlining and improving reporting procedures. It requested the Secretary-General to prepare an inventory of all international human rights standard-setting activities in order to facilitate better informed decision-making.

Task Force on Computerization

A January report [E/CN.4/1990/39] of the Secretary-General contained a study by the Task Force on Computerization of the work of the treaty-monitoring bodies. Identifying specific data-base needs and potential users, the Task Force described the requirements of the computer system that it considered to be the most ap-

propriate. An estimate of the initial and annual recurrent costs for the system was also provided. Noting three major categories of the benefits of computerization—reduced costs, increased resources and new and better services—the Task Force concluded that computerization would greatly enhance the productivity of the existing staff and significantly expand the range of services available to States and to experts. While the short-term cost would be significant, it reiterated that in the longer term there would be no other alternative, unless the entire treaty régime was to be permitted to collapse under the weight of the ever-increasing demands being placed on it.

Taking note of the Secretary-General's report and the Task Force study, the Commission on Human Rights, on 23 February [res. 1990/21], suggested that the proposed system take advantage of and complement the existing equipment in the United Nations Office at Geneva. It approved the Task Force's recommendations and suggested that Member States contribute to cover the estimated initial, one-time only cost of the proposed system. Drawing the attention of the Economic and Social Council and the General Assembly to the study, the Commission strongly recommended that they approve the annual recurrent cost of the system and authorize the inclusion of that cost in the programme budget for the 1992-1993 biennium. The Secretary-General was asked to report in 1991 on the progress made in implementing the Commission resolution.

By **decision 1990/226** of 25 May, the Council approved the annual recurrent cost of the system and requested the Secretary-General to include that cost in the programme budget for 1992-1993 when the proposed system was expected to become operational.

GENERAL ASSEMBLY ACTION

On 14 December, the General Assembly adopted **resolution 45/85**.

Effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights

The General Assembly,

Recalling its resolution 44/135 of 15 December 1989, as well as its other relevant resolutions,

Taking note of Commission on Human Rights resolutions 1990/21 of 23 February 1990 and 1990/25 of 27 February 1990, and Economic and Social Council decision 1990/226 of 25 May 1990, by which the Council approved the recommendations of the Task Force on Computerization for computerizing the human rights treaty system,

Reaffirming that the effective implementation of United Nations instruments on human rights is of major importance to the efforts made by the Organization, pursuant to the Charter of the United Nations

and to the Universal Declaration of Human Rights, to promote universal respect for and observance of human rights and fundamental freedoms,

Considering that the effective functioning of treaty bodies established pursuant to United Nations instruments on human rights is indispensable for the effective implementation of such instruments,

Reaffirming its responsibility to ensure the proper functioning of treaty bodies established pursuant to instruments adopted by the General Assembly and, in this connection, further reaffirming the importance of:

(a) Ensuring the effective functioning of systems of periodic reporting by States parties to these instruments;

(b) Securing sufficient financial resources to overcome existing difficulties with the effective functioning of treaty bodies;

(c) Addressing the question of reporting obligations and that of financial implications whenever elaborating any further instruments on human rights,

Recognizing that the effective implementation of instruments on human rights not only enhances international accountability in relation to the promotion and protection of human rights, but also provides States parties with a valuable opportunity to review policies and programmes affecting the promotion and protection of human rights and to make any appropriate adjustments,

Expressing concern about the continuing and increasing backlog of reports on implementation by States parties of United Nations instruments on human rights and about delays in consideration of reports by the treaty bodies,

Bearing in mind the report of the Secretary-General on progress achieved in enhancing the effective functioning of the treaty bodies, pursuant, *inter alia*, to the conclusions and recommendations of the second meeting of persons chairing the human rights treaty bodies, held at Geneva from 10 to 14 October 1988,

Taking note of the conclusions and recommendations of the third meeting of persons chairing the human rights treaty bodies, held at Geneva from 1 to 5 October 1990,

Bearing in mind the study by the independent expert on possible long-term approaches to enhancing the effective operation of existing and prospective bodies established under United Nations instruments on human rights,

1. Endorses the conclusions and recommendations of the meetings of persons chairing the human rights treaty bodies aimed at streamlining, rationalizing and otherwise improving reporting procedures, and supports the continuing efforts in this connection by the treaty bodies and the Secretary-General within their respective spheres of competence;

2. Once again expresses its satisfaction with the study by the independent expert on possible long-term approaches to enhancing the effective operation of existing and prospective bodies established under United Nations instruments on human rights, which contains several recommendations on reporting and monitoring procedures, servicing and financing of supervisory bodies and long-term approaches to human rights standard-setting and implementation mechanisms, and which was presented to the Commission on

Human Rights for detailed consideration at its forty-sixth session;

3. Endorses the recommendations of the Task Force on Computerization appointed by the Secretary-General to prepare a study on computerizing the work of the treaty-monitoring bodies, with a view to increasing efficiency and facilitating compliance by States parties with their reporting obligations and the examination of reports by the treaty bodies;

4. Requests the Secretary-General to give high priority to establishing a computerized data base to increase the efficiency and effectiveness of the functioning of the treaty bodies;

5. Recalls the report of the Secretary-General to the Committee on Economic, Social and Cultural Rights showing the extent of overlapping issues dealt with in international instruments on human rights, which will assist efforts to reduce, as appropriate, duplication in the supervisory bodies of issues raised with respect to any given State party, and asks the Secretary-General to draw the report to the attention of the other treaty bodies;

6. Encourages the Secretary-General to proceed as soon as possible with the circulation of the detailed reporting manual to the various States parties to the United Nations human rights instruments, to assist them in the fulfilment of their reporting obligations;

7. Again urges States parties to make every effort to meet their reporting obligations and to assist, individually and through meetings of States parties, in identifying and implementing ways of further streamlining and improving reporting procedures as well as enhancing co-ordination and information flow between the treaty bodies and with relevant United Nations bodies, including specialized agencies;

8. Welcomes the emphasis placed by the meeting of persons chairing the human rights treaty bodies and by the Commission on Human Rights on the importance of technical assistance and advisory services and, therefore:

(a) Endorses the request of the Commission that the Secretary-General report regularly to it on possible technical assistance projects identified by the treaty bodies;

(b) Invites the treaty bodies to give priority attention to identifying such possibilities in the regular course of their work of reviewing the periodic reports of States parties;

9. Endorses the recommendations of the meeting of persons chairing the human rights treaty bodies on the need to ensure financing and adequate staffing resources for the operations of the treaty bodies and, with this in mind:

(a) Reiterates its request that the Secretary-General review the need for adequate staffing resources in regard to the various treaty bodies;

(b) Requests that the Secretary-General report on this question to the Commission on Human Rights at its forty-seventh session and to the General Assembly at its forty-sixth session;

10. Calls upon all States parties to meet fully and without delay their financial obligations under the relevant instruments on human rights, and requests the Secretary-General to consider ways and means of strengthening collection procedures and making them more effective;

11. Welcomes the fact that at its forty-sixth session the Commission on Human Rights, in its resolution 1990/25, noted that the General Assembly could consider alleviating the financial difficulties of treaty bodies, *inter alia*, by the temporary allocation of necessary funds by way of advances out of the regular budget of the United Nations, which would be reimbursed from the contributions received within the same budget year, this procedure being repeated until such time as a permanent solution to such difficulties can be implemented;

12. Requests the Secretary-General, as a matter of priority, to consider administrative and budgetary measures to alleviate the current financial difficulties of the treaty bodies and thus guarantee their regular functioning and to report on these measures to the Commission on Human Rights at its forty-seventh session;

13. Emphasizes that the adoption of any administrative and budgetary measures shall not prejudice the duty of States parties under United Nations human rights instruments to meet all their financial obligations pursuant to such instruments;

14. Notes with interest that the meeting of persons chairing the human rights treaty bodies recommended in October 1990 that the General Assembly take appropriate measures to ensure the financing of each of the committees from the regular budget of the United Nations;

15. Invites the persons chairing the human rights treaty bodies to maintain communication and dialogue with each other on common issues and problems and, to this end, requests the Secretary-General, within existing resources, to convene a further meeting of the persons chairing the treaty bodies at a time to be established;

16. Decides to give priority consideration at its forty-sixth session to the conclusions and recommendations of the meetings of persons chairing treaty bodies, in the light of the deliberations of the Commission on Human Rights, under the item entitled "Effective implementation of United Nations instruments on human rights and effective functioning of bodies established pursuant to such instruments".

General Assembly resolution 45/85

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/45/745) without vote, 28 November (meeting 55); 20-nation draft (A/C.3/45/L.50), orally revised; agenda item 89.

Meeting numbers. GA 45th session: 3rd Committee 35-42, 49, 51, 55; plenary 68.

International Covenants on Human Rights

On 23 February, the Commission adopted a resolution [E/1990/22 (res. 1990/20)] on the 1966 International Covenants on Human Rights [GA res. 2200 A (XXI)], which corresponded largely to resolutions adopted by the Economic and Social Council and the General Assembly later in the year. The Secretary-General was requested to consider ways and means of assisting States parties to the Covenants in preparing their reports and to report on the status of the Covenants and

the work of the Economic and Social Council and the Committee on Economic, Social and Cultural Rights.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 25 May, the Economic and Social Council adopted **resolution 1990/45**.

International Covenants on Human Rights

The Economic and Social Council,

Bearing in mind its important responsibilities in relation to the co-ordination of activities to promote the International Covenants on Human Rights,

Mindful that the International Covenants on Human Rights constitute the first all-embracing and legally binding international treaties in the field of human rights and, together with the Universal Declaration of Human Rights, form the core of the International Bill of Rights,

Recalling 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 and reaffirming 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 other rights,

Recognizing the important role of the Human Rights Committee and the Committee on Economic, Social and Cultural Rights in promoting and implementing the International Covenants on Human Rights,

Noting with appreciation the work of the Committee on Economic, Social and Cultural Rights, as reflected in its report on its fourth session, and taking note with appreciation of the general comments of the Human Rights Committee on the non-discrimination clauses of the International Covenant on Civil and Political Rights, adopted by the Committee at its thirty-seventh session,

Noting, in this regard, that a number of States Members of the United Nations have yet to become parties to the International Covenants on Human Rights,

Considering that the effective functioning of treaty bodies established in accordance with the relevant provisions of international instruments on human rights plays a fundamental role and hence represents an important continuing concern of the United Nations,

1. Reaffirms the importance of the International Covenants on Human Rights as major parts of the international effort to promote universal respect for and observance of human rights and fundamental freedoms;

2. Appeals strongly to 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 and to consider acceding to the Optional Protocol to the International Covenant on Civil and Political Rights;

3. 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;

4. Appeals to States parties to the Covenants that have exercised their sovereign right to make reserva-

tions in accordance with relevant rules of international law to consider whether any such reservations should be reviewed;

5. Invites the Secretary-General to intensify the systematic efforts to encourage States to become parties to the International Covenants on Human Rights and, through the programme of advisory services in the field of human rights, to provide technical assistance to the States that are not parties to the Covenants, with a view to assisting them in ratifying or acceding to the Covenants;

6. Emphasizes the importance of the strictest compliance by States parties to the Covenants with their obligations under the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and, where applicable, the Optional Protocol to the International Covenant on Civil and Political Rights;

7. Stresses the importance of avoiding the erosion of human rights by derogation and the need for strict observance of all the agreed conditions and procedures for derogation under article 4 of the International Covenant on Civil and Political Rights;

8. Welcomes the fact that the Committee on Economic, Social and Cultural Rights, in its general comment on article 22 of the International Covenant on Economic, Social and Cultural Rights, adopted at its fourth session, focused on the means by which the various United Nations agencies working in the field of development could seek to integrate measures designed to promote full respect for economic, social and cultural rights in their activities;

9. Welcomes also the continuing efforts of the Human Rights Committee to strive for uniform standards in the implementation of the provisions of the International Covenant on Civil and Political Rights and appeals to other bodies dealing with similar questions of human rights to respect those standards as expressed in the general comments of the Human Rights Committee;

10. Welcomes further the adoption by the Committee on Economic, Social and Cultural Rights of a general comment at both its third and fourth sessions, and encourages the Committee to continue using that mechanism to develop a fuller appreciation of the obligations of States parties under the International Covenant on Economic, Social and Cultural Rights;

11. Invites States parties, in conformity with article 2, paragraph 1, of the International Covenant on Economic, Social and Cultural Rights, to consider identifying bench-marks to measure achievements in the progressive realization of the rights recognized in the Covenant and, in this context, to pay particular attention to the most vulnerable and disadvantaged;

12. Invites the Commission on Human Rights, at its forty-seventh session, to consider requesting the Secretary-General to devote a seminar, under the United Nations programme of human rights activities for the biennium 1992-1993, for the discussion of appropriate bench-marks to measure achievements in the progressive realization of the rights recognized in the International Covenant on Economic, Social and Cultural Rights;

13. Requests the Secretary-General to keep the Human Rights Committee and the Committee on Economic, Social and Cultural Rights informed of the rele-

vant activities of the General Assembly, the Economic and Social Council, the Commission on Human Rights, the Commission on the Status of Women, the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the Committee on the Elimination of Racial Discrimination, the Committee on the Elimination of Discrimination against Women, the Committee against Torture and, where appropriate, other functional commissions of the Economic and Social Council, and of the activities of the relevant bodies of the specialized agencies, and to transmit the annual reports of the Human Rights Committee and the Committee on Economic, Social and Cultural Rights to all those bodies;

14. Encourages all Governments to publicize 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;

15. Decides to include in the provisional agenda for its first regular session of 1991 an item entitled "International Covenants on Human Rights" and to consider under that item the general comments adopted by the Human Rights Committee and the report of the Committee on Economic, Social and Cultural Rights;

16. Also decides to transmit the report of the Committee on Economic, Social and Cultural Rights on its fourth session to the General Assembly at its forty-fifth session for consideration under the item entitled "International Covenants on Human Rights".

Economic and Social Council resolution 1990/45

25 May 1990 Meeting 14 Adopted without vote

Approved by Second Committee (E/1990/70/Add.1) without vote, 22 May (meeting 18); 19-nation draft (E/1990/C.2/L.11), orally revised; agenda item 3.

In response to General Assembly resolution 44/129 [YUN 1989, p. 524], the Secretary-General reported [A/45/403] on the status of the International Covenants as at 1 August 1990 (see also above, under "Civil and political rights" and "Economic, social and cultural rights").

GENERAL ASSEMBLY ACTION

On 14 December, the General Assembly adopted **resolution 45/135**.

International Covenants on Human Rights

The General Assembly,

Recalling its resolution 44/129 of 15 December 1989 and taking note of Commission on Human Rights resolution 1990/20 of 23 February 1990,

Mindful that the International Covenants on Human Rights constitute the first all-embracing and legally binding international treaties in the field of human rights and, together with the Universal Declaration of Human Rights, form the core of the International Bill of Human Rights,

Considering that the twenty-fifth anniversary of the adoption of the Covenants on 16 December 1991 provides an appropriate occasion to focus on the funda-

mental importance and special status of these basic human rights instruments of the United Nations,

Taking note of the report of the Secretary-General 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,

Noting, in this regard, that a number of States Members of the United Nations have yet to become parties to the International Covenants on Human Rights,

Recalling the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, and reaffirming 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 other,

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,

Also recognizing the important role of the Committee on Economic, Social and Cultural Rights in the implementation of the International Covenant on Economic, Social and Cultural Rights,

Welcoming the submission to the General Assembly of the annual report of the Human Rights Committee and the report of the Committee on Economic, Social and Cultural Rights on its fourth session,

Considering that the effective functioning of treaty bodies established in accordance with the relevant provisions of international instruments on human rights plays a fundamental role and hence represents an important continuing concern of the United Nations,

Noting with concern the critical situation with regard to overdue reports from States parties to the International Covenants on Human Rights,

Taking note with appreciation of the recommendations and conclusions of the third meeting of persons chairing human rights treaty bodies, held at Geneva from 1 to 5 October 1990,

1. Takes note with appreciation of the report of the Human Rights Committee on its thirty-seventh, thirty-eighth and thirty-ninth sessions, including the suggestions and recommendations of a general nature approved by the Committee;

2. Also takes note with appreciation of the report of the Committee on Economic, Social and Cultural Rights on its fourth session, including its suggestions and recommendations;

3. Expresses its satisfaction with the serious and constructive manner in which both Committees are carrying out their function;

4. Urges States parties to the International Covenants on Human Rights to pay active attention to the protection and promotion of civil and political rights, as well as economic, social and cultural rights, taking into consideration their indivisible and interrelated character and the fact that the promotion and protection of one category of rights should never exempt or excuse States from the promotion and protection of the other rights;

5. 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;

6. Also urges States parties to fulfil their reporting obligations under the International Covenants on Human Rights;

7. 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 in the presentation of their reports, thereby assisting the respective monitoring bodies in their work, and hopes that all States parties to both Covenants will arrange such representation in the future;

8. Again urges all States which 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 and to consider acceding to the Optional Protocol to the International Covenant on Civil and Political Rights;

9. 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;

10. 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;

11. 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 under article 4 of the International Covenant on Civil and Political Rights, bearing in mind the need for States parties to provide the fullest possible information during states of emergency, so that the justification for and appropriateness of measures taken in these circumstances can be assessed;

12. Appeals to States parties to the Covenants that have exercised their sovereign right to make reservations in accordance with relevant rules of international law to consider whether any such reservations should be reviewed;

13. Urges States parties to the International Covenant on Economic, Social and Cultural Rights, the specialized agencies and other relevant United Nations bodies to extend their full support and co-operation to the Committee on Economic, Social and Cultural Rights;

14. Welcomes the adoption by the Committee on Economic, Social and Cultural Rights of general comment No. 2 (1990), regarding international technical assistance measures in relation to article 22 of the Covenant;

15. Requests the Secretary-General to keep the Human Rights Committee and the Committee on Economic, Social and Cultural Rights informed of the relevant activities of the General Assembly, the Economic and Social Council, the Commission on Human Rights, the Commission on the Status of Women, the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the Committee on the Elimination of Racial Discrimination, the Committee on the Elimination of Discrimination against Women, the

Committee against Torture and, where appropriate, other functional commissions of the Economic and Social Council and the specialized agencies, and also to transmit the annual reports of the Human Rights Committee and the Committee on Economic, Social and Cultural Rights to those bodies;

16. Also requests the Secretary-General to ensure that the Centre for Human Rights of the Secretariat effectively assists the Human Rights Committee and the Committee on Economic, Social and Cultural Rights in the implementation of their respective mandates;

17. Again urges the Secretary-General, taking into account the suggestions of the Human Rights Committee, to take determined steps to give more publicity to the work of that Committee and, similarly, to the work of the Committee on Economic, Social and Cultural Rights;

18. 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;

19. Further requests the Secretary-General to submit to the General Assembly at its forty-sixth session, under the item entitled "International Covenants on Human Rights", 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;

20. Decides to hold a commemorative meeting in honour of the Covenants on 16 December 1991, the twenty-fifth anniversary of their adoption.

General Assembly resolution 45/135

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/45/761) without vote, 28 November (meeting 55); 24-nation draft (A/C.3/45/L.53); agenda item 105.

Meeting numbers. GA 45th session: 3rd Committee 35-42, 49, 55; plenary 68.

International co-operation

On 18 December, the General Assembly adopted **resolution 45/169**.

International co-operation in solving international problems of a social, cultural or humanitarian character, and in promoting and encouraging universal respect for, and observance of, human rights and fundamental freedoms

The General Assembly,

Recalling its resolutions 41/155 of 4 December 1986 and 43/155 of 8 December 1988, as well as Commission on Human Rights resolutions 1987/42 of 10 March 1987 and 1989/49 of 7 March 1989,

Conscious that it is a purpose of the United Nations and the task of all Member States to achieve international co-operation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging universal respect for, and observance of, human rights and funda-

mental freedoms for all, without distinction as to race, sex, language or religion,

Desirous of achieving further progress in promoting and encouraging respect for human rights and fundamental freedoms,

Considering that special emphasis should be put on the effective implementation of the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and other relevant international instruments,

Convinced that the effectiveness of United Nations human rights instruments would be enhanced by universal adherence to them as well as by strict compliance of States parties with their obligations,

Considering that existing regional arrangements for the promotion and protection of human rights make a major contribution to the effective enjoyment of human rights and fundamental freedoms and that the exchange of information and experience in this field, as well as the teaching of human rights, could be further improved,

Emphasizing the necessity for the international community to continue its efforts to take practical measures to prevent mass and flagrant violations and all other violations of human rights, including all forms of discrimination based on distinctions of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, which continue to take place in many parts of the world, contrary to the provisions of international instruments in the field of human rights,

Noting the importance that the promotion and protection of human rights have secured on the international agenda and in relations between States,

1. Calls upon Member States to implement fully the universally recognized international standards for the promotion and protection of human rights enshrined, in particular, in the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and other relevant international instruments;

2. Urges all States to co-operate fully with the relevant bodies of the United Nations system and other intergovernmental forums dealing with the promotion and protection of human rights and fundamental freedoms in any part of the world;

3. Considers that such co-operation will make an effective and practical contribution to the implementation of human rights and fundamental freedoms for all;

4. Expresses its conviction that the promotion of and respect for human rights and fundamental freedoms, as well as the implementation of universally recognized human rights standards, are particularly important for all countries;

5. Urges Member States that have not yet done so to consider ratifying or acceding to the various international instruments in the field of human rights;

6. Recognizes the value of common efforts by Governments and intergovernmental and non-governmental organizations at international, regional, bilateral and national levels in the field of human rights;

7. Considers that the World Public Information Campaign for Human Rights would contribute to the promotion and improvement of understanding of human rights;

8. Emphasizes that the wide dissemination of information on human rights and the teaching of human rights are important tasks and would contribute to the implementation of universally recognized international human rights standards;

9. Decides to continue the consideration of this question at its forty-seventh session under the item entitled "Report of the Economic and Social Council".

General Assembly resolution 45/169

18 December 1990 Meeting 69 Adopted without vote

Approved by Third Committee (A/45/838) without vote, 29 November (meeting 57); 7-nation draft (A/C.3/45/L.89); agenda item 12.

Sponsors: Austria, Canada, Hungary, Mongolia, Poland, Ukrainian SSR, Vanuatu.

Meeting numbers. GA 45th session: 3rd Committee 48-50,56,57; plenary 69.

World Conference on Human Rights

Recalling General Assembly resolution 44/156 [YUN 1989, p. 529] on the possibility of convening a world conference on human rights, the Commission on Human Rights, on 7 March [E/1990/22 (dec. 1990/110)], decided that such a conference would be desirable to deal with crucial questions facing the United Nations in connection with the promotion and protection of human rights.

In response to Assembly resolution 44/156, requesting views on the desirability of convening a world conference on human rights, the Sub-Commission, on 30 August [E/CN.4/1991/2 (dec. 1990/114)], submitted to the Secretary-General a report by the Four Directions Council, an NGO in consultative status with the Economic and Social Council. The views of the Four Directions Council were included in the Secretary-General's report (see below).

As requested by Assembly resolution 44/156, the Secretary-General submitted in October a report with later addendum [A/45/564 & Add.1] on the desirability of convening a world conference on human rights. The Secretary-General presented the views of Governments, specialized agencies, UN bodies concerned with human rights and NGOs in consultative status. He stated that all but one of the Governments supported the convening of a world conference. Similarly, the specialized agencies, UN bodies and organs and NGOs were largely in favour of holding such a conference.

GENERAL ASSEMBLY ACTION

On 18 December, the General Assembly adopted resolution 45/155.

World Conference on Human Rights

The General Assembly,

Mindful of the goal of the United Nations to promote and encourage respect for human rights and fundamental freedoms for all without distinction as to race,

sex, language or religion, as set out in the Charter of the United Nations and the Universal Declaration of Human Rights,

Recognizing 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 another,

Bearing in mind that all Member States have pledged themselves to achieve the promotion of universal respect for and observance of human rights and fundamental freedoms in conformity with relevant articles of the Charter,

Noting the progress made by the United Nations towards this goal and the fact that there are areas in which further progress should be made,

Noting also that violations of human rights and fundamental freedoms continue to occur,

Considering that, in view of the progress made, the problems that remain and the new challenges that lie ahead, it would be appropriate to conduct a review of what has been accomplished through the human rights programme and what remains to be done,

Recalling its resolution 44/156 of 15 December 1989, in which it requested the Secretary-General to seek the views of Governments, specialized agencies, non-governmental organizations and United Nations bodies concerned with human rights on the desirability of convening a world conference on human rights for the purpose of dealing at the highest level with the crucial questions facing the United Nations in connection with the promotion and protection of human rights,

Taking note of the report of the Secretary-General containing those views,

Noting the expressions of support for the convening of a world conference on human rights from many Governments, specialized agencies and United Nations bodies concerned with human rights and from non-governmental organizations,

Noting also the many views concerning the importance of thorough advance preparation for the success of the conference,

Convinced that the holding of a world conference on human rights could make a significant contribution to the effectiveness of the actions of the United Nations and its Member States in the promotion and protection of human rights,

1. Decides to convene at a high level a World Conference on Human Rights in 1993 with the following objectives:

(a) To review and assess the progress that has been made in the field of human rights since the adoption of the Universal Declaration of Human Rights and to identify obstacles to further progress in this area, and ways in which they can be overcome;

(b) To examine the relation between development and the enjoyment by everyone of economic, social and cultural rights as well as civil and political rights, recognizing the importance of creating the conditions whereby everyone may enjoy these rights as set out in the International Covenants on Human Rights;

(c) To examine ways and means to improve the implementation of existing human rights standards and instruments;

(d) To evaluate the effectiveness of the methods and mechanisms used by the United Nations in the field of human rights;

(c) To formulate concrete recommendations for improving the effectiveness of United Nations activities and mechanisms in the field of human rights through programmes aimed at promoting, encouraging and monitoring respect for human rights and fundamental freedoms;

(f). To make recommendations for ensuring the necessary financial and other resources for United Nations activities in the promotion and protection of human rights and fundamental freedoms;

2. Decides to establish a Preparatory Committee for the World Conference on Human Rights, which shall be open to all States Members of the United Nations or members of the specialized agencies, with the participation of observers, in accordance with the established practice of the General Assembly;

3. Also decides that the Preparatory Committee should have the mandate to make proposals for the consideration of the General Assembly regarding the agenda, date, duration, venue of and participation in the Conference, preparatory meetings and activities at the international, regional and national levels, which should take place in 1992, and on desirable studies and other documentation;

4. Further decides that the Preparatory Committee, at its first session, shall elect a five-member bureau composed of a chairman, three vice-chairmen and a rapporteur, with due regard to equitable geographic representation;

5. Instructs the Preparatory Committee to deal with the substantive preparations for the Conference in accordance with the goals and objectives set out in paragraph 1 above and bearing in mind the recommendations of the Commission on Human Rights at its forty-seventh session;

6. Decides that the Preparatory Committee shall hold a five-day session at Geneva in September 1991;

7. Also decides, in accordance with its resolution 42/211 of 21 December 1987 and without prejudice to the overall level of resources adopted by the General Assembly for the biennium 1990-1991 and the proposed programme budget outline for the biennium 1992-1993, that the preparatory process and the Conference itself should be funded through the regular budget of the United Nations, without any implications for the programmes provided for under section 23 of the programme budget, and invites contributions of extrabudgetary resources to meet, inter alia, the cost of participation of representatives of least developed countries in the preparatory meetings and the Conference itself;

8. Requests the Commission on Human Rights to make recommendations to the Preparatory Committee on the above issues during those sessions that will take place prior to the Conference;

9. Encourages the Chairman of the Commission on Human Rights, the chairmen or other designated members of human rights expert bodies as well as special rapporteurs and chairmen or designated members of working groups to take part in the work of the Preparatory Committee;

10. Requests Governments, the specialized agencies, other international organizations, concerned United

Nations bodies, regional organizations and non-governmental organizations concerned with human rights to assist the Preparatory Committee and to undertake reviews and submit recommendations concerning the Conference and the preparations there for to the Preparatory Committee through the Secretary-General and to participate actively in the Conference;

11. Requests the Secretary-General to submit to the Preparatory Committee a report on the contributions made pursuant to paragraphs 9 and 10 above;

12. Also requests the Secretary-General to appoint a Secretary-General for the Conference from within the Secretariat and to provide the Preparatory Committee with all necessary assistance;

13. Requests the Preparatory Committee to report to the General Assembly at its forty-sixth and forty-seventh sessions on the progress of its work.

General Assembly resolution 45/155

18 December 1990 Meeting 69 Adopted without vote

Approved by Third Committee (A/45/838) without vote, 30 November (meeting 59); 62-nation draft (A/C.3/45/L.73/Rev.1), orally revised; agenda item 12.

Financial implications. 5th Committee, A/45/843/Rev.1: S-G, A/C.3/45/L.98.A/C.5/45/61.

Meeting numbers. GA 45th session: 3rd Committee 46-50, 55, 57-59; 5th Committee 42, 43; plenary 69.

UN machinery

Commission on Human Rights

The Commission on Human Rights held its forty-sixth session in Geneva from 29 January to 9 March 1990 and adopted 82 resolutions and 16 decisions. In addition, it recommended 9 draft resolutions and 29 draft decisions for adoption by the Economic and Social Council.

On 25 May, by decision 1990/253, the Council took note of the Commission's report on its forty-sixth session [E/1990/22].

The Commission, on 7 March [dec. 1990/111], postponed consideration of a draft resolution recommended to it by the Sub-Commission in 1989 [YUN 1989, p. 514], which requested the Secretary-General to convene, by 1991, an international meeting of experts on issues related to international monitoring in the field of human rights. On the same date [dec. 1990/112], it took note of the Secretary-General's report on the in-depth evaluation of the human rights programme [E/AC.51/1989/2]. With regard to the organization of its work, the Commission decided on 29 January to amend its provisional agenda [dec. 1990/101] and on 30 January to invite a number of special rapporteurs and other experts appointed by the Secretary-General to participate in its meetings, in connection with certain agenda items [dec. 1990/102]. In other action, the Commission, on 7 March, adopted a resolution [res. 1990/70] aimed at streamlining the system of preparation of reports and studies by the Secretary-General.

Organization of work of 1991 session

On 9 March [dec. 1990/116], the Commission recommended that the Economic and Social Council authorize 30 fully serviced additional meetings for its 1991 session and requested the Chairman of the Commission to organize the work of the session within the normal allotted time, so that the additional meetings would be used only if absolutely necessary. By decision 1990/250 of 25 May, the Council approved the Commission's request.

Enlargement of Commission

By a March note [E/CN.4/1990/91], the Chairman of the working group set up to improve the effectiveness of the Commission on Human Rights stated that the drafting group on the subject, which met between 28 February and 8 March, had not reached the point of making any recommendations. The Commission, on 9 March [dec. 1990/115], asked the working group to continue its work as a sessional working group in 1991, and encouraged delegations to hold informal consultations among themselves on the matter.

ECONOMIC AND SOCIAL COUNCIL ACTION

By decision 1990/249 of 25 May, the Economic and Social Council approved the Commission's request to the working group.

Also on 25 May, the Council adopted resolution 1990/48.

Enlargement of the Commission on Human Rights and the further promotion of human rights and fundamental freedoms

The Economic and Social Council,

Recalling General Assembly resolution 44/167 of 15 December 1989,

Bearing in mind the responsibilities of the Commission on Human Rights under the Charter of the United Nations,

Appreciating the contribution made by the Commission to the cause of human rights and recognizing the need to reinforce it,

Reaffirming that the Commission shall be guided by the standards in the field of human rights laid down in the various international instruments concerned with the protection and promotion of human rights,

Aware of the fact that the promotion, protection and full realization of all human rights and fundamental freedoms, as legitimate concerns of the world community, should be guided by the principles of non-selectivity, impartiality and objectivity and should not be used for political ends,

Emphasizing the importance of further improving the effective functioning of the Commission in the field of human rights,

Convinced that in order to achieve universally recognized objectives, improvements in the functioning of

the Commission and measures of rationalization should be a matter for continuous consideration,

Taking note of the relevant section of the final documents of the Ninth Conference of Heads of State or Government of Non-Aligned Countries adopted at Belgrade on 7 September 1989 stating the need to strengthen the role and efficiency of the United Nations and to reinforce its mechanisms,

Stressing that the special rapporteurs and working groups of the Commission on Human Rights are some of the key elements for analysing, reporting on and monitoring human rights, which are essential for the promotion and protection of human rights and fundamental freedoms in all countries,

Taking note of Commission on Human Rights decision 1990/115 of 9 March 1990,

1. Decides to increase the membership of the Commission on Human Rights to fifty-three and to allocate the ten additional seats to the regional groups of Africa, Asia and Latin America and the Caribbean on the basis of the principle of equitable geographical distribution;

2. Also decides that the enlarged membership of the Commission on Human Rights shall be elected in 1991 and that the provisions contained in paragraphs 3 to 5 below shall take effect at the forty-eighth session of the Commission;

3. Authorizes the Commission on Human Rights to meet exceptionally between its regular sessions, provided that a majority of States members of the Commission so agree;

4. Recommends that the mandates of thematic rapporteurs and working groups established or to be established by the Commission shall, unless otherwise decided, be of three years' duration, requests the Secretary-General to provide the rapporteurs and working groups with all the assistance necessary to carry out their mandates in the best possible conditions, and calls on all Governments to co-operate fully with them and to support and promote their activities by ensuring unhampered access to all relevant sources of information;

5. Decides that, in the week following the session of the Commission on Human Rights, the Bureau shall meet to make suggestions about the organization of work of the Commission, including the effective use of conference time and facilities;

6. Requests the Secretary-General to prepare a report on the organizational implications of the present resolution for consideration by the Commission on Human Rights at its forty-seventh session, and requests the Commission to submit its observations to the Economic and Social Council at its first regular session of 1991.

Economic and Social Council resolution 1990/48

25 May 1990 Meeting 14 53-1 (recorded vote)

Draft by Bolivia, for Group of 77 (E/1990/L.26), orally corrected; agenda item 3.

Financial implications. S-G, E/1990/L.27.

Meeting numbers. ESC 13, 14.

Recorded vote in Council as follows:

In favour: Algeria, Bahamas, Bahrain, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, China, Colombia, Cuba, Czechoslovakia, Ecuador, Finland, France, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guinea, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Lesotho, Liberia, Libyan Arab Jamahiriya, Mexico, Netherlands, New Zealand, Nicaragua, Niger, Pakistan, Portu-

gal, Rwanda, Saudi Arabia, Sweden, Thailand, Trinidad and Tobago, Tunisia, Ukrainian SSR, USSR, United Kingdom, Venezuela, Yugoslavia, Zaire, Zambia.

Against United States.

Sub-Commission on Prevention of Discrimination and Protection of Minorities

The Sub-Commission on Prevention of Discrimination and Protection of Minorities held its forty-second session in Geneva from 6 to 31 August 1990 [E/CN.4/1991/2] and adopted 34 resolutions and 26 decisions.

The Sub-Commission established [E/CN.4/1991/2 (dec.1990/101)] sessional working groups on the violation of human rights and fundamental freedoms, detention and the draft declaration on the right of everyone to leave any country, including his own, and to return to his country. It approved [dec. 1990/126] the composition of its working groups on communications, indigenous populations and slavery; decided [dec. 1990/102] to invite two special rapporteurs and the Commission Chairman to participate in its meetings on certain agenda items; and modified [dec. 1990/112] its 1989 decision [YUN 1989 p. 514] regarding the consideration of communications by its Working Group on Communications, so that the Group, acting under Economic and Social Council resolution 1503(XLVIII) [YUN 1970, p. 529], should consider only those communications that had been transmitted to the Governments concerned not later than 12 weeks prior to the meeting of the Group.

The Sub-Commission adopted three decisions [dec. 1990/104 1990/105, 1990/111] and one resolution [res. 1990/4] on its rule of procedure regarding the method of voting, specifically on its use of secret ballots to vote on action concerning allegations of human rights violations. It also considered an August note [E/CN.4/Sub.2/1990/51] by Claire Palley (United Kingdom) on the subject.

On 24 August, the Sub-Commission decided [dec. 1990/107] to reorganize the conduct of speeches for the remainder of its 1990 session. Regarding the conduct of voting, it decided [dec. 1990/122] that draft decisions and resolutions should not be introduced by one of the sponsors, and urged members not to make general comments on the drafts, but to offer only concrete proposals. The Sub-Commission postponed until 1991 the consideration of three draft resolutions: on a new set of rules of procedure to govern its proceedings [dec. 1990/106]; on improving the efficiency and productivity of the Commission and the Sub-Commission [dec. 1990/115]; and on the protection of journalists [dec. 1990/116]. It decided [dec. 1990/103] that a telegram should be sent by the UN Under-Secretary-General for Human Rights to the Secretary of State of the United

States, expressing his sadness at the death of Pearl Bailey, who had served as the United States Goodwill Ambassador to the United Nations.

Submission of guidelines

On 2 February, the Chairman of the Sub-Commission reported [E/CN.4/1990/40] on the implementation of guidelines for its work, as outlined by the Commission in 1989 [YUN 1989, p. 513]. He provided information in six areas, which reflected the issues addressed by those guidelines: terms of reference and role of the Sub-Commission; methods of work; studies and reports and activities of special rapporteurs; standard-setting activities; consideration of new developments in the field of human rights; and the drafting and adoption of resolutions and decisions.

Expressing appreciation for the report of the Sub-Commission Chairman, the Commission, on 7 March [E/1990/22 (res. 1990/64)], reiterated guidelines for the activities of the Sub-Commission. It further requested the Sub-Commission to consider its practice of forwarding draft resolutions and decisions to the Commission for attention, action or consideration. The working group that was established by the Sub-Commission in 1989 [YUN 1989, p. 514] to review proposals for improving the Sub-Commission's functioning in dealing with human rights violations was asked to examine ways of avoiding duplication of studies, resolutions and decisions on issues already being dealt with by the Commission. The Chairman of the Sub-Commission was asked to report to the Commission on the implementation of those guidelines.

Status of special rapporteurs

On 26 January [E/1990/15], the Secretary-General transmitted to the Economic and Social Council his letter of 22 December 1989 to the Council President, regarding the applicability of the 1946 Convention on the Privileges and Immunities of the United Nations [GA res. 22 A (I) to ensuring the completion of a report on human rights and youth by Special Rapporteur Dumitru Mazilu (Romania). The Romanian authorities had not permitted the Special Rapporteur to travel to Geneva to present his report to the Sub-Commission in 1988 and, by Council resolution 1989/73 [YUN 1989, p. 570], the International Court of Justice was requested to provide an advisory opinion on the legal question of the applicability of article VI, section 22, of the Convention in the case of Mr. Mazilu. The Secretary-General reported that on 15 December 1989 the Court had unanimously determined that the Convention was applicable. The advisory opinion was issued as an addendum

[E/1990/15/Add.1] to the report. (For the Special Rapporteur's report, see above, under "Economic, social and cultural rights".)

ECONOMIC AND SOCIAL COUNCIL ACTION

On 25 May, the Economic and Social Council adopted resolution 1990/43.

Advisory opinion on the applicability of the Convention on the Privileges and Immunities of the United Nations in the case of rapporteurs and special rapporteurs of the Sub-Commission on Prevention of Discrimination and Protection of Minorities

The Economic and Social Council,

Having requested, on a priority basis, in its resolution 1989/75 of 24 May 1989, an advisory opinion from the International Court of Justice on the legal question of the applicability of article VI, section 22, of the Convention on the Privileges and Immunities of the United Nations in the case of Mr. Dumitru Mazilu as Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities,

1. Expresses its appreciation to the International Court of justice for having given the unanimous opinion, on 15 December 1989, that article VI, section 22, of the Convention on the Privileges and Immunities of the United Nations is applicable in the case of the special rapporteur in question;

2. Welcomes the opinion of the Court to the effect that rapporteurs and special rapporteurs of the Sub-Commission must be regarded as experts on mission within the meaning of article VI, section 22, of the Convention.

Economic and Social Council resolution 1990/43
25 May 1990 Meeting 14 Adopted without vote
Approved by Second Committee (E/1990/70/Add.1) without vote, 22 May (meeting 18): 4-nation draft (E/1990/C.2/L.9): agenda item 3.
Sponsors: Canada, Netherlands, Romania, United States.

Centre for Human Rights

On 27 February [E/9190/22 (res. 1990/25)], the Commission requested the Secretary-General to submit a report on the situation and developments regarding the logistical and human resources support for the increasing activities of the Centre for Human Rights, in particular on the servicing needs of the human rights treaty bodies, the provisions for servicing included in the UN budget and the implementation of those provisions, to the Economic and Social Council at its first regular session of 1990.

In response to the Commission's request, the Secretary-General submitted a report to the Council in April [E/1990/50]. He discussed the activities of the Centre in each of its six main areas (international instruments; communications; special procedures; research, studies and prevention of discrimination; advisory services and technical assistance; external relations, documentation and publications), described in detail how the Centre's work-load had increased in recent years

and documented how resources had failed to keep pace with the increase in responsibilities.

In response to a Council request (see below), the Secretary-General submitted to the General Assembly in November a report [A/45/807] on actions taken in 1990 and those planned for 1991, as interim solutions to the problem of insufficient resources. He pointed out that the responsibilities of the Centre were rapidly increasing, with a growing demand in the areas of research, standard-setting, implementation, technical assistance and information and education. The additional obligations led to a situation in which the programme budget for 1990-1991 had insufficient resources for the full realization of the UN human rights programme. In response to the concern expressed by a number of Member States over the current situation, the Secretary-General suggested that they begin consultations with a view to providing voluntary donations to assist the Centre during the remainder of the biennium.

As to developments relating to the Centre's activities, the Secretary-General submitted a December report [A/C.5/45/66] to the Assembly which included further proposals for alleviating the work-load of staff. Taking into account the expansion of the Centre's activities, the Secretary-General concluded that it would not be possible to redeploy resources from low-priority areas or modify existing activities, and warned that the requirements of the Centre might have to be deferred to the 1992-1993 biennium. He proposed that three additional posts be established for the Centre in 1991, to implement supervisory procedures for the Convention on the Rights of the Child (see above, under "Rights of the child"), which entered into force on 2 September, and that four additional posts be approved to assist in coping with the processing of ever-increasing communications.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 25 May, the Economic and Social Council adopted resolution 1990/47.

Developments relevant to the activities of the Centre for Human Rights

The Economic and Social Council,

Recalling General Assembly resolution 44/135 of 15 December 1989 and Commission on Human Rights resolution 1989/46 of 6 March 1989 and taking note of Commission resolution 1990/25 of 27 February 1990,

Considering that the promotion of universal respect for and observance of human rights and fundamental freedoms is one of the basic aims of the United Nations according to the Charter and an issue of the utmost importance for the Organization,

Recognizing that the work-load of the Centre for Human Rights has increased rapidly in recent years,

1. Takes note of the report of the Secretary-General on the situation and developments regarding the logis-

tical and human resources support for the activities of the Centre for Human Rights, in particular the conclusion that the work-load of the Centre has increased, while resources have failed to keep pace with the increase in its responsibilities;

2. Requests the Secretary-General to include in the proposed programme budget for the biennium 1992-1993 programme and resource proposals for long-term solutions of the problems posed by this situation, taking also into account the proposals contained in the report of the Task Force on Computerization, as well as in the study carried out by an independent expert, concerning the effective implementation of international instruments on human rights;

3. Also requests the Secretary-General to submit to the General Assembly at its forty-fifth session a brief report on actions taken in 1990 and those planned for 1991, as interim solutions of these problems;

4. Decides to refer the report of the Secretary-General to the General Assembly at its forty-fifth session, the Commission on Human Rights at its forty-seventh session and the persons chairing the human rights treaty bodies at their next meeting, for consideration.

Economic and Social Council resolution 1990/47
25 May 1990 Meeting 14 Adopted without vote
Approved by Second Committee (E/1990/10/Add.1) without vote, 22 May (meeting 18); 24-nation draft (E/1990/C.2/L.13); agenda item 3.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/180.

Developments relating to the activities of the
Centre for Human Rights of the Secretariat

The General Assembly,

Recalling its resolution 44/135 of 15 December 1989, Bearing in mind Commission on Human Rights resolutions 1989/46 of 6 March 1989 and 1990/25 of 27 February 1990, as well as Economic and Social Council resolution 1990/47 of 25 May 1990,

Considering that the promotion of universal respect for and observance of human rights and fundamental freedoms is one of the basic aims of the United Nations according to the Charter of the United Nations and an issue of the utmost importance for the Organization,

Recognizing that the work-load of the Centre for Human Rights of the Secretariat has increased rapidly in recent years, while resources have failed to keep pace with the increase in its responsibilities,

Noting that the difficult financial situation during the biennium 1990-1991 created considerable obstacles to the implementation of the various procedures and mechanisms, negatively influenced the servicing by the Secretariat of human rights bodies concerned and impaired the quality and precision of reporting,

Having considered the report of the Secretary-General and noting that in spite of the recognition that the responsibilities of the Centre for Human Rights have increased rapidly in recent years, the only specific proposal made in the report as an interim solution for 1991 to the problems posed by the resource situation of the Centre, pursuant to the request made by the Economic and Social Council in its resolution 1990/47, is the reference to voluntary donations,

1. Requests the Secretary-General to act promptly to respond to the needs of the Centre for Human Rights of the Secretariat and to make additional specific proposals as interim solutions to these problems for the current biennium, in particular indicating the human resources required for the Centre to carry out its functions adequately, together with the related administrative and budgetary implications thereof, to the General Assembly not later than 10 December 1990, so that the budgetary process can be completed by the end of the current session;

2. Also requests the Secretary-General, in conformity with his commitment, to include in the proposed programme budget for the biennium 1992-1993 programme and resource proposals for long-term solutions to the problems posed by the situation in the Centre for Human Rights which respond to the needs of the Centre, are commensurate with its work-load and also take into account the need to respond to the requests for advisory services and technical assistance, primarily from developing countries, and the proposals contained in the report of the Task Force on Computerization, and in the study carried out by an independent expert concerning the effective implementation of international instruments on human rights;

3. Further requests the Secretary-General to submit an interim report on the implementation of the present resolution to the Commission on Human Rights at its forty-seventh session and a final report to the General Assembly at its forty-sixth session, under the item entitled "Report of the Economic and Social Council".

General Assembly resolution 45/180
21 December 1990 Meeting 71 Adopted without vote
Approved by Third Committee (A/45/838) without vote, 3 December (meeting 60); 39-nation draft (A/C.3/45/L.72/Rev.1), orally revised: agenda item 12.
Meeting numbers. GA 45th session: 3rd Committee 48-50, 55, 60, 63; plenary 71.

On the same date, the Assembly adopted resolution 45/248 B, section V.

Developments relating to the activities of the
Centre for Human Rights

[The General Assembly . . .]

1. Decides to accept the proposal for additional posts made by the Secretary-General in paragraph 8 of his report on developments relating to the activities of the Centre for Human Rights;

2. Also decides that the Secretary-General shall enter into commitments for further resources equivalent to 1 P-4, 1 P-3 and 2 General Service posts subject to review and concurrence by the Advisory Committee on Administrative and Budgetary Questions on the basis of the results of his management and work-load analysis which will be completed no later than January 1991;

General Assembly resolution 45/248 B, section V
21 December 1990 Meeting 72 Adopted without vote
Approved by Fifth Committee (A/45/900) without vote, 19 December (meeting 50); draft by Chairman (A/C.5/45/L.19), following informal consultations; agenda item 118.
Meeting numbers. GA 45th session: 5th Committee 44, 45, 50; plenary 72.

Strengthening UN action

On 18 December, the General Assembly adopted resolution 45/163.

Strengthening of United Nations action in the human rights field through the promotion of international co-operation and the importance of non-selectivity, impartiality and objectivity

The General Assembly,

Reaffirming its 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 its determination to promote social progress and better standards of living in greater freedom,

Bearing in mind that one of the purposes of the United Nations is to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and to take other appropriate measures to strengthen universal peace,

Bearing in mind equally that one of the purposes of the United Nations is 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,

Recalling that, in accordance with Article 55 of the Charter of the United Nations, the Organization shall promote universal respect for, and observance of, human rights and fundamental freedoms For all, with a view to the creation of conditions of stability and well-being that are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and that, in accordance with Article 56, all Members pledge themselves to take joint and separate action in co-operation with the Organization for the achievement of the purposes set forth in Article 55,

Reiterating that Member States should continue to act in the human rights field in conformity with the provisions of the Charter,

Desirous of achieving further progress in international co-operation in promoting and encouraging respect for human rights and fundamental freedoms,

Considering that" such international co-operation should be based on the principles embodied in international law, especially the Charter, as well as the Universal Declaration of 'Human Rights, the International Covenants on Human Rights and other relevant instruments,

Deeply convinced that such co-operation should be based on a profound understanding of the economic, social and cultural realities and the variety of problems existing in different societies,

Recalling its resolutions 32/130 of 16 December 1977, 37/200 of 18 December 1982, 41/155 of 4 December 1986 and 43/155 of 8 December 1988,

Bearing in mind its resolutions 2131 (XX) of 21 December 1965, 2625 (XXV) of 24 October 1970 and 36/103 of 9 December 1981,

Aware of the fact that the promotion, protection and full realization of all human rights and fundamental freedoms as legitimate concerns of the world community should be guided by the principles of non-

selectivity, impartiality and objectivity and should not be used for political ends,

Underlining the obligation that Governments have to promote and protect human rights and to carry out the responsibilities that they have undertaken under international law, especially the Charter, as well as various international instruments in the field of human rights,

1. Reiterates that, by virtue of the principle of equal rights and self-determination of peoples enshrined in the Charter of the United Nations, all peoples have the right freely to determine, without external interference, their political status and to pursue their economic, social and cultural development, and that every State has the duty to respect that right within the provisions of the Charter, including respect for territorial integrity;

2. Reaffirms that it is a purpose of the United Nations and the task of all Member States in co-operation with the Organization to promote and encourage respect for human rights and fundamental freedoms and to remain vigilant with regard to violations of human rights wherever they occur;

3. Calls upon all Member States to base their activities for the protection and promotion of human rights, including the development of further international co-operation in this field, on the Charter, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and other relevant international instruments and to refrain from activities that are inconsistent with this international legal framework;

4. Considers that international co-operation in this field should make an effective and practical contribution to the urgent task of preventing mass and flagrant violations of human rights, to the promotion of human rights and fundamental freedoms for all and to the strengthening of international peace and security;

5. Affirms that the promotion, protection and full realization of all human rights and fundamental freedoms, as legitimate concerns of the world community, should be guided by the principles of non-selectivity, impartiality and objectivity and should not be used for political ends;

6. Expresses its conviction that an unbiased and fair approach to human rights issues contributes to the promotion of international co-operation as well as to the effective promotion, protection and realization of human rights and fundamental freedoms;

7. Underlines, in this context, the continuing need for impartial and objective information on the political, economic and social situations and events of all countries;

8. Invites Member States to consider adopting, as appropriate, within the framework of their respective legal systems and in accordance with their obligations under international law, especially the Charter, as well as international human rights instruments, the measures that they may deem appropriate to achieve further progress in international co-operation in promoting and encouraging respect for human rights and fundamental freedoms;

9. Requests the Commission on Human Rights, at its forty-seventh session, to examine the content of the present resolution, including ways and means to strengthen United Nations action in this regard.

General Assembly resolution 45/163

18 December 1990 Meeting 69 Adopted without vote

Approved by Third Committee (A/45/838) without vote, 5 December (meeting 63); draft by Cuba (A/C.3/45/L.82/Rev.2), orally revised; agenda item 12.

Meeting numbers. GA 45th session: 3rd Committee 48-50, 55, 58, 63; plenary 69.

Public information activities

In February, the Secretary-General submitted to the Commission a report [E/CN.4/1990/19] on public information activities, which emphasized the current and proposed aims and programmes of the World Public Information Campaign on Human Rights, launched in 1988 by the General Assembly [YUN 1988, p. 539]. The report included details of the Campaign's costs in 1989, the budget envisaged for future activities and a first assessment of the impact of Campaign activities undertaken by the United Nations.

The Secretary-General stated that programmes within the Campaign had been grouped into five major areas: preparation and dissemination of printed information and reference materials; workshops, seminars and training courses; fellowships and internships; special human rights observances; and coverage and promotion activities. He described activities taken in those areas by the Centre for Human Rights, UN information centres and services, and the UN Department of Public Information (DPI).

The Secretary-General pointed out that some 100 language versions of the 1948 Universal Declaration of Human Rights [GA res. 217 A (III)] were available, and that the interest shown in information materials indicated the real potential of the World Campaign to attain its long-term objective of a universal culture of human rights.

Commission action. Taking note of the Secretary-General's report, the Commission, on 7 March [E/1990/22 (res. 1990/72)], requested him to deploy the skills and resources of all the Secretariat units concerned and to make adequate funding available for developing human rights information activities. Emphasizing the need to harmonize UN public information activities in the field of human rights with organizations such as the International Committee of the Red Cross (ICRC), the Office of the United Nations High Commissioner for Refugees (UNHCR) and the United Nations Educational, Scientific and Cultural Organization (UNESCO), the Commission requested the Centre for Human Rights to co-ordinate the relevant activities of the World Campaign within the UN system, and to maintain liaison with Governments, regional and national institutions and individuals concerned in the development and implementation of those activities. It requested DPI to make full use of the

available resources in the field of human rights in order to expand and update audio-visual material on human rights and to increase the print-run of UN-produced information and reference material for world-wide distribution. The Commission stressed the need for close co-operation between the Centre and DPI, particularly in the implementation of the aims of the Campaign, and asked the Secretary-General to translate the 1948 Universal Declaration of Human Rights into additional non-official languages and to ensure the availability of the text at UN information centres world wide. The Commission also requested the Secretary-General to take advantage of the collaboration of non-governmental organizations (NGOs) to increase universal awareness of human rights and fundamental freedoms, and to submit to the Commission in 1991 a report on public information activities with special emphasis on the activities of the World Campaign.

The Commission encouraged all Member States to make special efforts to provide, facilitate and promote publicity for UN human rights activities, to disseminate copies of international human rights instruments in national and local languages and to provide information and education on the practical ways to exercise the enjoyment of rights and freedoms under those instruments. Noting the special value of regional and national training courses and workshops in promoting practical education and awareness of human rights, the Commission urged all Member States to include in their educational curricula materials relevant to understanding human rights issues, and encouraged those responsible for training in law and its enforcement, the armed forces, medicine, diplomacy and other relevant fields to include appropriate human rights components in their programmes.

Report of Secretary-General. Pursuant to General Assembly resolution 44/61 [YUN 1989, p. 516], the Secretary-General submitted in October a report [A/45/590] describing human rights public information activities conducted by the Centre for Human Rights and DPI, and summarizing areas of co-ordination and co-operation within and outside the UN system. He reviewed commemorations held during the year, such as Child Rights Day (22 March) and Human Rights Day (10 December), and listed the designated national focal points, as at 31 August 1990, for the development and implementation of the World Public Information Campaign.

Throughout the year, the Centre organized workshops, seminars and training courses, mostly within its programme of advisory services (see below) and technical assistance. Among

other activities, it conducted a global consultation on the right to development (Geneva, 8-12 January) (see above, under "Economic, social and cultural rights") and the first Asia-Pacific human rights workshop (Manila, Philippines, 7-11 May). The Centre co-ordinated the relevant activities of the World Campaign within the UN system and continued to increase contact and co-operation with other bodies concerned with human rights, such as national and regional institutions, academic and research communities, NGOs and the media. Many DPI activities in 1990 aimed to promote the rights of the child, on the occasion of the 1989 adoption [GA res. 44/25] and the 1990 entry into force (see above, under "Economic, social and cultural rights") of the Convention on the Rights of the Child. The theme "A World Safe for Children: Meeting the Challenge in the 1990s" was chosen for the 1990 DPI annual conference for NGOs (New York, 12-14 September). Information on UN activities pertaining to human rights continued to be produced and disseminated.

GENERAL ASSEMBLY ACTION

On 14 December, the General Assembly adopted resolution 45/99.

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 essential to the fulfilment of the purposes of the United Nations set out in Article 1, paragraph 3, of the Charter of the United Nations and that carefully designed programmes of teaching, education and information are essential to the achievement of lasting respect for human rights and fundamental freedoms,

Recalling the resolutions adopted on this subject, in particular its resolutions 43/128 of 8 December 1988 and 44/61 of 8 December 1989, and taking note of Commission on Human Rights resolution 1990/73 of 7 March 1990,

Recognizing the catalytic effect of initiatives of the United Nations on national and regional public information activities in the field of human rights,

Recognizing also the valuable role that non-governmental organizations can play in those endeavours,

Recognizing further that the eradication of illiteracy will further the promotion and protection of human rights,

Believing that the World Public Information Campaign on Human Rights is a valuable complement to the activities of the United Nations further to promote and to protect human rights world-wide,

1. Takes note of the report of the Secretary-General on the development of the public information activities in the field of human rights;

2. Reaffirms the need for information materials on human rights to be carefully designed in clear and accessible form, to be tailored to regional and national requirements and circumstances with specific target

audiences in mind and to be effectively disseminated in national and local languages and in sufficient volume to have the desired impact, and for effective use also to be made of the mass media, in particular radio and television and audio-visual technologies, in order to reach wider audiences, with priority being given to children, other young people and the disadvantaged, including those in isolated areas;

3. Urges the Secretariat to take measures to ensure the further production and effective dissemination of human rights information materials, especially those on the basic United Nations human rights instruments and institutions, in national and local languages, in co-operation with regional, national and local organizations as well as with Governments, making full and effective use of the United Nations information centres;

4. Requests the Secretary-General to produce audio-visual materials on human rights issues which could be used as effective tools of information within the framework of the World Public Information Campaign for Human Rights and which would be made available at United Nations information centres and United Nations offices world-wide and to report on the progress made to the Commission on Human Rights at its forty-seventh session;

5. Encourages the efforts of the Secretariat to establish, within available resources, the collection of basic United Nations information and reference material on human rights and fundamental freedoms at each United Nations information centre;

6. Encourages all Member States to make special efforts to provide, facilitate and encourage publicity for 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 texts of the Universal Declaration of Human Rights, the International Covenants on Human Rights and other international conventions, as well as to information and education on the practical ways in which the rights and freedoms enjoyed under those instruments can be exercised;

7. Urges all Member States to include in their educational curricula materials relevant to a comprehensive understanding of human rights issues, and encourages all those responsible for training in law and its enforcement, the armed forces, medicine, diplomacy and other relevant fields to include appropriate human rights components in their programmes;

8. Requests the Secretary-General to continue to draw the attention of Member States to the teaching booklet on human rights, which could serve as a broad and flexible framework adaptable to national circumstances for the structuring and development of the teaching of human rights;

9. Notes the special value, under the advisory services and technical assistance programme, of regional and national training courses and workshops, in co-operation with Governments, regional and national organizations and non-governmental organizations, in promoting practical education and awareness in the field of human rights;

10. Also requests the Secretary-General to ensure the fullest effective deployment of the skills and resources of all concerned units of the Secretariat and to make available, within existing resources, and in particular

from the budget of the Department of Public Information of the Secretariat, adequate funding for developing practical and effective human rights information activities, including those within the programme of the World Public Information Campaign for Human Rights;

11. Calls upon the Centre for Human Rights of the Secretariat, which has primary responsibility within the United Nations system in the field of human rights, to co-ordinate the substantive activities of the World Campaign pursuant to the direction of the General Assembly and the Commission on Human Rights, and to serve as liaison with Governments, regional and national institutions, non-governmental organizations and concerned individuals in the development and implementation of the activities of the World Campaign;

12. Calls upon the Department of Public Information, which has primary responsibility for public information activities, to co-ordinate the public information activities of the World Campaign and, in its responsibility as secretariat to the Joint United Nations Information Committee, to promote co-ordinated system-wide information activities in the field of human rights;

13. Stresses the need for close co-operation between the Centre for Human Rights and the Department of Public Information, *inter alia*, in the implementation of the aims established for the World Campaign and the need for the United Nations to harmonize its activities in the field of human rights with those of other organizations, including the International Committee of the Red Cross, with regard to the dissemination of information on international humanitarian law, and the United Nations Educational, Scientific and Cultural Organization, with regard to education for human rights;

14. Requests the Secretariat, in the implementation of the World Campaign, to take advantage, as much as possible, of the collaboration of non-governmental organizations for, *inter alia*, the dissemination of human rights materials, with a view to increasing universal awareness of human rights and fundamental freedoms;

15. Requests the Commission on Human Rights, at its forty-seventh session, on the basis of the report of the Secretary-General, to give priority consideration to this question with a view to providing appropriate guidance on the aims and activities of the World Campaign;

16. Requests the Secretary-General to submit to the General Assembly at its forty-seventh session a comprehensive report on the implementation of the present resolution for consideration 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".

General Assembly resolution 45/99

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/45/750) without vote, 23 November (meeting 51); 26-nation draft (A/C.3/45/L.35); agenda item 94.

Meeting numbers. GA 45th session: 3rd Committee 24-27, 36, 51; plenary 68.

Advisory services

Following a 1989 Commission request [YUN 1989, p. 518], the Secretary-General submitted a January report [E/CN.4/1990/43] on progress made in 1989 in implementing the programme of advisory services in the field of human rights, including advisory missions; technical assistance and co-operation; training courses, workshops and seminars; and fellowships and internships. He also reviewed the policy guidelines for the use and allocation of resources in providing assistance and outlined future activities. Financial summaries of projects funded and contributions to the UN Voluntary Fund for Advisory Services and Technical Assistance were annexed to the report.

Commission action. On 7 March [E/1990/22 (res. 1990/58)], the Commission welcomed the increasing number of requests from Governments for support and technical assistance in the field of human rights and reaffirmed that the programme of advisory services should, upon request, continue to assist States in implementing international conventions on human rights. Competent UN bodies, such as the committees set up under the International Covenants on Human Rights, the Committee on the Elimination of Racial Discrimination and the Committee against Torture, were invited to make suggestions and proposals to implement advisory services. The Commission appealed to all Governments to make use of the information and training courses on the application of international human rights standards and encouraged Governments in need of technical assistance to avail themselves of the advisory services of experts.

The Commission recommended that the Secretary-General continue to increase expert assistance and activities to assist Governments in meeting international human rights standards. It asked him to: provide more human and financial resources to enlarge the advisory services programme; pursue a medium-term plan for human rights advisory services and technical assistance; assist the Centre for Human Rights in providing advisory services and technical assistance; explore the possibilities of co-operation between the Centre and UN bodies, such as the United Nations Development Programme and UNHCR, as well as ICRC; ensure close co-ordination between the activities of the regular programme of advisory services and those of the Voluntary Fund; bring to the attention of relevant UN bodies and specialized agencies the need for further technical assistance in the legal field, with a view to promoting human rights in UN development strategies and policies; co-ordinate and facilitate

the flow of bilateral technical assistance; and report to the Commission in 1991 on the progress made in the implementation of the advisory services programme. The Commission's special rapporteurs and representatives, as well as the Working Group on Enforced or Involuntary Disappearances, were requested to inform Governments of the services provided for under the programme of advisory services and to include in their recommendations proposals for specific projects under that programme. The Secretary-General was asked to give special attention to such proposals.

On 25 May, the Economic and Social Council, by decision 1990/237, approved the Commission's request to the Secretary-General to increase human and financial resources for the enlargement of advisory services in the field of human rights.

Report of Secretary-General. Following the Commission's request, the Secretary-General submitted a December report [E/CN.4/1991/55] on advisory services in the field of human rights. In 1990, under the UN regular budget for the programme of advisory services, the Centre for Human Rights conducted a European Workshop on International Standards in the Field of Human Rights (Kiev, Ukrainian SSR, 24-28 September), an International Seminar on Political, Historical, Social and Cultural Factors Contributing to Racism, Racial Discrimination and Apartheid (Geneva, 10-14 December), a National Workshop on the Rights of the Child (New Delhi, India, 11-14 December) and a World Congress on Human Rights (New Delhi, 10-15 December). The Centre also participated in a seminar on human rights instruments, their ratification and implementation, for public officials of the countries of the South Pacific (Rarotonga, Cook Islands, 21 November).

The Centre awarded training fellowships to 29 applicants who were or would be directly involved in functions affecting human rights. In addition, some 95 internships were offered to outstanding graduate students to gain first-hand knowledge of UN action and procedures at the Centre.

Voluntary Fund for Advisory Services

In 1990, the UN Voluntary Fund for Advisory Services and Technical Assistance in the Field of Human Rights, established in 1987 [YUN 1987, p. 790], continued to finance the Centre for Human Rights programme of technical co-operation with the African Commission on Human and Peoples' Rights of the Organization of African Unity, as well as country programmes in Colombia, the Gambia, Guatemala, Guinea, Hungary, Paraguay and Romania [E/CN.4/1991/55]. Through the Fund,

the Centre assisted the Arab Institute of Human Rights in Tunis, Tunisia, in establishing a documentation centre to promote human rights in the region through training courses and the dissemination of information.

During the year, the first Asian-Pacific regional workshop on international human rights standards (Manila, 7-9 May), a national training course on international human rights instruments and the administration of justice (Montevideo, Uruguay, 9-13 July), and a national seminar on the application of international human rights instruments and the administration of justice (Asunción, Paraguay, 18-20 July) were financed by the Fund. As at 31 October 1990, contributions received for the Fund totalled \$2,114,682.

Commission action. On 7 March [E/1990/22 (res. 1990/59)], the Commission expressed appreciation to the Secretary-General for the projects realized since the establishment of the Voluntary Fund and to the Governments and NGOs that had contributed to it. Emphasizing the Fund's objective of supporting the implementation of international conventions and other international instruments on human rights, it called on Governments, intergovernmental organizations, NGOs and individuals to make voluntary contributions to the Fund. The Commission recommended that activities under the Fund be directed towards expert and technical assistance to Governments to create and develop infrastructures to meet international human rights standards, and encouraged Governments needing technical assistance to avail themselves of the services offered. It also encouraged them to contact and co-operate with human rights NGOs in implementing Fund programmes, and the Secretary-General to pay attention to the particular needs of developing countries and to explore the possibilities offered by the co-operation of relevant specialized agencies with the Centre.

The Commission asked the Secretary-General to bring regularly to the attention of Governments and of the competent human rights organs the advisory services and technical assistance existing under the Fund. He was also asked to continue to elaborate guidelines on the use and allocation of the Fund's resources, with special emphasis on defining priorities and developing criteria for project appraisal and follow-up, and to guarantee the transparency of criteria applied and of the rules of procedure to be followed in the implementation of advisory services. The Commission asked the Secretary-General to report annually on the operation and administration of the Fund, as part of his annual report on advisory services.

Equatorial Guinea

Commending the Expert on Equatorial Guinea, Fernando Volio Jiménez (Costa Rica), on his report [E/CN.4/1990/42 & Add.1], describing his 1989 activities [YUN 1989, p. 519], the Commission, on 7 March [E/1990/22 (res. 1990/57)], welcomed the news that the Government of Equatorial Guinea was to ratify the 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment [GA res. 39/46] and the 1965 International Convention on the Elimination of All Forms of Racial Discrimination [GA res. 2106 A (XX)]. It urged the Government to establish a Special Review Commission, as recommended in the 1981 plan of action [YUN 1982, p. 1104], to establish mechanisms for the protection of fundamental rights, to monitor the implementation of the plan and to adopt other measures suggested for promoting and protecting human rights. Recommending that the Government avail itself of advisory services to prepare the initial reports on the human rights situation in the country in order to fulfil its obligations as a party to the 1966 International Covenants on Human Rights [GA res. 2200 A (XXI)], the Commission urged the Government to draw up a General Associations Act to facilitate the implementation of the human rights recognized in the Covenants. The Government was encouraged to facilitate the repatriation of all refugees and exiles. The Commission asked the Secretary-General to provide such advisory services as might be requested by the Government of Equatorial Guinea, and to extend the Expert's mandate. The Expert was asked to report in 1991.

The Economic and Social Council, by decision 1990/236 of 25 May, approved the Commission's request to the Secretary-General to provide assistance in the field of human rights, as might be requested by the Government of Equatorial Guinea, and to extend the mandate of the Expert.

Report of Expert. Pursuant to the Commission's request, the Expert submitted a December report [E/CN.4/1991/54] on advisory services in 1990 to Equatorial Guinea. He noted that the Secretary-General had visited the country on 18 and 19 March and had assured the President that the Centre for Human Rights would provide assistance in the field of human rights, as requested by the Government. During the year, with the assistance of Spain, two Spanish experts were sent to Equatorial Guinea to assist in codifying basic civil and criminal laws, as well as the procedural laws necessary for the operation of the courts.

The Expert pointed out that he had received no information from Equatorial Guinea on the

implementation of other recommendations made by the Commission to: establish a Special Review Commission to monitor the 1981 plan of action; draw up a General Associations Act to legislate the establishment and registration of political parties other than the official party; and facilitate the repatriation of all refugees and exiles, *inter alia* by adopting measures permitting the full participation of all citizens in the country's political, economic, social and cultural affairs. He also pointed out that, as of 15 November 1990, Equatorial Guinea had not ratified either the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment or the International Convention on the Elimination of All Forms of Racial Discrimination, despite having announced its intention to do so.

Expressing his concern that representative democracy had still not been established in Equatorial Guinea and that there was no adequate institutional framework for the protection of human rights, the Expert recommended that the Government be urged to implement, without delay, the measures recommended by the Commission. He suggested that the international community co-operate more fully with the Government of Equatorial Guinea, within the plan of action.

In an addendum to his report [E/CN.4/1991/54/Add.1], the Expert reproduced a message sent to the President of Equatorial Guinea drawing to his attention a report on the human rights situation in the country which was published by Amnesty International.

Guatemala

In his report on advisory services to Guatemala [E/CN.4/1990/45], submitted pursuant to a 1989 Commission request [YUN 1989, p. 519], Expert Hector Gros Espiell (Uruguay) reviewed the legal framework of the human rights situation there, his two visits to Guatemala in 1989, and the situation of human rights during the period March to December 1989. In an addendum [E/CN.4/1990/45/Add.1] to that report, the Expert described the activities carried out in 1988-1989 resulting from assistance provided by the Secretary-General to the Government of Guatemala, aimed at organizing the infrastructure necessary to protect and promote human rights.

The Expert concluded that the development and progress in the legal framework for recognizing, guaranteeing and protecting human rights in Guatemala were undeniable. However, while the Government's will to ensure respect for those rights was definite, he noted that the Government lacked the constitutional and political authority needed to achieve the desired goals. He stated that nothing had been done to investigate

and punish earlier human rights violations, a climate of social violence still existed, violations of civil and political rights were still taking place and serious deficiencies remained in respect for social, economic and cultural rights. The Expert recommended that it was essential to continue the broad programme of assistance to the Government to help the democratic process. He proposed that the programme of assistance should consist of assistance for courses and seminars at all levels of education, for judges and the judiciary, for police officials and for officers in the armed forces.

Commission action. The Commission, on 7 March [E/1990/22 (res. 1990/80)], supported the Expert's recommendation that the programme of assistance and advisory services to Guatemala should be continued and strengthened. It expressed its appreciation to the Government for collaborating with the Commission and recognized that, while the Government had upheld its commitment to guaranteeing the protection of fundamental rights and freedoms, it had been unable to implement the decision with sufficient authority, so that the social violence and human rights violations had continued. The Commission appealed to the Government to participate more actively in the national reconciliation dialogue. Deploring the murders of a member of the National Revolutionary Movement Party of El Salvador, of the Secretary for Latin America of the Socialist International and of a Guatemalan lawyer, on 12 January 1990 in Guatemala, it asked the Government to continue and strengthen the investigation already under way. The Government was requested to ensure respect for the human rights and fundamental freedoms of the Guatemalan people and to strengthen policies and programmes relating to indigenous populations. It was urged to identify and bring to justice those responsible for acts of torture, disappearances, murders and extra-legal executions, as well as members of death squads. The Commission asked the Secretary-General to assist the Government in consolidating the democratic process and promoting a human rights culture. The Secretary-General was asked to appoint an independent expert who would examine the human rights situation in Guatemala and report to the Commission in 1991.

By decision 1990/244, the Economic and Social Council, on 25 May, approved the Commission's request to the Secretary-General for continued assistance to the Government of Guatemala, and to appoint an independent expert. Subsequently, the Commission appointed Christian Tomuschat (Germany) as the Independent Expert.

Sub-Commission action. On 30 August [E/CN.4/1991/2 (res. 1990/11)], the Sub-Commission exhorted the Government of Guatemala to intensify its efforts to ensure respect for the human rights and fundamental freedoms of its citizens, to adopt and implement measures to prevent violations of those rights and freedoms, to protect and promote the organizations which safeguarded human rights, and to investigate human rights violations. It urged the Government to adopt measures to improve the conditions of the indigenous peoples, taking into account their petitions and proposals, and encouraged it to continue supporting national reconciliation. The Sub-Commission emphasized the importance of the independence of the judicial system and stressed the need to provide assistance in the field of human rights, both to the Government and to Guatemalan NGOs.

Haiti

In a January report [E/CN.4/1990/44], Expert Philippe Texier (France) stated that the Government and the judicial authorities of Haiti had still not taken effective measures to investigate past and current human rights violations and to bring those responsible to justice. In addition, they had not succeeded in preventing further frequent violations in the towns, and more so in rural areas. He attributed the obstacles hindering the process of improving the human rights situation to an ineffective judicial system, the militarization of rural areas, the failure to separate the army and the police forces, and the fact that those responsible for the principal massacres in the country had not been put on trial. The situation regarding respect for economic, social and cultural rights was becoming more alarming day by day, with no serious effort having been made to remedy it.

The Expert stressed that it was essential for the Commission to continue to monitor the human rights situation in Haiti. He pointed out that no advisory service had been requested by the Haitian Government, despite the specific proposals made to it, and therefore suggested that the Commission appoint a special rapporteur. If the Commission were to consider extending the Expert's mission, it would have to establish a scheme to provide technical assistance in connection with the electoral process by sending observers before and during the elections, if they were to be held. Other recommendations related to: strengthening and improving the judiciary to enable it to fulfil its mission with complete independence; support for planning a general policy regarding development and assistance for the poorest communities; and specific technical as-

sistance in matters pertaining to the police, in order to foster the organization of civilian police services trained in human rights and in the minimum standards for maintaining order.

In an addendum [E/CN.4/1990/44/Add.1], the Expert reported that, on 20 January, a 30-day state of siege was introduced and Haitians who wished to leave or enter the country were required to obtain a visa. In addition, he received information concerning a series of extremely brutal arrests and the imposition of censorship of the radio and press. While he stated that the state of siege would likely be lifted within a few days, the Expert pointed out that the arrests, torture, ill-treatment and expulsions that had occurred were particularly serious since they were directed at the non-violent democratic sector as a whole in an attempt to assimilate them with terrorist groups and discredit them should elections be organized. The Expert again recommended that a special rapporteur be appointed or an effective system of electoral control be established if elections were held.

Commission action. On 7 March [E/1990/22 (res. 1996/56)], the Commission on Human Rights asked its Chairman to appoint an independent expert to examine developments in the human rights situation in Haiti and to help to devise measures to make improvements, and the Secretary-General to provide the expert with all the assistance he needed. Those requests were approved by the Economic and Social Council by decision 1990/235 of 25 May. The Commission asked the expert to report in 1991.

Pursuant to the Commission's request, the Chairman appointed Mr. Texier as Independent Expert.

Paraguay

Taking note of a 1989 Sub-Commission resolution on assistance to Paraguay in the field of human rights [YUN 1989, p. 521], the Commission, on 7 March [E/1990/22 (res. 1990/61)], appealed to the international community to assist that country in realizing economic, social and cultural rights, as well as civil and political rights. Welcoming the process of democratization in Paraguay, the Commission requested the Secretary-General to provide such advisory services and assistance as were requested by the Government to foster democratic advances and to strengthen the institutions responsible for ensuring respect for human rights.

Regional arrangements

In a July report [A/45/348], the Secretary-General reviewed the state of regional arrange-

ments for the promotion and protection of human rights. He stated that the United Nations, through the Centre for Human Rights, had pursued and strengthened its contacts and co-operation with regional bodies and commissions in Africa, Asia and the Pacific, Europe and Latin America. In addition to training courses held in all the regions, he noted that the Centre provided staff members to give lectures to the International Institute of Human Rights (Strasbourg, France) and the Inter-American Institute of Human Rights (San Jose, Costa Rica). In addition, the Centre assisted the Arab Institute for Human Rights (Tunis, Tunisia), through the provision of documents, books and equipment. The Secretary-General also described the Commission's activities in assisting countries of the regions under the programme of advisory services and technical assistance.

GENERAL ASSEMBLY ACTION

On 18 December, the General Assembly adopted resolution 45/167.

Regional arrangements for the promotion and protection of human rights

The General Assembly,

Recalling its resolution 32/127 of 16 December 1977 and all its subsequent resolutions concerning regional arrangements for the promotion and protection of human rights, in particular resolutions 43/140 and 43/152 of 8 December 1988,

Recalling that, in its resolution 43/152, the General Assembly invited the Secretary-General to submit to the Assembly at its forty-fifth session a report on the state of regional arrangements for the promotion and protection of human rights and to include therein the results of action taken in pursuance of that resolution,

Recalling Commission on Human Rights resolution 1989/72 of 8 March 1989 and taking note of Commission resolution 1990/58 of 7 March 1990 concerning advisory services in the field of human rights,

Recalling also Commission on Human Rights resolution 1989/50 of 7 March 1989 and taking note of Commission resolution 1990/71 of 7 March 1990 concerning regional arrangements for the promotion and protection of human rights in the Asian-Pacific region,

Having considered the report of the Secretary-General,

Noting with satisfaction the progress achieved so far in the promotion and protection of human rights at the regional level under the auspices of the United Nations, the specialized agencies and the regional inter-governmental organizations,

Reaffirming that regional arrangements for the promotion and protection of human rights may make a major contribution to the effective enjoyment of human rights and fundamental freedoms and that the exchange of information and experience in this field among the regions, within the United Nations system, may be improved,

Bearing in mind that regional instruments should complement the universally accepted human rights standards and that the persons chairing the human

rights treaty bodies of the United Nations noted during their third meeting, held at Geneva from 1 to 5 October 1990, that certain inconsistencies between provisions of international instruments and those of regional instruments might raise difficulties with regard to their implementation,

1. Takes note of the report of the Secretary-General;

2. Notes with interest that various contacts between regional bodies and commissions and the United Nations have continued to be pursued and strengthened through advisory services and technical assistance activities, particularly those relating to the organization of regional and subregional training courses in the field of human rights;

3. Welcomes in that respect the close co-operation given by the Centre for Human Rights of the Secretariat in the organization of the training courses or workshops that, as mentioned by the Secretary-General, took place at Banjul, Brasilia, Buenos Aires, Castel Gandolfo, Kiev, Manila, Moscow, Quito and San Remo;

4. Welcomes also the assistance provided by the Centre for Human Rights in the establishment of the African Centre for Democracy and Human Rights Studies at Banjul, as well as the co-operation of the Centre with the Economic and Social Commission for Asia and the Pacific, the International Institute of Human Rights at Strasbourg and the Inter-American Institute of Human Rights at San Jose, and the technical assistance provided by the Centre to the Arab Institute for Human Rights at Tunis;

5. Requests the Secretary-General to continue encouraging these developments;

6. Notes with interest in this regard the announcement by the Secretary-General in the proposed medium-term plan for the period 1992-1997 that efforts would be made to strengthen exchanges between the United Nations and regional intergovernmental bodies dealing with human rights issues, that it might be expected that during the medium-term plan period more national, regional and subregional workshops and training courses would be organized for administrators of justice and government officials engaged in the implementation of international conventions on human rights, and that more countries in all regions of the world would develop forms of co-operation and assistance with the Centre for Human Rights, in keeping with their specific needs;

7. Invites States in areas where regional arrangements in the field of human rights do not yet exist to consider agreements with a view to the 'establishment within their respective regions of suitable regional machinery for the promotion and protection of human rights;

8. Endorses the appeal made to all Governments in Commission on Human Rights resolutions 1989/72 and 1990/58, to consider making use of the possibility offered by the United Nations of organizing, under the programme of advisory services in the field of human rights, information and/or training courses at the national level for appropriate government personnel on the application of international human rights standards and the experience of relevant international organs;

9. Requests the Commission on Human Rights to continue to pay special attention to the most appropriate ways of assisting, at their request, countries of the different regions under the programme of advisory services and to make, where necessary, the relevant recommendations;

10. Invites the Secretary-General to submit to the Commission on Human Rights at its forty-eighth session and to the General Assembly at its forty-seventh session a report on the state of regional arrangements for the promotion and protection of human rights and to include therein the results of action taken in pursuance of the present resolution;

11. Decides to consider this question further at its forty-seventh session.

General Assembly resolution 45/167

18 December 1990 Meeting 69 Adopted without vote

Approved by Third Committee (A/45/838) without vote, 29 November (meeting 571; 20-nation draft (A/C.3/45/L.87), orally revised; agenda item 12.

Meeting numbers. GA 45th session: 3rd Committee 48-50,56,57; plenary 69.

Asia-Pacific region

Taking note of a 1989 report of the Secretary-General [YUN 1989, p. 528] on the establishment of a depository centre for UN human rights materials in Bangkok, Thailand, the Commission on Human Rights, on 7 March [E/1990/22 (res. 1990/71)], asked the Secretary-General to ensure a continuing flow of human rights materials to the library of the Economic and Social Commission for Asia and the Pacific (ESCAP) for dissemination in the region. Encouraging UN development agencies in the Asian-Pacific region to co-ordinate with ESCAP efforts to promote the human rights dimension in their activities, the Commission noted that an Asian-Pacific workshop on human rights issues would be held in Manila in early 1990 (see above, under "Public information activities"). The Secretary-General was asked to consult the countries of the region in implementing the Commission's resolution and to report in 1991 on progress made.

The Secretary-General, in an April report [A/45/210-E/1990/21], drew the attention of the General Assembly and the Economic and Social Council to his 1989 report [YUN 1989, p. 528] containing information that had been requested by the Assembly in 1988 [GA res. 43/140], regarding regional arrangements in Asia and the Pacific.

The Secretary-General, in a December report [E/CN.4/1991/21], updated information on the implementation of the Commission's March resolution on regional arrangements (see above). The report included suggestions received, as at 20 November, on activities in the area of human rights made by UN development agencies in the Asia and Pacific region, following a 13 July request from the Centre for Human Rights. The first Asia-Pacific workshop for administrators

of justice on international human rights standards (Manila, 7-11 May) addressed issues such as the advantages of establishing a regional institution for the promotion and protection of human rights; its functioning; its complementary role vis-à-vis the UN system; its investigative role; individual complaints; the exhaustion of domestic remedies; and the question of remedies to the victims of human rights violations.

GENERAL ASSEMBLY ACTION

On 18 December, the General Assembly adopted resolution 45/168.

Regional arrangements for the promotion and protection of human rights in the Asian and Pacific region

The General Assembly,

Recalling its previous resolutions, in particular resolution 43/140 of 8 December 1988, on regional arrangements for the promotion and protection of human rights in the Asian and Pacific region.

Recognizing that regional arrangements make a major contribution to the promotion and protection of human rights and that non-governmental organizations may have a valuable role to play in this process,

Bearing in mind that intergovernmental arrangements for the promotion and protection of human rights have been established in other regions,

Reiterating its appreciation for the report of the Seminar on National, Local and Regional Arrangements for the Promotion and Protection of Human Rights in the Asian Region, held at Colombo from 21 June to 2 July 1982, the comments on the report of the Seminar received from the Economic and Social Commission for Asia and the Pacific and from States members of the Commission, and the report of the Secretary-General on the training course on human rights teaching held at Bangkok from 12 to 23 October 1987 under the United Nations programme of advisory services in the field of human rights,

Noting the designation of the Social Development Division of the Economic and Social Commission for Asia and the Pacific as a regional focal point on human rights,

Recalling Commission on Human Rights resolution 1989/50 of 7 March 1989 and taking note of Commission resolution 1990/71 of 7 March 1990,

1. Takes note of the report of the Secretary-General;

2. Welcomes the designation of the library of the Economic and Social Commission for Asia and the Pacific as a depository centre for United Nations human rights materials within the Commission at Bangkok, the functions of which would include the collection, processing and dissemination of such materials in the Asian and Pacific region;

3. Renews its invitation to States members of the Economic and Social Commission for Asia and the Pacific that have not yet done so to communicate to the Secretary-General as soon as possible their comments on the report of the Seminar on National, Local and Regional Arrangements for the Promotion and Protection of Human Rights in the Asian Region and, in particular, to address themselves to the conclusions and

recommendations in the report concerning the development of regional arrangements in Asia and the Pacific;

4. Requests the Secretary-General to ensure a continuing flow of human rights material to the library of the Economic and Social Commission for Asia and the Pacific at Bangkok for appropriate dissemination in the region;

5. Notes the efforts of United Nations development agencies in the Asian and Pacific region to promote the human rights dimension more actively and systematically in their development activities;

6. Encourages United Nations development agencies in the Asian and Pacific region to co-ordinate with the Economic and Social Commission for Asia and the Pacific their efforts to promote the human rights dimension in their activities;

7. Notes that an Asia-Pacific workshop on international human rights issues, including regional and national institutions and arrangements for the promotion and protection of human rights, was held at Manila from 7 to 11 May 1990, within the framework of the advisory services and technical assistance programme and the World Public Information Campaign for Human Rights;

8. Requests the Secretary-General to submit a report to the General Assembly at its forty-seventh session, through the Economic and Social Council, incorporating information on progress achieved in the implementation of the present resolution;

9. Decides to continue its consideration of the question at its forty-seventh session.

General Assembly resolution 45/168

18 December 1990 Meeting 69 Adopted without vote

Approved by Third Committee (A/45/838) without vote, 29 November (meeting 57); 8-nation draft (A/C.3/45/L.88); agenda item 12.

Sponsors: Australia, China, Indonesia, Philippines, Samoa, Sri Lanka, Thailand, Vanuatu.

Meeting numbers. GA 45th session: 3rd Committee 48-50, 56, 57; plenary 69.

National institutions

On 7 March [E/1990/22 (res. 1990/73)], the Commission on Human Rights noted the progress made in national institutions for the promotion and protection of human rights and their increased number, and the efforts of the Centre for Human Rights to increase co-operation with regional and national institutions. It asked the Centre to continue to enhance co-operation between the United Nations and regional and national institutions. The Secretary-General was asked to convene a workshop to review the co-operation between those institutions and international institutions such as the United Nations and its bodies, to publicize the proceedings of that meeting and to use the results when finalizing the manual on national institutions. The manual was under preparation by the Centre pursuant to General Assembly resolution 42/116 [YUN 1987, p. 781].

By decision 1990/241 of 25 May, the Economic and Social Council approved the Commission's request to the Secretary-General to convene a workshop.

Responsibility to promote and protect human rights

The working group to draft a declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms met from 17 to 26 January and on 1 March 1990 [E/CN.4/1990/47]. It established an open-ended informal drafting group, mandated to offer prepared texts to be discussed by the working group. During the course of its meetings, the working group discussed and provisionally adopted at first reading elements of chapters I, III and IV of the draft declaration, which was annexed to its report. The group recommended that it be authorized to meet for eight working days prior to the 1991 Commission session.

On 6 March [E/1990/22 (res. 1990/47)], the Commission decided to continue work at its 1991 session on the elaboration of the draft declaration and to make available appropriate meeting time for the working group prior to and during that session. The Commission recommended a draft resolution to the Economic and Social Council.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 25 May, the Economic and Social Council adopted resolution 1990/40.

Question of a draft declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms

The Economic and Social Council,

Taking note of Commission on Human Rights resolution 1990/47 of 6 March 1990,

1. Authorizes an open-ended working group of the Commission on Human Rights to meet for a period of eight working days prior to the forty-seventh session of the Commission in order to continue the elaboration of a draft declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms;

2. Requests the Secretary-General to extend all facilities to the working group for its meetings prior to and during the forty-seventh session of the Commission and, in order to enable it to continue its work on the elaboration of the draft declaration, to transmit the report of the working group that met prior to and during the forty-sixth session, together with the annexes thereto, to all Member States in advance of the next meeting of the working group.

Economic and Social Council resolution 1990/40

25 May 1990

Meeting 14

Adopted without vote

Approved by Second Committee (E/1990/70) without vote, 18 May (meeting 17); draft by Commission on Human Rights (E/1990/22); agenda item 3.

Human rights violations

Alleged violations of human rights in 1990 were examined by the General Assembly, the Economic and Social Council and the Commission on Human Rights and its Sub-Commission on Prevention of Discrimination and Protection of Minorities, as well as by special bodies and officials appointed to examine the allegations. In addition, alleged violations involving self-determination of peoples were considered with regard to Afghanistan, Cambodia, Palestine, Panama, South Africa and Western Sahara (see above, under "Civil and political rights").

Under a procedure established by the Council in 1970 [ESC res. 1503(XLVIII)] to deal with communications alleging denial or violation of human rights, the Commission held closed meetings in 1990 to study confidential documents and a confidential report by the working group on situations set up annually to assist the Commission. Those documents dealt with human rights situations in Brunei Darussalam, Haiti, Myanmar, Paraguay and Somalia. The Commission decided to discontinue consideration of the human rights situations in Brunei Darussalam, Haiti and Paraguay.

On 7 March [E/1990/22 (res. 1990/55)], the Commission, wishing to formalize the setting up of the working group on situations, recommended a draft text to the Council.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 25 May, the Economic and Social Council adopted resolution 1990/41.

Working Group on Situations of the Commission on Human Rights

The Economic and Social Council,

Noting the wish of the Commission on Human Rights to establish a working group to assist it, on a regular basis, in the implementation of Council resolution 1503(XLVIII) of 27 May 1970,

Noting that, with the approval of the Council, such a working group has been set up annually since 1974 on an ad hoc basis,

Recognizing the valuable contribution of the working group, through the years, in the implementation of the procedure set out in Council resolution 1503(XLVIII),

1. Authorizes the Commission on Human Rights to establish a working group consisting of not more than five of its members, with due regard to geographical

distribution, to meet for a period not exceeding five working days prior to the sessions of the Commission to examine such particular situations as might be referred to the Commission by the Sub-Commission on Prevention of Discrimination and Protection of Minorities under the procedure set out in Economic and Social Council resolution 1503(XLVIII) and those situations of which the Commission is seized under that procedure, and to make recommendations to the Commission on the course of action to take in respect of each particular situation;

2. Decides that the working group, to be referred to as the Working Group on Situations, shall be constituted as follows:

(a) Before the end of each session, the Chairman of the Commission on Human Rights, in accordance with rule 21 of the rules of procedure of the functional commissions of the Economic and Social Council, and after consultations with the members of each geographical area, shall nominate the members to serve in their personal capacity on the Working Group at its next session;

(b) If necessary, the Chairman or the outgoing Chairman may at any time, in order to fill a vacancy, designate a member from among all Commission members of the same geographical area;

3. Also decides that the Working Group on Situations shall hold closed meetings and communicate its recommendations confidentially to the Commission on Human Rights, pursuant to paragraph 8 of Council resolution 1503(XLVIII).

Economic and Social Council resolution 1990/41
25 May 1990 Meeting 14 Adopted without vote
Approved by Second Committee (1990/70) without vote, 18 May (meeting 17); draft by Commission on Human Rights (E/1990/22); agenda item 3.

On 31 August [E/CN.4/1991/2 (dec. 1990/125)], the Sub-Commission, taking note of an August report of a working group established in 1989 [YUN 1989, p. 514] to prepare an overview of proposals made to enable the Sub-Commission better to discharge its responsibilities in dealing with human rights violations [E/CN.4/Sub.2/1990/14], decided that the group should continue its work in 1991.

Restitution for human rights violations

On 2 March [E/1990/22 (res. 1990/35)], the Commission on Human Rights recommended a draft text for adoption by the Economic and Social Council.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 25 May the Council adopted resolution 1990/36.

Compensation for victims of gross violations of human rights

The Economic and Social Council,

Recalling resolutions 1988/11 of 1 September 1988 and 1989/13 of 31 August 1989 of the Sub-Commission on Prevention of Discrimination and Protection of Mi-

norities, and taking note of Commission on Human Rights resolution 1990/35 of 2 March 1990.

7. Authorizes the Sub-Commission on Prevention of Discrimination and Protection of Minorities to entrust Mr. Theo van Boven with the task of undertaking a study concerning the right to restitution, compensation and rehabilitation for victims of gross violations of human rights and fundamental freedoms, taking into account, *inter alia*, relevant existing international human rights norms on compensation and judgements by courts and decisions and views of international human rights organs and bodies, with a view to exploring the possibility of developing basic principles and guidelines in this respect;

2. Requests the Secretary-General to provide Mr. van Boven with all the assistance that he may require for the completion of his task.

Economic and Social Council resolution 1990/36
25 May 1990 Meeting 14 Adopted without vote
Approved by Second Committee (E/1990/70) without vote, 18 May (meeting 17); draft by Commission on Human Rights (E/1990/22); agenda item 3

In July, Special Rapporteur Theo van Boven (Netherlands) submitted a preliminary report [E/CN.4/Sub.2/1990/10] concerning the study on the right to restitution, compensation and rehabilitation for victims of gross violations of human rights and fundamental freedoms, in which he presented an outline for the study.

On 30 August, the Sub-Commission, taking note of the Special Rapporteur's report, asked him to submit in 1991 a progress report. The Secretary-General was asked to assist him.

Africa

South Africa

In 1990, the Commission on Human Rights had before it an interim report [E/CN.4/1990/7] of the Ad Hoc Working Group of Experts on southern Africa, established by the Commission in 1967 [YUN 1967, p. 509], describing the 1989 activities of the six-member Group.

In March [E/1990/22 (res. 1990/60)], the Commission terminated the mandate of the Group relating to Namibia since Namibia achieved independence during that month (see PART FOUR, Chapter III).

In another report [E/CN.4/1991/10], the Group described its 1990 activities, which included fact-finding missions to London (20-24 August), Dar es Salaam, United Republic of Tanzania (27-31 August), Lusaka, Zambia (3-5 September), and Harare, Zimbabwe (7-12 September). The Group met from 3 to 13 December in Geneva to consider and adopt its report.

The information gathered by the Group established that the human rights situation in South

Africa was characterized by the partial extension of the state of emergency (see PART TWO, Chapter I), which had continued to cause new outbreaks of violence; the persistence of massive repression against students and trade union members; the reinstitution of the policy of forced population removals, which had given rise to clashes between the inhabitants of the places to be evacuated and the police and security forces; continued restrictions imposed on freedom of expression; and a growing number of arrests and detentions without trial of political prisoners and of cases of torture and ill-treatment, particularly against children.

The Group examined alleged violations of the right to life, physical integrity and protection from arbitrary arrest and detention, the right to education, freedom of expression, freedom of movement and the right to health, and the right to work and freedom of association. It also investigated the treatment of children and adolescents and apartheid, including bantustanization and forced population removals.

The Group noted that in spite of statements of intent from the Government to bring about superficial changes, the situation in South Africa remained unchanged or became worse than before, and there were contradictions in the Government's attitude.

The Group pointed out that acts of violence had been committed either with the complicity of the police or involving other whites or members of the security forces, in order to place the blame on clashes between members of the black populations themselves. Witnesses informed the Group that the police not only lacked impartiality when intervening in violent incidents, but also opened fire arbitrarily during peaceful demonstrations. The use of torture and other forms of ill-treatment remained in force, as did the policy of forced population removals. Trade unionists were still subjected to harassment and to arrest or detention under the Internal Security Act. Teenagers alleged that they had been subjected to arrest, torture and other ill-treatment and harassment and that they were victimized if they dared to organize boycotts protesting discrimination and the quality of education. Witnesses informed the Group that children were used as farmworkers.

The Group made recommendations for action by the Commission.

Commission action. On 27 February [E/1990/22 (res. 1990/26)], the Commission on Human Rights demanded that South Africa abolish apartheid; remove the state of emergency; end human rights violations; eliminate the apartheid judicial and penal system; remove troops from townships;

dismantle bantustans; unconditionally permit the return of political refugees and members of the liberation movements based outside South Africa and allow their unimpeded participation in political activities; and rescind restrictions on educational organizations and ensure all South Africans the opportunity of access to a unified educational system.

The Commission called on South Africa to permit a free and fair political climate and to desist from harassment and intimidation of those engaged in the struggle against apartheid policies, and to respect international standards on trade union rights in respect of black trade unions.

Concerning the Ad Hoc Working Group, the Commission decided that it should continue its work; authorized the Chairman of the Group to participate in conferences, symposia, seminars and other events connected with action against apartheid organized under the auspices of the Special Committee against Apartheid; and asked the Secretary-General to assist the Group. The Economic and Social Council approved those actions by decision 1990/228 of 25 May. The Commission asked the Group to report in 1991.

Sub-Commission action. On 30 August [E/CN.4/1991/2 (res. 1990/10)], the Sub-Commission, reaffirming that apartheid was a crime against humanity, condemned the continued arrest, torture and killings of peaceful demonstrators and workers on strike as well as the arbitrary arrest of leaders and activists of mass organizations, and all collaboration, particularly in the nuclear, military and economic fields, with the Government of South Africa. It called on the international community to continue its efforts aimed at the total economic, cultural and political isolation of the South African apartheid regime until the country abandoned its policy of apartheid.

1973 Convention against apartheid

As at 31 December 1990, the number of parties to the International Convention on the Suppression and Punishment of the Crime of Apartheid, which was adopted by the General Assembly in 1973 [GA res. 3068(XXVIII)] and entered into force in 1976 [YUN 1976, p. 575], remained at 88.

The Secretary-General submitted a report on the status of the Convention as at 1 August [A/45/406].

Activities of Group of Three. The Group of Three (Nigeria, Panama, Ukrainian SSR)—established under article IX of the Convention to consider reports by States parties on measures taken to implement the Convention's provisions—held

it thirteenth session (Geneva, 22-26 January) [E/CN.4/1990/35].

The Group examined, in the presence of representatives of the reporting States, the initial and second reports of the Bahamas, the second periodic report of Burundi, the second periodic report of China, the fourth report of Czechoslovakia, the third periodic report of India, the initial report of Pakistan, and the second periodic report of the Philippines.

The Group continued to consider whether actions of transnational corporations (TNCs) operating in South Africa and Namibia came under the definition of the crime of apartheid and whether legal action could be taken against them under the Convention. It also examined the extent and the nature of the responsibility of TNCs for the continued existence of the system of apartheid in South Africa. The Group stated that further examination of the matter was needed.

The Group called on States parties to the Convention to incorporate in their legislation provisions relating to apartheid, including practices of racial segregation and discrimination, and to provide appropriate penalties in respect of persons guilty of apartheid.

Commission action. On 23 February [E/1990/22 (res. 1990/12)], by a roll-call vote of 32 to 2, with 9 abstentions, the Commission on Human Rights urged States that had not done so to ratify or accede to the 1973 Convention and to ratify the 1948 Convention on the Prevention and Punishment of the Crime of Genocide [GA res. 260 A (III)]. It asked the Group of Three to continue examining the issue of TNCs and apartheid and decided that the Group should meet for a period of not more than five days before the Commission's 1991 session to consider reports submitted by States parties. The Secretary-General was asked to assist the Group. He was also asked to invite States parties to express their views on the extent and the nature of the responsibility of TNCs for the continued existence of the system of apartheid; to invite States parties, the specialized agencies and NGOs to provide the Commission with information concerning the types of crimes of apartheid, as described in article II of the Convention, committed by TNCs operating in South Africa; and to intensify his efforts to disseminate information on the Convention and its implementation, and to consider drawing up model legislation to serve as a guide for States parties to implement the Convention.

ECONOMIC AND SOCIAL COUNCIL ACTION

In May, the Economic and Social Council adopted decision 1990/223.

Implementation of the International Convention on the Suppression and Punishment of the Crime of Apartheid

At its 14th plenary meeting, on 25 May 1990, the Economic and Social Council, having taken note of Commission on Human Rights resolution 1990/12 of 23 February 1990, approved the Commission's decision that the Group of Three should meet for a period of not more than five days before the forty-seventh session of the Commission to consider the reports submitted by States parties to the International Convention on the Suppression and Punishment of the Crime of Apartheid, in accordance with article VII of the Convention, and also approved the Commission's request to the Secretary-General to provide all necessary assistance to the Group of Three.

Economic and Social Council decision 1990/223

39-1-13 (recorded vote)

Approved by Second Committee (E/1990/70) by recorded vote (34-1-13). 18 May (meeting 17); draft by Commission on Human Rights (E/1990/22); agenda item 3.

Recorded vote in Council as follows:

In favour: Algeria, Bahamas, Bahrain, Brazil, Bulgaria, Burkina Faso, China, Colombia, Cuba, Czechoslovakia, Ecuador, German Democratic Republic, Ghana, Guinea, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Lesotho, Liberia, Libyan Arab Jamahiriya, Mexico, Nicaragua, Niger, Pakistan, Rwanda, Saudi Arabia, Thailand, Trinidad and Tobago, Tunisia, Ukrainian SSR, USSR, Venezuela, Yugoslavia, Zaire, Zambia.

Against: United States.

Abstaining: Canada, Finland, France, Germany, Federal Republic of, Greece, Ireland, Italy, Japan, Netherlands, New Zealand, Portugal, Sweden. United Kingdom.

GENERAL ASSEMBLY ACTION

On 14 December, the General Assembly adopted resolution 45/90.

Status of the International Convention on the Suppression and Punishment of the Crime of Apartheid
The General Assembly,

Recalling its resolutions 41/103 of 4 December 1986, 42/56 of 30 November 1987, 43/97 of 8 December 1988 and 44/69 of 8 December 1989,

Mindful that the International Convention on the Suppression and Punishment of the Crime of Apartheid constitutes an important international treaty in the field of human rights and serves to implement the ideals of the Universal Declaration of Human Rights,

Reaffirming its conviction that apartheid is a crime against humanity and constitutes a total negation of the purposes and principles of the Charter of the United Nations and a gross violation of human rights, seriously threatening international peace and security,

Strongly condemning the abhorrent policy and system of apartheid and the brutal repression it engenders, which continue to aggravate the situation in South Africa,

Emphasizing that the root cause of the conflict in southern Africa is apartheid and the racist regime's policy of aggression, State terrorism and destabilization against the front-line and other neighbouring States,

Condemning the continued collaboration of certain States and transnational corporations with the racist regime of South Africa in the political, economic, military and other fields as an encouragement to the intensification of its odious policy of apartheid,

Underlining that ratification of or accession to the Convention on a universal basis and the implementation of its provisions without any 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;

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 without whose co-operation such operations could not be halted;

4. Underlines the importance of the universal ratification of the Convention, which would be an effective contribution to the fulfilment of the ideals of the Universal Declaration of Human Rights and other human rights instruments;

5. Calls upon all States whose transnational corporations continue to do business with South Africa to take appropriate steps to terminate their dealings with 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 that list among 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. Also 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. Notes the importance of measures to be taken by States parties in the field of teaching and education for fuller implementation of the Convention;

10. Appeals to all States, United Nations organs, the specialized agencies and international and national non-governmental organizations to step up their activities to enhance public awareness by denouncing the crimes committed by the racist regime with a view to promoting further ratification of or accession to the Convention;

11. 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;

12. Also 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.

General Assembly resolution 45/90

14 December 1990 Meeting 68 120-1-30 (recorded vote)

Approved by Third Committee (A/45/747) by recorded vote (109-1-30). 2 November (meeting 29); 15-nation draft (A/C.3/45/L.11); agenda item 91.

Meeting numbers. GA 45th session: 3rd Committee 4-10, 18, 29; plenary 68.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: United States.

Abstaining: Australia, Austria, Belgium, Bulgaria, Canada, Czechoslovakia, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Liechtenstein, Luxembourg, Malta, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Spain, Sweden, Turkey, United Kingdom.

Before adopting the text as a whole, the Assembly adopted paragraphs 5 and 8 by recorded votes of 114 to 10, with 22 abstentions, and 116 to 14, with 17 abstentions, respectively. It retained the words "State terrorism" in the fifth preambular paragraph by a recorded vote of 99 to 18, with 27 abstentions. The sixth preambular paragraph was retained by a recorded vote of 114 to 12, with 19 abstentions.

Similarly, the Third Committee adopted paragraphs 5 and 8 by separate recorded votes of 105 to 10, with 22 abstentions, and 106 to 14, with 18 abstentions, respectively. The words "State terrorism" in the fifth preambular paragraph were retained by a recorded vote of 96 to 17, with 24 abstentions, and the sixth preambular paragraph was adopted by a recorded vote of 105 to 12, with 22 abstentions.

Foreign support to South Africa

On 27 February [E/1990/22 (res. 1990/22)], by a roll-call vote of 31 to 8, with 4 abstentions, the Commission on Human Rights condemned the assistance given by the major Western States and Israel to South Africa in the political, economic and financial areas and particularly the military field, and the continuing nuclear collaboration of those parties with the racist regime of South Africa. It urged them to cease and desist from supplying South Africa with nuclear equipment and technology. The Commission noted important measures taken by the Nordic and some

Western States, parliamentarians, institutions, trade unions and NGOs to exert pressure on the racist regime and called on them to intensify their efforts to force the racist régime to comply with UN resolutions and decisions on South Africa. The Commission demanded that South Africa cease its acts of aggression aimed at undermining the economies and destabilizing the political institutions of neighbouring States.

The Special Rapporteur of the Sub-Commission was asked to continue to update, subject to annual review, the list of banks, TNCs and other organizations assisting the racist and colonialist regime of South Africa and to submit the updated report, through the Economic and Social Council, to the General Assembly in 1990. The Secretary-General was asked to disseminate widely the updated report, to issue it as a UN publication and to make it available to learned societies, research centres, universities, political and humanitarian organizations and other interested groups.

On the same date [res. 1990/23], by a roll-call vote of 32 to 8, with 3 abstentions, the Commission, noting a 1989 Sub-Commission resolution [YUN 1989. p. 537], recommended a draft text for adoption by the Economic and Social Council.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 25 May, the Economic and Social Council adopted resolution 1990/34.

Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist and colonialist régime of South Africa

The Economic and Social Council,

Recalling General Assembly resolutions 39/15 of 23 November 1984, 41/95 of 4 December 1986 and 43/92 of 8 December 1988,

1. Expresses its appreciation to the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, Mr. Ahmed Khalifa, for his updated report;

2. Expresses its thanks to all Governments and organizations that provided information to the Special Rapporteur;

3. Takes notes with satisfaction of Commission on Human Rights resolution 1990/22 of 27 February 1990, in which the Commission invited the Special Rapporteur:

(a) To continue to update, subject to annual review, the list of banks, transnational corporations and other organizations assisting the racist regime of South Africa, giving such details regarding enterprises listed as the Special Rapporteur may consider necessary and appropriate, including explanations of responses, if any, and to submit the updated report to the Commission on Human Rights through the Sub-Commission on Prevention of Discrimination and Protection of Minorities;

(b) To use all available material from other United Nations organs, Member States, specialized agencies

and other relevant sources in order to indicate the volume, nature and adverse human consequences of the assistance given to the racist regime of South Africa;

(c) To intensify direct contacts with the United Nations Centre on Transnational Corporations, the Centre against Apartheid of the Secretariat and the United Nations Council for Namibia,^a with a view to consolidating mutual co-operation in updating his report;

4. Calls upon all Governments:

(a) To co-operate with the Special Rapporteur in making the report even more accurate and informative;

(b) To disseminate the updated report and give its contents the widest possible publicity;

5. Invites the Sub-Commission on Prevention of Discrimination and Protection of Minorities and the Commission on Human Rights to consider the revised report at their forty-second and forty-seventh sessions, respectively;

6. Requests the Secretary-General, in accordance with General Assembly resolution 43/92, to make available to the Special Rapporteur two economists who would help him analyse and document specific cases of special importance;

7. Also requests the Secretary-General to give the Special Rapporteur all the assistance that he may require in the exercise of his mandate, so that he may intensify direct contacts with the United Nations Centre on Transnational Corporations and the Centre against Apartheid and consolidate mutual co-operation in updating his report;

8. Further requests the Secretary-General to bring the updated report of the Special Rapporteur to the attention of Governments whose national financial institutions continue to deal with the regime of South Africa and to call upon them to provide the Special Rapporteur with any information or comments they may wish to present on the matter;

9. Invites the Secretary-General to continue to give the updated report of the Special Rapporteur the widest distribution and publicity as a United Nations publication.

^aOn 11 September 1990, by its resolution 44/243 A, paragraph 2, the General Assembly decided to dissolve the United Nations Council for Namibia.

Economic and Social Council resolution 1990/34

25 May 1990 Meeting 14 35-7-7 (recorded vote)

Approved by Second Committee (E/1990/70) by recorded vote (32-7-7).

18 May (meeting 17): draft by Commission on Human Rights (E/1990/22); agenda item 3.

Recorded vote in Council as follows:

In favour: Algeria, Bahamas, Bahrain, Brazil, Bulgaria, Burkina Faso, Cameroon, China, Colombia, Cuba, Czechoslovakia, Ecuador, Ghana, Guinea, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Lesotho, Libyan Arab Jamahiriya, Mexico, Nicaragua, Rwanda, Saudi Arabia, Thailand, Trinidad and Tobago, Tunisia, Ukrainian SSR, USSR, Venezuela, Yugoslavia, Zaire, Zambia.

Against: France, Germany, Federal Republic of, Italy, Netherlands, Portugal, United Kingdom, United States.

Abstaining: Canada, Finland, Greece, Ireland, Japan, New Zealand, Sweden.

Report of Special Rapporteur. The Special Rapporteur on adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist and colonialist régime of South Africa,

Ahmad M. Khalifa (Egypt), in an August report [E/CN.4/Sub.2/1990/13 & Add.1] updated information contained in his 1989 report [YUN 1989, p. 537], regarding disinvestment trends in South Africa and the South African economy. The Special Rapporteur also provided an updated comprehensive list of TNCs, banks, insurance companies, firms and other enterprises giving, directly or indirectly, military, economic, financial and other assistance to South Africa.

In October [A/45/552], the Secretary-General transmitted the Special Rapporteur's report to the General Assembly.

Sub-Commission action. On 20 August [E/CN.4/1991/2 (res. 1990/3)], the Sub-Commission, expressing its appreciation to the Special Rapporteur for his updated report and its thanks to Governments and organizations which supplied him with information, recommended a draft resolution for adoption by the Commission.

GENERAL ASSEMBLY ACTION

On 14 December, the General Assembly adopted resolution 45/84.

Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist and colonialist régime of South Africa

The General Assembly,

Recalling its resolutions 39/15 of 23 November 1984, 41/95 of 4 December 1986 and 43/92 of 8 December 1988,

1. Expresses its appreciation to the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities for his updated report;

2. Expresses its thanks to all Governments and organizations that supplied the Special Rapporteur with information;

3. Takes note with satisfaction of Commission on Human Rights resolution 1990/22 of 27 February 1990, in which the Commission invited the Special Rapporteur:

(a) To continue to update, subject to annual review, the list of banks, transnational corporations and other organizations assisting the racist regime of South Africa, giving such details regarding enterprises listed as he may consider necessary and appropriate, including explanations of responses, if any, and to submit the updated report, through the Economic and Social Council, to the General Assembly at its forty-fifth session:

(b) To use all available material from other United Nations organs, Member States, specialized agencies and other relevant sources in order to indicate the volume, nature and adverse human consequences of the assistance given to the racist regime of South Africa;

(c) To intensify direct contacts with the United Nations Centre on Transnational Corporations and the Centre against Apartheid of the Secretariat, with a view to consolidating mutual co-operation in updating the report;

4. Calls upon all Governments:

(a) To co-operate with the Special Rapporteur in making the report even more accurate and informative;

(b) To disseminate the updated report and to give its contents the widest possible publicity;

5. Calls upon all Governments and organizations to maintain sanctions against the racist regime of South Africa until the total dismantlement of the apartheid system has been achieved, in conformity with the Declaration on Apartheid and its Destructive Consequences in Southern Africa, adopted by the General Assembly by its resolution S-16/1 of 14 December 1989 and contained in the annex thereto;

6. Invites the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its forty-third session and the Commission on Human Rights at its forty-seventh session to consider the updated report;

7. Requests the Secretary-General, in accordance with General Assembly resolution 43/92, to make available to the Special Rapporteur two economists to help him to develop his analysis and documentation on specific cases of special importance;

8. Also requests the Secretary-General to give the Special Rapporteur all the assistance that he may require in the exercise of his mandate, with a view to intensifying direct contacts with the United Nations Centre on Transnational Corporations and the Centre against Apartheid, and to consolidating mutual co-operation in updating his report;

9. Further requests the Secretary-General to bring the updated report of the Special Rapporteur to the attention of Governments whose national financial institutions continue to deal with the regime of South Africa, and to call upon them to provide the Special Rapporteur with any information or comments they may wish to present on the matter;

10. Requests the Secretary-General to contact the Government of South Africa with a view to enabling the Special Rapporteur to undertake a visit to South Africa on special mission within the perspective of the next update of the present report;

11. Invites the Secretary-General to give the updated report of the Special Rapporteur the widest distribution and publicity as a United Nations publication;

12. Decides to examine at its forty-seventh session, as a matter of high priority, the item entitled "Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist regime of South Africa", in the light of any recommendations which the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the Commission on Human Rights, the Economic and Social Council and the Special Committee against Apartheid may wish to submit to it;

13. Requests that the Special Rapporteur submit his updated report to the General Assembly at its forty-seventh session.

General Assembly resolution 45/84

14 December 1990 Meeting 68 120-9-22 (recorded vote)

Approved by Third Committee (A/45/744) by recorded vote (106-9-22), 1 November (meeting 28); draft by Sierra Leone, for African Group (A/C.3/45/L.4), orally revised; agenda item 88.

Meeting numbers. GA 45th session: 3rd Committee 4-10, 18, 28; plenary 68.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe,

Against: Belgium, France, Germany, Italy, Luxembourg, Netherlands, Portugal, United Kingdom, United States.

Abstaining: Australia, Austria, Bulgaria, Canada, Czechoslovakia, Denmark, Finland, Greece, Hungary, Iceland, Ireland, Israel, Japan, Liechtenstein, Malta, New Zealand, Norway, Poland, Romania, Spain, Sweden, Turkey.

Trade union rights in South Africa

Pursuant to Economic and Social Council resolution 1989/82 [YUN 1989, p. 537], the Ad Hoc Working Group of Experts on southern Africa (see above) continued to study alleged infringements of trade union rights in South Africa. In March [E/1990/37], the Secretariat transmitted to the Council the section of the Group's report relating to the right to work, the situation of black workers, trade union activities and action against trade unions.

In May [E/1990/87], the Secretary-General circulated a reply dated 1 May received from the Government of South Africa in response to the same Council resolution, requesting him to persist in his efforts to ensure that the Government referred a complaint made by the Congress of South African Trade Unions (COSATU) to the Fact-finding and Conciliation Commission on Freedom of Association of the International Labour Organisation (ILO). The Secretary-General brought to the Council's attention a note verbale dated 14 May [E/1990/87/Add.1] which contained a joint news release issued by the South African Minister of Manpower and COSATU/National Congress of Trade Unions in respect of discussions on future proposed labour legislation. The Secretary-General also brought to the Council's attention a letter of 21 May [E/1990/87/Add.2] to the Secretary-General from South Africa, stating that, in view of proposed labour legislation, it would be premature to consider referring the original complaint to the ILO Fact-finding and Conciliation Commission on Freedom of Association.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 25 May, the Economic and Social Council, by decision 1990/257, took note of the letter of 21

May. Also on 25 May, the Council adopted resolution 1990/44.

Infringements of trade union rights in South Africa

The Economic and Social Council,

Recalling its resolution 1989/82 of 24 May 1989, in which it requested the Secretary-General to persist in his efforts to ensure referral of the complaint made by the Congress of South African Trade Unions to the Fact-finding and Conciliation Commission on Freedom of Association of the International Labour Organisation,

Noting that the note verbale dated 1 May 1990 from the Permanent Representative of the Republic of South Africa to the United Nations addressed to the Secretary-General does not comply with the relevant provisions of Council resolution 1989/82,

Noting also the latest consultations between the Government of South Africa, the Congress of South African Trade Unions and the National Congress of Trade Unions on future proposed labour legislation,

Having examined the relevant section of the report of the Ad Hoc Working Group of Experts on southern Africa of the Commission on Human Rights,

Gravely concerned about the deteriorating and dehumanizing conditions of black workers brought about by the drastic restrictions on their exercise of trade union rights imposed by the Government of South Africa as a result of the Labour Relations Amendment Act, about the abuse of farm workers and the exploitation of child labour in rural areas, as well as about intervention in industrial disputes, including arrests, banning and harassment of trade unionists,

Aware of the ever-growing importance of the independent black trade union movement in the struggle against apartheid,

1. Takes note of the note by the Secretary-General submitted pursuant to Council resolution 1989/82, circulating the note verbale dated 1 May 1990 from the Permanent Representative of the Republic of South Africa to the United Nations addressed to the Secretary-General;

2. Also takes note of the relevant section of the report of the Ad Hoc Working Group of Experts on southern Africa of the Commission on Human Rights;

3. Expresses its concern about the failure of the Government of South Africa to comply with the provisions of Council resolution 1989/82, notwithstanding the limited steps taken so far, as reflected in the note verbale dated 14 May 1990 from the Permanent Representative of the Republic of South Africa to the United Nations addressed to the Secretary-General;

4. Demands the implementation of the provisions of Council resolution 1989/82 by the Government of South Africa;

5. Requests the Secretary-General to persist in his efforts to ensure the implementation of paragraph 9 of Council resolution 1989/82;

6. Requests the Ad Hoc Working Group of Experts on southern Africa of the Commission on Human Rights to continue to study the situation and to report thereon to the Commission on Human Rights and the Economic and Social Council;

7. Also requests the Ad Hoc Working Group of Experts, in discharging its mandate, to consult with the

International Labour Organisation and the Special Committee against Apartheid, as well as with international and African trade union confederations;

8. Demands once again the abolition of legislation which impedes the exercise of trade union rights in contravention of international labour standards, the immediate unconditional release of all trade unionists imprisoned for exercising their legitimate trade union rights and the cessation of the persecution of trade unionists and repression of the independent black trade union movement;

9. Requests the Secretary-General to submit to the Council, at its first regular session of 1991, for consideration and action, as appropriate, a report on the implementation of the present resolution.

Economic and Social Council resolution 1990/44
25 May 1990 Meeting 14 Adopted without vote
Approved by Second Committee (E/1990/70/Add.1) without vote, 22 May (meeting 18); draft by Mauritania, for African States (E/1990/C.2/L.10/Rev.1), orally revised; agenda item 3.

Asia and the Pacific

Afghanistan

In January, Special Rapporteur Felix Ermacora (Austria) submitted a report [E/CN.4/1990/25] on the human rights situation in Afghanistan, based on his visits to Pakistan (7-11 January) and Afghanistan (12-14 January), where he held talks with high-level government officials.

The Special Rapporteur pointed out that, following the withdrawal of Soviet troops from Afghanistan, the human rights situation there did not improve.

The armed conflict had intensified, particularly around large towns and villages and strategic points. There appeared to be an increase in civilian targets, and hospitals in Pakistan and Afghanistan were still filled with war wounded. Despite the alleged release of 17,000 prisoners from Afghan prisons since 1987, under various amnesty decrees, there was a constant of about 3,000 political prisoners, detained for crimes against State security. The Special Rapporteur noted improvements in psychological conditions for those under prison sentence. Opposition movements were also holding prisoners, but it was impossible to find out about their fate. An orderly educational system existed only in government-controlled areas, while in others the attempts at education were sporadic. Economic rights were adversely affected by the war.

As to refugees, the figure remained stable at 5 million. According to the Special Rapporteur, the obstacles to their return resided not only in the physical or economic instability of the country, or in the lack of an effective administration in provinces not under government control, but also in a growing pressure not to return. He stated

that the refugees were placed in a desperate position of collective hostages. The existence of minefields in many regions of the country was a further obstacle to their return.

The Special Rapporteur reiterated the recommendations he had made in his 1989 report [YUN 1989, p. 539], and proposed that all efforts be made by the opposition movements and the Afghan authorities detaining prisoners to upgrade conditions of detention as well as treatment of prisoners to the Standard Minimum Rules for the Treatment of Prisoners, and to respect the right to life. He stated that the opposition movements should unconditionally open their prisons and detention centres for visits of prisoners by international humanitarian organizations such as the International Committee of the Red Cross (ICRC). Adequate conditions for the return of refugees should be created through international aid, and conditions conducive to their return should be created. The Special Rapporteur recommended that the Commission on Human Rights appeal for the acceptance of unconditional dialogue between all parties to the conflict with a view to finding a peaceful solution, and that UN bodies concerned continue to provide assistance to both belligerents in the conflict in a spirit of impartiality.

Commission action. On 6 March [E/1990/22 (res. 1990/53)], the Commission urged all parties concerned to work for the achievement of a comprehensive political solution, to respect the Geneva Conventions of 12 August 1949 for the protection of war victims and their Additional Protocols of 1977 [YUN 1977, p. 706], to halt the use of weapons against civilians, to protect all prisoners from acts of reprisal and violence, and to transmit to ICRC the names of all prisoners, as well as to grant ICRC unrestricted access to all parts of the country and the right to visit all prisoners. It called on the Afghan authorities to investigate the fate of disappeared persons, to apply amnesty decrees equally to foreign detainees, to reduce the period during which prisoners awaited trial, and to treat prisoners in accordance with the Standard Minimum Rules for the Treatment of Prisoners. The Commission noted with concern the allegations of atrocities committed against Afghan soldiers, civil servants and captured civilians and expressed concern at reports that the living conditions of refugees were becoming increasingly difficult because of the decline in international humanitarian assistance.

The Commission decided to extend the Special Rapporteur's mandate for another year and asked him to report to the General Assembly in 1990 and to the Commission in 1991. The Secretary-General was asked to assist him.

On 25 May, by decision 1990/234, the Economic and Social Council approved the Commission's decision to extend the Special Rapporteur's mandate and its request to the Secretary-General to assist him.

Interim report of Special Rapporteur. In October [A/45/664], the Secretary-General transmitted to the General Assembly the interim report of the Special Rapporteur based on his visits to Pakistan (13-22 September) and Afghanistan (22-27 September).

The Special Rapporteur reported that the same human rights problems still prevailed, namely, the existence of millions of refugees; the continuation of the armed conflict which caused destruction, loss of life and permanent anxiety among the population; continued acts of terrorism; the painful economic, social and cultural situation affecting a large segment of the population; and the fact that the right to self-determination could still not be achieved as a result of the deep division of the people of Afghanistan.

The refugee situation had not changed significantly. There were still about 5 million Afghans living abroad. A pilot project for repatriation was launched by the United Nations High Commissioner for Refugees in co-operation with the Government of Pakistan in July 1990 (see also PART THREE, Chapter XV), which showed that a systematic return of refugees had begun.

In other areas, the mine clearance process was off to a slow start. The newly adopted Constitution had introduced a multi-party system, which resulted in a much broader-based Government than before. With regard to the right of personal liberty, there was improvement as far as the length of police custody and its control by the judiciary were concerned. The condition of convicted prisoners had generally improved, while the condition of unsentenced prisoners—those under interrogation or awaiting trial—was somewhat unclear. The death penalty was still being applied. The level of enjoyment of other civil, political, economic, social and cultural rights depended on the military and political situation prevailing in different parts of the country. The human rights situation in areas not under government control was uncertain; the economic situation was deplorable and there was an absence of effective administration.

The Special Rapporteur recommended halting the use of weapons against civilians; pursuing projects to return refugees; continuing efforts to bring the system of detention on remand into conformity with international standards; ICRC access to prisoners in detention on remand; treating combatants in accordance with humanitarian law; and government investigation into the

whereabouts of prisoners and disappeared persons. He also recommended that the opposition movements unconditionally open their prisons and detention centres so that they might be visited by organizations such as ICRC. As to the United Nations, the Special Rapporteur proposed that it make every effort to contribute to a political solution of the conflict and that it be called on to study all the elements of general elections in the light of the country's political history and the traditions of its society, in order to develop models for a system of general elections in Afghanistan.

GENERAL ASSEMBLY ACTION

On 18 December, the General Assembly adopted resolution 45/174.

Situation of human rights in Afghanistan

The General Assembly,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and the humanitarian rules set out in the Geneva Conventions of 12 August 1949 and the Additional Protocols thereto, of 1977,

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,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have freely undertaken under the various international instruments,

Recalling 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, with a view to formulating proposals that could contribute to ensuring full protection of the human rights of the inhabitants of the country before, during and after the withdrawal of all foreign forces,

Recalling also its relevant resolutions as well as resolutions of the Commission on Human Rights and decisions of the Economic and Social Council,

Taking note in particular of Commission on Human Rights resolution 1990/53 of 6 March 1990, in which the Commission decided to extend the mandate of its Special Rapporteur for one year and requested him to report to the General Assembly at its forty-fifth session on the situation of human rights in Afghanistan,

Emphasizing the relevance and validity for all parties concerned of the Agreements on the Settlement of the Situation Relating to Afghanistan, concluded at Geneva on 14 April 1988, which constitute an important step towards a comprehensive political solution,

Noting with deep concern that a situation of armed conflict persists in Afghanistan, that acts of terrorism against civilians have significantly increased, that the treatment of prisoners detained in connection with the conflict does not conform to the humanitarian rules set out in the Geneva Conventions of 12 August 1949 and

the Additional Protocols thereto, of 1977, that more than five million refugees are living outside Afghanistan and that many Afghans are displaced within the country,

Aware that the reasons given by the refugees for not returning to Afghanistan pending the achievement of a comprehensive political solution and the establishment of a broad-based government include the continued fighting in some provinces, the use of very destructive arms in the conflict, the minefields that have been laid in many parts of the country, the lack of an effective authority in many areas and other obstacles that would be encountered by refugees in returning to the country.

Taking note with appreciation of the interim report of the Special Rapporteur and of the conclusions and recommendations contained therein,

1. Welcomes the co-operation of the Afghan authorities with the Special Rapporteur on the situation of human rights in Afghanistan;

2. Welcomes the co-operation that the Afghan authorities have extended in particular to the Co-ordinator for Humanitarian and Economic Assistance Programmes Relating to Afghanistan, and to international organizations such as the specialised agencies, the Office of the United Nations High Commissioner for Refugees and the International Committee of the Red Cross;

3. Welcomes the fact that the Special Rapporteur was able to visit areas in Afghanistan not under government control;

4. Urges all parties concerned to work for the achievement of a comprehensive political solution based on the free exercise of the right to self-determination by the people of Afghanistan through democratic procedures acceptable to the people, including free and fair elections, and the creation of conditions conducive to the return of refugees to their homeland in safety and honour and the full enjoyment of human rights and fundamental freedoms by all Afghans;

5. Also urges all parties to the conflict to respect the Geneva Conventions of 12 August 1949 and the Additional Protocols thereto, of 1977, to halt the use of weapons against the civilian population, to protect all prisoners from acts of reprisals and violence, including ill-treatment, torture and summary execution, to transmit to the International Committee of the Red Cross the names of all prisoners, and to grant to that Committee unrestricted access to all parts of the country and the right to visit all prisoners in accordance with its established criteria;

6. Calls upon the Afghan authorities to investigate thoroughly the fate of persons who have disappeared, to apply amnesty decrees equally to foreign detainees; to reduce the period during which prisoners await trial, to treat all prisoners, especially those awaiting trial or in custody in juvenile rehabilitation centres, in accordance with the Standard Minimum Rules for the Treatment of Prisoners, and to apply to all convicted persons article 14, paragraphs 3 (d) and 5, of the International Covenant on Civil and Political Rights;

7. Notes with concern the allegations of atrocities committed against Afghan soldiers, civil servants and captured civilians;

8. Expresses its concern at reports that the living conditions of refugees, especially those of women and children, are becoming increasingly difficult because of the decline in international humanitarian assistance;

9. Urgently appeals to all Member States, humanitarian organizations and all parties concerned to co-operate fully, especially on the subject of mine detection, in order to facilitate the return of refugees and displaced persons to their homes in safety and honour, in conformity with the Agreements on the Settlement of the Situation Relating to Afghanistan;

10. Urgently appeals to all Member States and humanitarian organizations to promote the implementation of the projects envisaged by the Co-ordinator for Humanitarian and Economic Assistance Programmes Relating to Afghanistan and the programmes of the United Nations High Commissioner for Refugees, especially the pilot projects for the repatriation of refugees;

11. Urges all parties concerned to extend their full co-operation to the Commission on Human Rights and its Special Rapporteur;

12. Requests the Secretary-General to give all necessary assistance to the Special Rapporteur;

13. Decides to keep under consideration, during its forty-sixth session, the situation of human rights in Afghanistan in the light of additional elements provided by the Commission on Human Rights and the Economic and Social Council.

General Assembly resolution 45/174

18 December 1990 Meeting 69 Adopted without vote

Approved by Third Committee (A/45/838) without vote, 30 November (meeting 58); draft by Chairman (A/C.3/45/L.94), based on informal consultations: agenda item 12.

Meeting numbers. GA 45th session: 3rd Committee 48-50, 57, 58; plenary 69.

China

In a letter dated 12 January 1990 [E/CN.4/1990/55] addressed to the Secretary-General, the Government of China rejected a 1989 Sub-Commission resolution [YUN 1989, p. 556] and any possible action taken pursuant to it. China stated that demonstrations in April and May 1989 in Beijing's Tiananmen Square were illegal and that the Government's actions to end the turmoil were justified and legitimate.

On 6 March [E/1990/22 (dec. 1990/106)], the Commission on Human Rights, by a roll-call vote of 17 to 15, with 11 abstentions, decided to take no action on a draft text which would have had the Commission endorse the Sub-Commission's 1989 appeal for clemency towards persons deprived of their liberty as a result of the events in June 1989 and welcome the decisions of the Government of China in January 1990 to lift martial law in Beijing and to release 573 persons who had been detained.

East Timor

On 30 August [E/CN.4/1991/2 (res. 1990/15)1], the Sub-Commission, by a secret ballot vote of 14 to 9,

with 1 abstention, considering that according to reliable allegations the people of East Timor continued to be subjected to gross violations of human rights and regretting the restrictions imposed by local military authorities on the activities of specialized NGOs, appealed to all sides to exercise restraint and to co-operate fully with the Secretary-General in the exercise of his good offices with a view to finding a durable settlement of the conflict. It asked the Indonesian authorities to facilitate the access to the territory of international humanitarian and development organizations. The Sub-Commission recommended that the Commission in 1991 consider the situation pertaining to human rights and fundamental freedoms in East Timor.

Iran

In a February report [E/CN.4/1990/24], Special Representative Reynaldo Galindo Pohl (El Salvador) described the human rights situation in Iran, based on his visit to the country (21-28 January) and information he received from witnesses, the press, foreign and Iranian organizations and the Government of Iran.

The Special Representative stated that there was a considerable increase in assertions, testimony and documents about terrorism. During his visit, terrorism also featured a great deal in statements made by Iranian officials and many witnesses. He observed that there was a deep split in the society as a result of the hectic revolutionary period and that one element of that split had been the armed struggle, in which terrorism had had a part.

The testimony gathered reiterated complaints received in Geneva about unlawful executions, torture, substitute prisoners, imprisonment beyond the period specified in the sentence, spontaneous decisions by low-ranking officials and the absence of counsel for the defence. Testimony was also gathered on restrictions on the right of association.

The Special Representative noted that the Government had been receptive to some criticisms made in earlier reports, such as public and mass executions of drug traffickers and incorporating in the penalty the time that had been served before the sentence was handed down. He had received information on frequent clemency measures. The Special Representative's impression was that the situation of the Baha'is was moving towards quite broad de facto tolerance.

At a round table held at the Ministry of Foreign Affairs to sum up the visit, the Special Representative expressed the opinion that the Government's next step could consist of providing detailed replies to the allegations transmitted to it.

The Special Representative stated that the Commission should continue to monitor the human rights situation in Iran.

Commission action. On 7 March [E/1990/22 (res. 1990/79)], the Commission on Human Rights took note of the Special Representative's view that it should continue to monitor the human rights situation in Iran, and endorsed his opinion that Iran should continue to provide replies to all allegations of human rights violations that had been transmitted to it.

The Commission decided to extend the Special Representative's mandate for an additional year and asked him to submit an interim report to the General Assembly in 1990 and a final report to the Commission in 1991. The Secretary-General was asked to assist him.

On 25 May, the Economic and Social Council, by decision 1990/243, approved the Commission's decision to extend the Special Representative's mandate and its request to the Secretary-General to assist him.

Sub-Commission action. On 30 August [E/CN.4/1991/2 (res. 1990/9)], by a secret ballot vote of 14 to 5, with 5 abstentions, expressing deep concern about the grave human rights violations in Iran, the Sub-Commission asked the Secretary-General to inform it in 1991 of relevant reports by other special rapporteurs or human rights bodies, as well as of steps which had been or were being taken by the General Assembly, the Economic and Social Council and the Commission to prevent human rights violations in Iran.

On the same date [(res. 1990/8)1], the Sub-Commission, profoundly disturbed by the assassination in Switzerland in April of Kazem Rajavi, a former Iranian diplomat, and mindful that he was a dedicated human rights defender and activist, paid tribute to his memory. It condemned strongly the assassination, as well as every assassination or threat of assassination of political dissidents or other persons wherever they lived, including in their own country.

Interim report of Special Representative. In November [A/45/697], the Secretary-General transmitted the interim report of the Special Representative, based on his second visit to the country (9-15 October), on oral and written communications with government officials and on allegations of human rights violations from NGOs and individuals.

The report contained allegations of human rights violations received by the Special Representative and transmitted to the Government in August and October, as well as replies received from the Government. Those allegations dealt with violations of the right to life and the right to freedom from torture or cruel, inhuman or de-

grading treatment or punishment; torture, ill-treatment and prison conditions; the administration of justice; freedom of opinion, expression, press and association and the right to peaceful assembly; freedom of movement and the right to leave one's country and to return; allegations of intimidation or reprisal; the situation of women; children's rights; acts of violence against civilians; freedom of religion; and the situation of the Baha'i community.

The Special Representative described his visit to the country where he met with high-level government officials and visited Evin prison, where all political prisoners of Tehran province were detained, and where he attended trial proceedings. During his stay in Tehran, the Special Representative also gathered information from a number of Iranian NGOs and from private persons. In addition, he met with members of the Baha'i and Armenian communities.

The Special Representative noted that as a result of recommendations made in earlier reports and matters discussed during his first visit, senior officials said that the Government had taken steps to implement some of the recommendations. In particular, they mentioned the decision to allow ICRC to visit prisons. The Special Representative urged officials to conclude an agreement with ICRC, which was a prerequisite to the Committee making prison visits. The Government had granted a number of amnesties which had benefited many prisoners. Another noteworthy development was that the Government had begun to reply to the allegations transmitted to it.

Concerning the right to life, the Special Representative noted that according to estimates from non-governmental sources the number of executions between January and May 1990 was relatively high. He continued to receive many reports about the absence of a lawyer at trials heard by the revolutionary courts. According to information received, the Government had ruled that trials must be public. However, when the Special Representative attended a trial at Evin prison, it was obvious that prison trials could not really be public because access to them was subject to the restrictions inherent in prison security. The Special Representative found that in many cases the constitutional obligation to inform an arrested person of the charges against him immediately after arrest had not been fulfilled. He stated that televised confessions undermined and obscured the administration of justice. As to restrictions on the press, on the publication of books and on artistic creation, for the press, problems began with the distribution of paper which was in government hands. In addition, pressure on

journalists brought them somewhat into line. Books required prior authorization from the competent authority.

Concerning the situation of the Baha'is, nine of them were still in prison, but in recent months none had been executed. Many documents signed by administrative authorities had been received, providing evidence of discrimination, confiscation, rejection by universities, suspensions of pensions, demands for the return of pensions earned and paid, denial of passports and other irregularities. Those measures were not taken everywhere, nor in all administrative offices, and it seemed that attitude towards the Baha'is and their situation depended on the temperament and personal convictions of individual officials.

The Special Representative concluded that international monitoring by the competent UN organs with a view to ensuring compliance with human rights instruments in Iran should continue, that efforts should be made to ensure the uniform and proper application of the appropriate norms, and that a climate of confidence and legal and political security in which people could exercise their individual rights without adverse consequences should be promoted.

GENERAL ASSEMBLY ACTION

On 18 December, the General Assembly adopted resolution 45/173.

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 Rights and the International Covenants on Human Rights,

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 its resolution 44/163 of 15 December 1989 and taking note of Commission on Human Rights resolution 1990/79 of 7 March 1990,

Mindful of Commission on Human Rights resolution 1990/76 of 7 March 1990, entitled "Co-operation with representatives of United Nations human rights bodies", and Economic and Social Council resolution 1990/48 of 25 May 1990.

Welcoming the two visits paid by the Special Representative of the Commission to the Islamic Republic of Iran during the course of 1990 and the two reports presented following those visits, which have provided useful information and clarified a number of allegations about the situation of human rights in the Islamic Republic of Iran,

Noting the findings of the Special Representative on the situation of the Baha'is in the Islamic Republic of Iran,

1. Takes note with appreciation of the reports submitted by the Special Representative in 1990, including the observations contained therein, and notes with concern the allegations of violations of human rights contained in those reports;

2. Calls upon the Islamic Republic of Iran to intensify its efforts to investigate and rectify the human rights issues raised by the Special Representative, in particular as regards the administration of justice and due process of law in order to comply with international instruments on human rights, including the International Covenant on Civil and Political Rights, to which the Islamic Republic of Iran is a party, and to ensure that all individuals within its territory and subject to its jurisdiction, including religious groups, enjoy the rights recognized in these instruments;

3. Welcomes the decision of the Government of the Islamic Republic of Iran to invite the International Committee of the Red Cross to visit prisons in the country and urges the competent officials to implement this decision as soon as possible by concluding an agreement in accordance with standard procedures of the Committee;

4. Notes that the co-operation of the Islamic Republic of Iran with the Special Representative has improved and has included replies by the Government to allegations that have been transmitted to it, and urges the Government to reply in detail to all allegations referred to by the Special Representative in his reports;

5. Requests the Secretary-General to respond favourably, in accordance with the normal practices of the Centre for Human Rights of the Secretariat, to requests for technical assistance from the Government of the Islamic Republic of Iran;

6. Also requests the Secretary-General to give the Special Representative all the necessary assistance to carry out his mandate;

7. Notes that the Commission on Human Rights will consider the situation of human rights in the Islamic Republic of Iran at its forty-seventh session and will refer the question, as appropriate, to the General Assembly at its forty-sixth session.

General Assembly resolution 45/173

18 December 1990 Meeting 69 Adopted without vote
Approved by Third Committee (A/45/838) without vote, 4 December (meeting 62); 19-nation draft (A/C.3/45/L.93/Rev.1), orally revised; agenda item 12.

Meeting numbers. GA 45th session: 3rd Committee 48-50.62; plenary 69.

Iraq

On 7 March [E/1990/22 (dec. 1990/114)], the Commission on Human Rights, by a roll-call vote of 18 to 14, with 9 abstentions, decided to take no action on a draft decision by which, among other things, the Commission would have accepted and welcomed an invitation extended to Sub-Commission members by the Iraqi Human Rights Society to visit Iraq and report to the Commission thereon.

Iraq-Kuwait

On 30 August [E/CN.4/1991/2 (res. 1990/13)], the Sub-Commission, by a secret ballot vote of 19 to 4,

with 1 abstention, concerned by reliable reports that hundreds of Iraqis living in Kuwait and suspected of being opponents of the Iraqi Government were arrested following the invasion of Kuwait by Iraqi troops, and that thousands of foreign citizens in Iraq and Kuwait had been prevented from leaving those countries since the invasion, expressed concern at the situation of human rights and fundamental freedoms in Iraq. It urged the Government of Iraq to ensure full respect for human rights and fundamental freedoms and urgently called on it to allow all foreign nationals to leave Iraq and Kuwait immediately. The Sub-Commission recommended that the Commission study in 1991 the evolution of the situation of human rights and fundamental freedoms in Iraq, and consider the appointment of a special rapporteur to examine the human rights situation there.

In earlier action dated 24 August [dec. 1990/108], the Sub-Commission strongly appealed to the Government of Iraq to facilitate the immediate departure from Kuwait and Iraq of the nationals of third countries. On the same date [dec. 1990/109], it strongly appealed to all those participating in sanctions against Iraq not to prevent the delivery of necessary food and medicine. That appeal was made in the spirit of Security Council resolution 661(1990). (For details of Iraq/Kuwait situation, see PART TWO, Chapter III.)

GENERAL ASSEMBLY ACTION

On 18 December, the General Assembly adopted resolution 45/170.

The situation of human rights in occupied Kuwait

The General Assembly,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and the Geneva Conventions of 12 August 1949,

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,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil obligations they have freely undertaken under the various international instruments,

Condemning the invasion of Kuwait on 2 August 1990 by the military forces of Iraq,

Noting with grave concern that the Iraqi forces in occupied Kuwait continue to commit acts of violence, leaving large numbers of victims and causing enormous human suffering to the civilian population,

Noting also with grave concern that the treatment of prisoners of war and detained civilians in occupied Kuwait does not conform to the internationally recognized principles of humanitarian law,

Expressing grave concern at the continued refusal of Iraq to receive representatives of humanitarian organizations, especially representatives of the International Committee of the Red Cross and a representative of the Secretary-General, to help in extending humanitarian assistance to the Kuwaiti people under occupation,

1. Condemns the Iraqi authorities and occupying forces for their serious violations of human rights against the Kuwaiti people and third-State nationals and, in particular, the continued and increasing acts of torture, arrests, summary executions, disappearances and abduction in violation of the Charter of the United Nations, the International Covenants on Human Rights, other relevant human rights instruments and the relevant instruments of humanitarian law;

2. Affirms that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, applies to Kuwait and that as a high contracting party to the Convention Iraq is bound to comply fully with all its terms and in particular is liable under the Convention in respect of the grave breaches committed by it, as are individuals who commit or order the commission of such breaches;

3. Expresses its serious concern about the systematic dismantling and pillaging of and attacks on the economic infrastructure of Kuwait, which seriously undermine the present and future enjoyment by the Kuwaiti people of their economic, social and cultural rights;

4. Expresses its grave concern at the living conditions in occupied Kuwait, especially those of women, children, elderly and third-State nationals, which are becoming increasingly difficult;

5. Expects Iraq to guarantee respect for international standards applicable under international law, in particular with reference to the protection of the civilian population, and demands that Iraq co-operate fully with and give access to Kuwait to representatives of humanitarian organizations, especially the International Committee of the Red Cross, working to alleviate the suffering of the civilian population in occupied Kuwait;

6. Also expects Iraq to comply with its obligations under the Charter and international law in respect of third-State nationals, and demands that Iraq release all nationals of third States;

7. Urges Iraq to treat all prisoners of war and detained civilians in accordance with the internationally recognized principles of humanitarian law and to protect them from all acts of violence, including ill-treatment, torture and summary execution;

8. Condemns the rejection by Iraq of the offer of the Government of Kuwait to send humanitarian assistance, especially medicine, to the Kuwaiti people under occupation;

9. Requests the Commission on Human Rights at its forty-seventh session to consider the situation of human rights in occupied Kuwait;

10. Decides to keep under consideration the situation of human rights in occupied Kuwait.

General Assembly resolution 45/170

18 December 1990 Meeting 69 144-1 (recorded vote)

Approved by Third Committee (A/45/838) by recorded vote (132-1-1), 3 December (meeting 60); 33-nation draft (A/C.3/45/L.90); agenda item 12.

Meeting numbers. GA 45th session: 3rd Committee 48-50,56,60; plenary 69.

Recorded vote in Assembly as follows:

In favour: Albania, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Ireland, Israel, Italy, Jamaica, Japan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States, Uruguay, Vanuatu, Venezuela, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against Iraq.

Europe and the Mediterranean

Albania

By 27 votes to 3, with 12 abstentions, the Commission on Human Rights, on 6 March [E/1990/22 (res. 1990/49)], concerned about reports on the human rights situation in Albania which, in spite of reflecting some positive developments, continued to reveal human rights violations, called on the Government to provide information on the manner in which constitutional and legal measures complied with the provisions of the 1948 Universal Declaration of Human Rights [GA res. 217 A (III)] and to respond to allegations transmitted to it by the Commission's Special Rapporteur on the implementation of the 1981 Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief [GA res. 36/55].

The Commission asked the Secretary-General to bring the resolution to the Government's attention and to ask it to provide the information requested above; to take the resolution into account when availing himself of the Government's invitation to visit the country; and to report in 1991 on the results of his efforts.

Cyprus

In a January report [E/CN.4/1990/21], the Secretary-General described action taken at the end of 1989 by the Security Council, the Committee on Missing Persons and the United Nations Peace-keeping Force in Cyprus (UNFICYP).

On 28 February [E/1990/22 (dec. 1990/104)], the Commission on Human Rights decided to postpone until 1991 debate on the question of human rights in Cyprus, on the understanding that action required by previous Commission resolutions

would continue to remain operative, including the request to the Secretary-General to provide a report regarding their implementation.

Romania

The Commission on Human Rights considered a report [E/CN.4/1990/28] of Special Rapporteur Joseph Voyame (Switzerland on the human rights situation in Romania. He discussed his activities and briefly described the historical and political background and socio-economic factors, in so far as they might affect, and promote better understanding of, the situation. He reviewed the principal human rights instruments to which Romania was a party and the basic principles of Romanian law relating to human rights.

On the basis of information received, the Special Rapporteur examined allegations of human rights violations dealing with the right to life and to physical and moral integrity; respect for privacy; the administration of justice; freedom of movement; freedom of thought, conscience, religion and belief; freedom of opinion and expression; right of assembly and association; participation in the conduct of public affairs; right to work and trade union rights; right to an adequate standard of living; right to education; cultural rights; and the rights of persons belonging to minorities.

In a February addendum to the report [E/CN.4/1990/28/Add.1], the Special Rapporteur presented information on the situation of human rights in Romania based on his visit to the country (12-16 February), where he met with high-level government officials, leaders of the main political parties, representatives of human rights NGOs, former dissidents, representatives of the Hungarian minority and other persons. The Special Rapporteur outlined the main events which influenced the human rights situation in Romania since the revolution in December 1989 and examined allegations of human rights violations.

The Special Rapporteur concluded that respect for human rights had improved since the revolution. However, human rights had not actually been established; their exercise encountered de facto obstacles. He stressed that a number of persons who were prominent in political life were still being subjected to threats, including death threats. Many were still wary of the Securitate, real freedom to establish and disseminate newspapers and magazines was not fully guaranteed and the problem of ethnic minorities required consideration and appropriate measures.

The Special Rapporteur recommended that the Commission take note of the improved re-

spect for human rights, and recommended that the Romanian authorities continue to ensure that human rights were respected; pay attention to the points raised in his report; and consider the possibility of using the UN Voluntary Fund for Advisory Services (see above, under "Advancement of human rights") to establish national institutions for the promotion and protection of human rights and to strengthen existing institutions.

Commission action. On 6 March [E/1990/22 (res. 1990/50)], the Commission on Human Rights, noting the improvement in respect for human rights that had taken place in Romania, recommended that the Romanian authorities continue their action to ensure that human rights were respected, pay attention to the points raised by the Special Rapporteur and consider the possibility of using the Voluntary Fund for Advisory Services. It decided to extend the Special Rapporteur's mandate for a further year and asked him to report in 1991. The Secretary-General was asked to assist him.

On 25 May, the Economic and Social Council, by decision 1990/232, approved the Commission's decision to extend the Special Rapporteur's mandate and its request for the Secretary-General to assist him.

Latin America and the Caribbean

Chile

In January, Special Rapporteur Fernando Volio Jiménez (Costa Rica) reported on the human rights situation in Chile. He examined allegations of violations of the right to life; the right to physical and moral integrity; the right to liberty; the right to security; and the right to a proper trial and to procedural guarantees.

The Special Rapporteur stated that human rights in Chile had changed from when he was appointed in February 1985. In addition to elections held in December 1989, developments which had contributed to improving the human rights situation included the adoption by the Government Junta-the current Legislative Power-of the National Congress Act, regulating the composition and powers of the Chamber of Deputies and the Senate; the ending of the administrative internal banishment of two important trade union leaders; adoption by the Government Junta of amendments to the Penal Code and to the Code of Penal Procedure, to ensure better protection for the rights of persons facing trial in the civil courts; the sentencing of four members of the National Information Agency (CNI) (secret police) who had attacked demonstrators in 1983; and the dissolution on 11 January 1990 of CNI. Agreements between the Gov-

ernment and ICRC remained in operation to prevent the practice of torture, which ceased to be practised systematically, although it had not been eliminated totally. A case of five detainees who disappeared at the end of 1987 had still not been clarified. In addition, the Special Rapporteur noted that much remained to be done to ensure that the society enjoyed a reliable system of legal protection for freedom.

Among the Special Rapporteur's recommendations were reforming the military justice system; preserving the archives of CNI to assist the courts in investigating human rights issues; preventing further cases of torture; and improving the circumstances of indigenous peoples.

Commission action. On 7 March [E/1990/22 (res. 1990/78)], the Commission on Human Rights, noting with satisfaction the improvement in the human rights situation in Chile, deeply regretted that, despite the recommendations by the international community to the military Government, still pending were: judicial and administrative identification and punishment of persons responsible for crimes, disappearances, torture, persecution, intimidation and other forms of cruel, inhuman and degrading treatment, as well as the situation of persons in custody on political grounds; a return to normal of the administration of justice, especially in regard to a reform of the military justice system and a review of the decision by the military courts; and a review of the rules whereby persons committing serious human rights violations were granted impunity. The Commission decided not to renew the Special Rapporteur's mandate since the current Chilean democratic process and management by the Government-elect would restore the rule of law based on full enjoyment of human rights and fundamental freedoms. It asked the Government-elect to report, at a special meeting of the Commission in 1991, on the follow-up to the recommendations adopted by the United Nations up to 11 March 1990 in connection with the restoration of human rights and fundamental freedoms.

Cuba

By a roll-call vote of 19 to 12, with 12 abstentions, the Commission, on 6 March [E/1990/22 (res. 1990/48)], called on the Government of Cuba to provide the Commission in 1991 with a response to unanswered questions put to the Cuban authorities by representatives of the Commission in 1988 and to questions related to documents listed in the report of the mission [YUN 1989, p. 556].

The Commission welcomed the Secretary-General's willingness to put himself at the Commission's disposal regarding his ongoing con-

tacts with the Government and asked that he provide the results of those contacts in 1991.

El Salvador

In January 1990, Special Representative Jose Antonio Pastor Ridruejo (Spain) presented a report [E/CN.4/1990/26] on the human rights situation in El Salvador based on his visit to the country (8-15 October 1989).

The Special Representative stated that the armed conflict between the armed forces and the Frente Farabundo Marti para la Liberacion Nacional (FMLN) continued in El Salvador. The situation regarding economic, social and cultural rights was still adversely affected by a combination of factors, more particularly the persistent and intensified conflict and the consequent climate of widespread violence. Members of the State apparatus, particularly the armed forces, had committed politically motivated summary executions, including mass executions, and FMLN continued to perpetrate summary executions of alleged collaborators with the armed forces, military personnel and senior civil servants, as well as people ideologically opposed to it. Disturbing cases of politically motivated disappearances were still taking place. In addition, the guerrilla organizations had carried out disturbing kidnappings. Treatment of civilians by the armed forces in areas of conflict had been harsh and distressing, and their military activities had caused civilian fatalities and injuries. FMLN had caused fatalities among civilians who had set off mines, although in some months in 1989 there were no reports of incidents of that type; guerrilla gunfire had caused other casualties.

Commission action. On 7 March [E/1990/22 (res. 1990/77)], the Commission on Human Rights, expressing serious concern at the increase in the number of grave, politically motivated human rights violations, also expressed its deepest concern at the worsening of the armed conflict, which led to a fresh outbreak of violence, bombings and the indiscriminate use of heavy weapons in densely populated areas. It strongly appealed to the Government of El Salvador and FMLN to use the good offices of the Secretary-General to achieve a negotiated political solution to the armed conflict that would encourage the existence and strengthening of a democratic, pluralistic and participatory process involving the promotion and respect of human rights of the Salvadorian people.

The Commission decided to consider in 1991 the human rights situation in El-Salvador and the Special Representative's mandate, taking into account developments in the situation. It also decided to extend the Special Representative's man-

date for an additional year-a decision that was approved by the Economic and Social Council by decision 1990/242 of 25 May-and asked him to report to the General Assembly in 1990 and to the Commission in 1991.

Sub-Commission action. On 30 August [E/CN.4/1991/2 (res. 1990/14)], the Sub-Commission, expressing deep concern over the persistent increase in the number of human rights violations being committed for political reasons in El Salvador and over the continued failure to observe the humanitarian rules of war, urged the immediate adoption of measures to avoid any type of act or practice prejudicial to the life, integrity, security and freedom of persons and to eliminate any form of disappearances and abductions.

Report of Special Representative (October). In October [A/45/630], the Secretary-General transmitted to the General Assembly a report of the Special Representative describing the human rights situation in El Salvador based on his visit to the country (30 September-7 October), where he met with high-level government officials and with chiefs and officers of the armed forces and security forces, interviewed witnesses and received extensive oral and written information. He also visited the Santa Ana prison where he was able to talk confidentially to political prisoners of various ideologies.

The Special Representative reported that the armed conflict continued but that situation did not hinder the resumption and intensification of the dialogue and negotiation process taking place under the auspices of the Secretary-General.

The Special Representative concluded that the situation of the economic, social and cultural rights of Salvadorians continued to be affected adversely by a combination of factors, principally the persistence of the armed conflict and the resultant climate of violence. Government action against humanitarian, trade union, peasant and other organizations continued. Summary executions continued, as did cases of politically motivated disappearances and the abduction of civilians by guerrilla organizations. There were cases of torture and cruel, inhuman or degrading treatment during extrajudicial interrogations of political detainees, although the Special Representative believed that those practices were not widespread and did not represent a government policy. The Salvadorian criminal justice system was still not operating satisfactorily, although the main defects were in the area of investigation and fact-finding rather than in the trial and sentencing activities per se of judicial organs. The situation of civilians in the areas of heaviest fighting was distressing, and the military operations of

the armed forces had caused local civilian casualties, although only through negligence, not on a widespread, indiscriminate or intentional basis. FMLN had caused civilian deaths or injuries as a result of the explosion of contact mines, although it was sometimes difficult to determine whether FMLN organizations or the armed forces planted the devices. The Special Representative observed that the Government and FMLN had resumed and intensified the negotiating process under the Secretary-General's auspices, with a view to ending the conflict.

The Special Representative recommended that the constitutional authorities of El Salvador adopt measures to prevent threats and psychological intimidation; persevere with the judicial reform effort and the establishment of an efficient criminal investigation body under the judiciary; accelerate judicial proceedings instituted for massacres committed in the last quarter of 1989; and persevere in carrying out the agrarian reform programme and other structural reforms needed. He recommended that FMLN and guerrilla organizations continue their policy of not planting contact mines and immediately refrain from all urban operations which might cause civilian casualties. The Special Representative recommended to all States that they increase the assistance necessary to alleviate and improve the situation of Salvadorians who had been displaced, made refugees or resettled as a result of the armed conflict.

GENERAL ASSEMBLY ACTION

On 18 December, the General Assembly adopted resolution 45/172.

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, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, as well as the humanitarian rules laid down in the Geneva Conventions of 12 August 1949 and Additional Protocol II thereto, of 1977, instruments through which States have undertaken to promote and protect human rights and fundamental freedoms and to fulfil the obligations entered into under those international instruments,

Bearing in mind Commission on Human Rights resolution 1990/77 of 7 March 1990 which extended the mandate of the Special Representative for another year and requested him to report to the General Assembly at its forty-fifth session and to the Commission on Human Rights at its forty-seventh session,

Taking into account the commitments made by the Central American Presidents in various joint statements with a view to the promotion of, respect for and exercise of human rights and fundamental freedoms,

Noting that, in accordance with Security Council resolution 637(1989) of 27 July 1989, the Secretary-General has continued to provide his good offices for the holding of talks between the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional,

Deeply concerned about the persistence of the armed conflict in El Salvador throughout 1990 and by the recent escalation of violence initiated by the Frente Farabundo Martí para la Liberación Nacional, a situation which continues to beleague the civilian population, as a result of air raids, the use of explosive devices in urban areas and attacks on the economic infrastructure,

Taking note of the results achieved in the rounds of negotiations conducted so far, in particular the agreement signed by the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional at Geneva on 4 April 1990 and the agreement signed at Caracas on 21 May 1990, which establishes an agenda and a schedule for negotiations designed to achieve the initial objective of political agreements for arranging a halt to the armed confrontation and any acts that infringe the rights of the civilian population,

Welcoming the Agreement on Human Rights, signed by the two parties at San José on 26 July 1990, containing commitments concerning the respect for and guarantee of human rights to be effective immediately, and containing the terms of reference for the United Nations human rights verification mission,

Concerned that, despite the reduction in the number of violations of human rights and despite the efforts made by the two parties to improve the situation of human rights, numerous and serious politically motivated violations of human rights and of the humanitarian rules of warfare persist in El Salvador,

Concerned also that many sources continue to attribute summary executions and other serious violations of human rights to the so-called "death squads",

1. Commends the Special Representative of the Commission on Human Rights for his report on the situation of human rights in El Salvador, endorses the recommendations contained therein and requests him to update the report in the light of the situation in that country;

2. Expresses its satisfaction with the signing of the agreement at Geneva on 4 April 1990 between The Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional, which sets in motion a negotiating process under the auspices and with the active participation of the Secretary-General, with a view to ending the armed conflict through political means as speedily as possible, promoting the democratization of the country, guaranteeing unrestricted respect for human rights, and reunifying the Salvadorian society;

3. Notes that the two parties, when adopting the general agenda for the negotiating process at Caracas on 21 May 1990, agreed that the initial objective would be, first, to secure political agreements on the armed forces, human rights, the judicial system, the electoral system, constitutional reform, the economic and social problems, and verification by the United Nations and, secondly, to achieve agreements for arranging a halt to the armed confrontation and any acts that infringe the rights of the civilian population, all of which will have to be verified by the United Nations subject to the approval of the Security Council;

4. Expresses its profound satisfaction with the Agreement on Human Rights, adopted at San José on 26 July 1990, during the third round of talks between the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional, which constitutes the first substantive agreement between the parties, and urges them to take the action and measures necessary for its implementation;

5. Supports fully the work of intermediation being done by the Secretary-General and his Personal Representative in the search for a negotiated political solution to the Salvadorian conflict;

6. Urges the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional to make the greatest possible effort to implement all the political agreements announced at Geneva and Caracas, particularly taking into account the proposals of the Secretary-General for facilitating the negotiating process and achieving a just and lasting peace in El Salvador in the shortest possible time;

7. Expresses its deep concern about the persistence of politically motivated violations of human rights in El Salvador, such as summary executions, torture, abductions and enforced disappearances, and about the atmosphere of intimidation in which certain sectors of the population live;

8. Also expresses its deep concern that the capacity of the judicial system continues to be unsatisfactory, as a result of which the competent authorities must accelerate the adoption of the reforms and measures necessary for ensuring the effectiveness of the system;

9. Deplores, therefore, the irregularities in the judicial proceedings in connection with the assassination of the Rector and other members of the Central American University in 1989 and the lack of co-operation on the part of certain sectors of the armed forces which has impeded full clarification of such an abominable crime and the punishment of the guilty persons, as described in the report of the Special Representative;

10. Renews its appeal to the competent organs and organizations of the United Nations system that, on the basis of Commission on Human Rights resolution 1990/77 of 7 March 1990 and General Assembly resolution 44/165 of 15 December 1989, they provide the advice and assistance that the Government of El Salvador may request in order to enhance the promotion and protection of human rights and fundamental freedoms;

11. Requests the Commission on Human Rights at its forty-seventh session to consider the situation of human rights in El Salvador, taking into account the evolution of the situation of human rights in that country and developments linked to the implementation of all the agreements adopted by the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional, as well as the agreements signed by the Central American Presidents in the context of the regional peace-making process;

12. Requests the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional to continue their dialogue and foster agreements with a view to a firm and lasting peace, and to continue co-operating with the Special Representative of the Commission on Human Rights;

13. Decides to keep under consideration, during its forty-sixth session, the situation of human rights and

fundamental freedoms in El Salvador in order to re-examine this situation in the light of the information provided by the Commission on Human Rights and the Economic and Social Council.

General Assembly resolution 45/172

18 December 1990 Meeting 69 Adopted without vote

Approved by Third Committee (A/45/838) without vote, 30 November (meeting 58); 14-nation draft (A/C.3/45/L.92), orally revised; agenda item 12.

Meeting numbers. GA 45th session: 3rd Committee 48-50, 57, 58; plenary 69.

Middle East

Lebanon

On 6 March [E/1990/22 (res. 1990/54)], the Commission on Human Rights, by a roll-call vote of 41 to 1, with 1 abstention, condemned the continued Israeli human rights violations in southern Lebanon and called on Israel to end such practices. It also called on Israel to comply with the 1949 Geneva Convention relative to the Protection of Civilian Persons in Time of War (fourth Geneva Convention) and to facilitate the humanitarian mission of ICRC and other humanitarian organizations, particularly to allow them to visit the detention centres of Khiam and Marjeyoun and to ascertain the conditions of detainees.

The Commission asked the Secretary-General to bring its resolution to Israel's attention and invite Israel to provide information on its implementation. He was asked to report to the General Assembly in 1990 and to the Commission in 1991 on the results of his efforts. Those requests were endorsed by the Economic and Social Council by decision 1990/255 of 25 May.

In accordance with the Commission's request, the Secretary-General, in October [A/45/578], stated that he had asked Israel in June for information on the implementation of the Commission's resolution but had received no reply.

On 30 August [E/CN.4/1991/2 (dec. 1990/121)], the Sub-Commission decided to discuss the situation in Lebanon in 1991.

Occupied territories

In 1990, human rights violations in the territories occupied by Israel as a result of the 1967 hostilities in the Middle East was again considered by the Commission on Human Rights and its Sub-Commission. Political and other aspects were considered by the General Assembly, its Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (Committee on Israeli Practices) and other bodies (see PART TWO, Chapter IV).

As requested by the Commission in 1989 [YUN 1989, p. 554], the Secretary-General reported that he had brought the Commission's three 1989 resolutions on human rights violations in the Israeli-occupied territories to the attention of Governments, the General Assembly, the Security Council, the Committee on Israeli Practices and the Committee on the Exercise of the Inalienable Rights of the Palestinian People [E/CN.4/1990/3]; they were also communicated to the specialized agencies, the United Nations Relief and Works Agency for Palestine Refugees in the Near East, international humanitarian organizations and NGOs and through UN press releases, publications and journalists' encounters on Palestine.

In a January note [E/CN.4/1990/4], the Secretary-General submitted a list of all UN reports issued since 10 March 1989 on the situation of the population of the occupied Arab territories.

Commission action. On 16 February [E/1990/22 (res. 1990/2A)], the Commission on Human Rights, by 38 votes to 1, with 1 abstention, condemned Israel's policies and practices which violated the human rights of the Palestinians in the occupied Palestinian territory, including Jerusalem. Affirming the right of the Palestinians to resist the Israeli occupation by all means, the Commission called on Israel to desist from all forms of violations in the Palestinian and other occupied Arab territories, to respect the principles of international law and to withdraw from the occupied territories.

The Commission asked the Secretary-General to bring its resolution to the attention of Governments, UN bodies, specialized agencies, regional intergovernmental organizations and international humanitarian organizations, to disseminate it widely, and to report on its implementation in 1991. He was also asked to provide the Commission with all UN reports issued between sessions of the Commission that dealt with the conditions in which the population of the Palestinian and other occupied Arab territories were living.

On the same date [res. 1990/2B], by a roll-call vote of 32 to 1, with 10 abstentions, the Commission, reaffirming the applicability of the fourth Geneva Convention to the territories, including Jerusalem, strongly condemned Israel for refusing to apply that Convention and for ill-treating and torturing Palestinian detainees and prisoners in Israeli prisons and concentration camps. The Commission also strongly condemned Israel for deporting and expelling Palestinians and called on it to comply with Security Council, General Assembly and Commission resolutions. The Secretary-General was asked to bring the Commission's resolution to the attention of

Governments, UN organs, specialized agencies, regional intergovernmental organizations, international humanitarian organizations and NGOs and to report in 1991 on progress made in its implementation.

By another resolution dated 16 February [res. 1990/31, adopted by a vote of 42 to 1, the Commission strongly condemned Israel for refusing to comply with UN resolutions on the Syrian Arab Golan and demanded that Israel rescind its 1981 decision [YUN 1981, p. 308] to impose its laws, jurisdiction and administration on the territory, which, the Commission stated, was null and void and without international legal effect. Condemning Israel's persistence in changing the Golan Heights' physical character, demographic composition, institutional structure and legal status, the Commission determined that all legislative and administrative measures and actions by Israel that purported to alter the character and legal status of the Syrian Arab Golan were null and void, constituted a flagrant violation of international law and of the fourth Geneva Convention, and had no legal effect. It strongly condemned Israel's attempt to impose Israeli citizenship and identity cards on Syrians and to impose a boycott on their agricultural products, and called on it to desist from repressive measures. The Secretary-General was asked to bring the Commission's resolution to the attention of Governments, UN organs, specialized agencies, regional intergovernmental organizations and international humanitarian organizations and to publicize it widely. He was also asked to report in 1991.

In a fourth resolution [res. 1990/1], the Commission, on 16 February by a roll-call vote of 42 to none, with 1 abstention, affirming that the settling of Israeli civilians in the occupied territories was illegal and contravened the fourth Geneva Convention, called on the Government of Israel to refrain from settling immigrants in the occupied territories.

Sub-Commission action. On 24 August [E/CN.4/1991/2 (dec. 1990/110)], the Sub-Commission decided to express grave concern at the reported refusal of Israeli authorities to allow Faisal Husseini, Ghassan El-Khatib and Fervel Agha to leave the country to attend the Seventh UN International NGO Meeting on the Question of Palestine (Geneva, 29-31 August) and the preceding Fourth European Regional NGO Symposium on the Question of Palestine (Geneva, 27-28 August), and to appeal strongly to the Israeli authorities not to hamper the participation of the above-mentioned Palestinian panelists at the meetings.

By a secret ballot vote of 18 to 1, with 4 abstentions, the Sub-Commission, on 30 August

[res. 1990/121, condemned Israel for its gross violations of international conventions, rules of international law and the fourth Geneva Convention; establishing Israeli settlements in the occupied Palestinian and other occupied Arab territories; its continued occupation of the Syrian Arab Golan and its defiance of relevant UN resolutions; and the inhuman treatment and terrorist practices in violation of human rights which the Israeli occupation authorities continued to exercise against Syrian Arab citizens in the occupied Syrian Arab Golan for their refusal to carry Israeli identity cards and in order to force them to carry them.

The Sub-Commission asked the Secretary-General to provide it in 1991 with an updated list of reports, studies, statistics and other documents relating to the question of Palestine and other occupied Arab territories.

Other human rights questions

Additional Protocols I and II to the 1949 Geneva Conventions

In a September 1990 report [A/45/454], the Secretary-General provided a list of States which had ratified or acceded to the two 1977 Protocols Additional to the Geneva Conventions of 12 August 1949 for the protection of war victims [YUN 1977, p. 706]. As at 15 August, 97 States had ratified or acceded to Protocol I (on protection of victims of international armed conflicts). Five States—Barbados, Czechoslovakia, Romania, Ukrainian SSR, Yemen—did so in 1990. All of the parties—except 12—also adhered to Protocol II (on protection of victims of non-international conflicts). Two States, France and the Philippines, adhered only to Protocol II. The Secretary-General's report also contained the views of Member States on the Convention and its Protocols.

On 7 March [E/1990/22 (res. 1990/66)], the Commission on Human Rights, noting that the States parties to the Conventions and the two additional Protocols had undertaken to disseminate those instruments widely and, in particular, to include the study thereof in their programmes of military instruction and to encourage the study thereof by the civilian population, called on Governments to pay attention to the education of all members of security and other armed forces, and of all law enforcement agencies, in the international law of human rights and international humanitarian law applicable in armed conflicts. The Secretary-General was asked to transmit the

Commission's resolution to all Governments, requesting information on the scope of education provided to members of the police and the armed forces, and to submit to the Sub-Commission in 1990 an analytical review of the replies received. The Sub-Commission was called on to study the matter further.

The Sub-Commission took no action on the matter in 1990.

GENERAL ASSEMBLY ACTION

On 28 November, the General Assembly adopted resolution 45/38.

Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts

The General Assembly,

Recalling its resolutions 32/44 of 8 December 1977, 34/51 of 23 November 1979, 37/116 of 16 December 1982, 39/77 of 13 December 1984, 41/72 of 3 December 1986 and 43/161 of 9 December 1988.

Having considered the report of the Secretary-General on the status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts,

Convinced of the continuing value of established humanitarian rules relating to armed conflicts and the need to respect and ensure respect for these rules in all circumstances within the scope of the relevant international instruments, pending the earliest possible termination of such conflicts,

Stressing the need for consolidating and implementing the existing body of international humanitarian law and for the universal acceptance of such law,

Mindful of the role of the International Committee of the Red Cross in offering protection to the victims of armed conflicts,

Noting with appreciation the continuing efforts of the International Committee of the Red Cross to promote and to disseminate knowledge of the two additional Protocols,

1. Appreciates the virtually universal acceptance of the Geneva Conventions of 1949 and the increasingly wide acceptance of the two additional Protocols of 1977;

2. Notes, however, the fact that, in comparison with the Geneva Conventions, the number of States parties to the two additional Protocols is still limited;

3. Appeals to all States parties to the Geneva Conventions of 1949 that have not yet done so to consider becoming parties also to the additional Protocols at the earliest possible date;

4. Calls upon all States becoming parties to Protocol I to consider making the declaration provided for under article 90 of that Protocol;

5. Requests the Secretary-General to submit to the General Assembly at its forty-seventh session a report on the status of the additional Protocols based on information received from Member States;

6. Decides to include in the provisional agenda of its forty-seventh session the item entitled "Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts".

General Assembly resolution 45/38

28 November 1990 Meeting 48 Adopted without vote

Approved by Sixth Committee (A/45/731) without vote, 19 November (meeting 44); 13-nation draft (A/C.6/45/L.17); agenda item 136.

Meeting numbers. GA 45th session: 6th Committee 8, 9, 44; plenary 48.

Chemical weapons and the right to life

In a May report with later addenda [E/CN.4/Sub.2/1990/37 & Add.1-3], the Secretary-General provided replies received from Governments, UN bodies and NGOs in response to his request for information on the use of chemical weapons and on the danger they represented to life, physical security and other human rights.

Human rights of the individual and international law

Special Rapporteur Erica-Irene A. Daes (Greece) had submitted to the Sub-Commission in 1989 her updated study on the status of the individual and contemporary international law [YUN 1989, p. 575].

On 7 March 1990 [E/1990/22 [res. 1990/69]], the Commission on Human Rights recommended a draft text for adoption by the Economic and Social Council.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 25 May, the Economic and Social Council adopted resolution 1990/42.

Status of the individual and contemporary international law

The Economic and Social Council,

Taking into account resolution 1989/46 of 1 September 1989 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities and Commission on Human Rights resolution 1990/69 of 7 March 1990,

1. Expresses its gratitude and deep appreciation to the Special Rapporteur, Ms. Erica-Irene A. Daes, for her valuable and important study on the status of the individual and contemporary international law;

2. Decides that the study should be published and widely disseminated.

Economic and Social Council resolution 1990/42

25 May 1990 Meeting 14 Adopted without vote

Approved by Second Committee (E/1990/70) without vote, 18 May (meeting 17); draft by Commission on Human Rights (E/1990/22); agenda item 3.

Human rights and disability

On 29 August [E/CN.4/1991/2 (dec. 1990/113)], the Sub-Commission decided to suspend debate on the item dealing with human rights and disability and to include it on its 1991 agenda as a matter of the highest priority.

Chapter XI

Health, food and nutrition

The United Nations in 1990 continued to respond to the international dimensions of issues related to health, food and nutrition, especially those concerning disabled persons, acquired immunodeficiency syndrome (AIDS), poverty and famine.

Activities continued in support of the United Nations Decade of Disabled Persons (1983-1992). In May, the Economic and Social Council authorized the Commission for Social Development to elaborate standard rules on the equalization of opportunities for disabled children, youth and adults. In October, the Secretary-General submitted recommendations on alternative ways to mark the end of the Decade, including the convening of a ministerial conference.

The World Health Organization estimated that the number of AIDS cases world-wide had risen to more than 600,000 and, by the year 2000, the number of adult cases was expected to reach 5 to 6 million. The United Nations Development Programme decided to initiate a study on the social and economic impact of the AIDS pandemic. The General Assembly requested the Secretary-General, in view of the implications of AIDS for development, to mobilize the cumulative experience of the UN system in the planning of multi-sectoral projects and in raising funds for countries requesting assistance.

The World Food Council (WFC) in 1990 expressed concern about the deterioration of the food situation in large parts of Africa and in other developing regions. It also noted the negative trend in environmental degradation, which, if left unchecked, could jeopardize the food security of future generations. It emphasized the importance of integrating food-security and poverty-alleviation objectives into economic adjustment programmes. The Assembly recognized the need for improved governance arrangements for WFC, and welcomed the decision of the Committee on Food Aid Policies and Programmes to establish a sub-committee on the governance and relationship between the United Nations, the Food and Agriculture Organization of the United Nations and WFC.

Inter-agency preparations continued, under the auspices of the Administrative Committee on Co-ordination, for the International Conference on Nutrition, to be held in 1992.

Health

United Nations Decade
of Disabled Persons

Programme of Action

In response to General Assembly resolution 43/98 [YUN 1988, p. 591], the Secretary-General submitted in October a feasibility study [A/45/470] on alternative ways to mark the end of the United Nations Decade of Disabled Persons (1983-1992). The study was based on recommendations of an expert group meeting (Järvenpää, Finland, 7-11 May) [A/C.3/45/7]—which the Secretary-General, with the support of Finland, had convened to advise him and on the views of Member States and bodies of the UN system. It contained a detailed agenda for action (1990-1993) at the national, regional and international levels and presented a preliminary outline of a long-term strategy to the year 2000 and beyond.

The study stated that the Decade had resulted in many significant initiatives to raise global awareness and improve the quality of life for people with disabilities. However, increased efforts were needed to turn awareness into action to arrive at positive changes enabling equal opportunities and full integration of disabled persons in society. Since equalization of opportunities was a major objective of social welfare policies, it was recommended that priority should be given to disability issues, which had to be reconsidered within the broader overall context of the social dimension of development. To achieve the objectives of the 1982 World Programme of Action concerning Disabled Persons [YUN 1982, p. 980], additional and adequate resources should be made available at all levels to initiate concrete action of direct benefit to people with disabilities. Each Member State should undertake a national evaluation to review the effectiveness of plans, policies, programmes and legislation for disabled persons and to suggest innovative measures for future action. A major role should be played by national co-ordinating mechanisms, which needed urgent revitalization. Member States were encouraged to support the international

awareness and fund-raising campaign known as the "Global Project" to promote the Decade, and to prepare national agendas for action during 1990-1993. Regional and international agendas should be prepared by regional commissions and specialized agencies respectively. A number of continuing concerns were identified for consideration in a comprehensive social development approach. They included: full integration of the needs, rights and concerns of disabled persons into planning and decision-making at all levels; comprehensive national legislation supported by efforts to prepare an international legal instrument on the equalization of opportunities for disabled persons; promotion of the world-wide concept of independent living of people with disabilities; full accessibility of disabled persons to buildings, meetings and information; and implementation of measures to improve the situation of disabled persons in multilateral and bilateral development co-operation programmes. As a major activity to mark the end of the Decade, it was suggested that the Assembly consider convening a ministerial-level world conference in 1993 to adopt a long-term strategy with the theme "A society for all by the year 2010".

The Philippines transmitted [A/C.3/46/4] to the Secretary-General two sets of guidelines: one concerned the establishment and development of national co-ordinating committees on disability and was developed at the International Meeting on the Roles and Functions of National Co-ordinating Committees on Disability in Developing Countries (Beijing, 5-11 November); and the other dealt with the development of organizations of disabled persons and was drafted by a consultant based on information received for organizations around the world in response to a questionnaire.

Inter-agency action. The eighth inter-agency meeting on the United Nations Decade of Disabled Persons (Vienna, 5-7 December) [ACC/1990/PG/14] recommended, *inter alia*, that: the United Nations Office at Vienna/Centre for Social Development and Humanitarian Affairs (CSDHA) should prepare practical guidelines to enable participating agencies to contribute to a long-term strategy to the year 2000 and beyond: a society for all; other UN agencies should link their activities with the major global and regional events planned for 1991 and 1992 to mark the end of the Decade; CSDHA should be designated to follow up on co-ordination and promotion of rehabilitation technology, and UNDP and other donor agencies should support and facilitate the production of appropriate technology; CSDHA should establish a clearing-house and data base

for information on disability and convene a working group to formulate concrete proposals on the subject; the UN system should develop an affirmative action employment programme of benefit to persons with disabilities; the United Nations Children's Fund (UNICEF) should develop a manual for families on ways to deal with children experiencing psychological trauma as a result of war and civil unrest; and agencies such as the World Bank and the International Monetary Fund should be requested to integrate disability concerns into their development policies and plans.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 24 May, the Economic and Social Council adopted resolution 1990/26.

Equalization of opportunities for disabled persons

The Economic and Social Council,

Recalling the United Nations instruments and declarations, as well as other international instruments, that protect the rights of all persons,

Recalling, in particular, the Declaration on the Rights of Disabled Persons, adopted by the General Assembly at its thirtieth session,

Noting that in the World Programme of Action concerning Disabled Persons, adopted by the General Assembly at its thirty-seventh session, the equalization of opportunities for disabled persons was defined as the process through which the general system of society, such as the physical and cultural environment, housing and transportation, social and health services, educational and work opportunities, cultural and social life, including sports and recreational facilities, is made accessible to all,

Mindful that the objective of the United Nations Decade of Disabled Persons, proclaimed by the General Assembly at its thirty-seventh session, was conceived as the beginning of the effective implementation of the World Programme of Action concerning Disabled Persons,

Recalling that the Global Meeting of Experts, convened by the United Nations and the Government of Sweden at Stockholm in 1987, the mid-point of the Decade, reviewed progress made towards the implementation of the World Programme of Action concerning Disabled Persons,

Aware that the Global Meeting of Experts identified a number of serious shortcomings with regard to the implementation of the World Programme of Action.

Concerned that, with the approach of the end of the United Nations Decade of Disabled Persons, in 1992, important social, economic, political, cultural and other barriers still exist, which prevent disabled children, youth and adults from participating fully in all aspects of life,

Taking into consideration the fact that the Tallinn Guidelines for Action on Human Resources Development in the Field of Disability, annexed to General Assembly resolution 44/70 of 8 December 1989, further elaborated the goals of the World Programme of Action,

Noting that questions concerning the equalization of opportunities for disabled persons were considered at the Meeting of Experts on Alternative Ways to Mark the End of the United Nations Decade of Disabled Persons, held at Järvenpää, Finland, from 7 to 11 May 1990, which was organized jointly by the United Nations and the Government of Finland,

Recalling Commission for Social Development resolution 31/3 on the improvement of the work of the Commission,

Convinced that further measures are necessary to ensure the full integration of disabled persons in society,

1. Authorizes the Commission for Social Development to consider, at its thirty-second session, the establishment of an ad hoc open-ended working group of government experts, funded by voluntary contributions, to elaborate standard rules on the equalization of opportunities for disabled children, youth and adults, in close collaboration with the specialized agencies, other intergovernmental bodies and non-governmental organizations, especially organizations of disabled persons;

2. Requests the Commission for Social Development, should it establish such a working group, to finalize the text of those rules for consideration by the Council at its first regular session of 1993 and for submission to the General Assembly at its forty-eighth session.

Economic and Social Council resolution 1990/26

24 May 1990 Meeting 13 Adopted without vote

Approved by Second Committee (E/1990/69) without vote, 16 May (meeting 131; 49-nation draft (E/1990/C.2/L.5), orally revised; agenda item 5.

GENERAL ASSEMBLY ACTION

The General Assembly, on 14 December, adopted resolution 45/91.

Implementation of the World Programme of Action concerning Disabled Persons and the United Nations Decade of Disabled Persons
The General Assembly.

Recalling all its relevant resolutions, including resolution 37/52 of 3 December 1982, by which it adopted the World Programme of Action concerning Disabled Persons, and resolution 37/53 of 3 December 1982, in which, *inter alia*, it proclaimed the period 1983-1992 the United Nations Decade of Disabled Persons as a long-term plan of action,

Recalling also its resolution 43/98 of 8 December 1988, in which it urged Member States, intergovernmental and non-governmental organizations concerned to translate into action at all levels, as appropriate, the priorities for global activities and programmes during the second half of the Decade, such as those set forth in the annex to the resolution,

Recalling further the request to the Secretary-General made in its resolution 43/98 to conduct a feasibility study on the substantive, financial and administrative implications of alternative ways to mark the end of the Decade in 1992, which would include a review of the global progress achieved and obstacles encountered during the Decade and which would provide a mechanism for preparing the actions needed until the year 2000 and beyond,

Recalling Economic and Social Council resolution 1989/52 of 24 May 1989, in particular paragraph 9, in which the Council invited the Secretary-General, in connection with the preparation of the feasibility study, to convene an expert meeting in 1990 to advise on the best possible ways of marking the end of the Decade,

Having considered with interest and appreciation the report of the Secretary-General on the feasibility study on alternative ways to mark the end of the Decade, which was based on the outcome of a meeting of experts held at Järvenpää, Finland, from 7 to 11 May 1990, at the generous invitation and with the financial support of the Government of Finland,

Taking note of the suggestion contained in the report of the Secretary-General to consider the proposal for a ministerial-level world conference to mark the end of the Decade,

Bearing in mind Economic and Social Council resolution 1990/26 of 24 May 1990 on the equalization of opportunities for disabled persons, in which the Council authorized the Commission for Social Development to consider, at its thirty-second session, the establishment of an ad hoc open-ended working group of government experts, funded by voluntary contributions, to elaborate standard rules on the equalization of opportunities for disabled children, youth and adults.

Noting with satisfaction that the 1980s, during which the International Year of Disabled Persons and the Decade were observed, were a period of world-wide sensitization and awareness-raising efforts with respect to the rights and needs of disabled persons,

Convinced of the need to transform this awareness into action,

Noting with concern the deteriorating economic and social situation of some developing countries, which adversely affects vulnerable groups, including disabled persons,

Aware of the need for new and concerted efforts, more vigorous and broader action, and measures at all levels to fulfil the objectives of the Decade,

Expressing its appreciation for the efforts of a number of Member States during the Decade to improve the conditions and well-being of disabled persons and the willingness of those States to involve disabled persons and their organizations in all matters of concern to them,

Aware of the problem arising in some countries in relation to the translation of the terms "impairment", "disability", "handicap" and "disabled person" used in the World Programme of Action,

Noting with gratitude the generous support to the Voluntary Fund for the United Nations Decade of Disabled Persons provided by some Governments through voluntary contributions,

Aware of the important role national committees are playing in furthering the implementation of the World Programme of Action,

Encouraged by the emergence of organizations of disabled persons in some parts of the world and their positive influence on the image and condition of persons with disabilities,

Recognizing the World Congress of Rehabilitation International, the World Congress of Disabled Peoples' International, the General Assembly of the World Blind Union, Independence '92 and other such impor-

tant events to be held in 1992 as important activities helping to mark the end of the Decade,

Noting the important contribution being made by other non-governmental organizations in improving the status of persons with disabilities,

Desirous of encouraging the continued and practical implementation of the World Programme of Action beyond the Decade,

1. Stresses the need to achieve the objectives set out in the agenda for action until the end of the United Nations Decade of Disabled Persons and beyond and the preliminary outline of a long-term strategy to the year 2000 and beyond: a society for all, as contained in the report of the Secretary-General on the feasibility study on alternative ways to mark the end of the Decade;

2. Invites Member States, specialized agencies and other organizations and bodies of the United Nations system, intergovernmental and non-governmental organizations to implement the agenda for action and the preliminary outline and to use them as guidelines and stimuli in preparing:

(a) National, regional and international agendas for action aimed at mounting well-focused activities at all levels to benefit people with disabilities in ways that are in conformity with the culture, customs, traditions, level of socio-economic development and resource constraints of each country;

(b) Long-term strategic plans with precise targets to be reached in the field of prevention, rehabilitation and equality of opportunities by the year 2000;

3. Affirms that, in implementing the agenda for action, special attention should be given to the disabled in developing countries;

4. Requests the Secretary-General to shift the focus of the United Nations programme on disability from awareness-raising to action, with the aim of achieving a society for all by the year 2010 and of responding more appropriately to the many requests for assistance and advisory services;

5. Stresses the need for priority to be given, within existing resources, to action-oriented programmes that will renew international consensus on and elicit a sustained political commitment by Member States to the implementation of the World Programme of Action beyond the Decade and will ensure the continued improvement of the situation of disabled persons;

6. Requests the Secretary-General to assist Member States in establishing and strengthening national committees on disability issues and similar co-ordinating bodies and to promote and support the establishment of effective national organizations of disabled persons, including umbrella organizations;

7. Also requests the Secretary-General to review the translation into the official languages of the United Nations of the terms "impairment", "disability", "handicap" and "disabled person" used in the World Programme of Action;

8. Emphasizes the need to identify specific measures to strengthen the Disabled Persons Unit of the Centre for Social Development and Humanitarian Affairs of the Secretariat, within existing resources, in order to enable it to implement the objectives of the Decade;

9. Welcomes the support already provided by some Governments to the Voluntary Fund for the United Nations Decade of Disabled Persons and appeals for fur-

ther voluntary contributions in order to strengthen the Disabled Persons Unit and to enable it to perform its focal-point functions;

10. Reaffirms that the resources of the Voluntary 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 Decade, with priority given, as appropriate, to programmes and projects of the least developed countries;

11. Invites Governments and non-governmental organizations to continue their contributions to the Voluntary Fund, and calls upon Governments and non-governmental organizations that have not yet done so to consider contributing to the Voluntary Fund so as to enable it to respond effectively to the growing demand for assistance;

12. Also invites Member States to submit updated national reports to the Secretary-General on the implementation of the agenda for action;

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

14. Decides to include in the provisional agenda of its forty-sixth session the item entitled "Implementation of the World Programme of Action concerning Disabled Persons and the United Nations Decade of Disabled Persons".

General Assembly resolution 45/91

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/45/748) without vote, 9 November (meeting 37); 45-nation draft (A/C.3/45/L.17); agenda item 92.

Meeting numbers. GA 45th session: 3rd Committee 11-17, 25, 37; plenary 68.

UN trust fund

At the 1990 United Nations Pledging Conference for Development Activities (New York, 1-2 November), a total of \$112,595 was pledged or paid for 1991 to the Voluntary Fund for the United Nations Decade of Disabled Persons [A/CONF.154/2].

Prevention and control of AIDS

UNDP consideration. The Administrator of the United Nations Development Programme (UNDP) submitted a report [DP/1990/31] to the special session of the Governing Council in February on UNDP's role in combating the human immunodeficiency virus (HIV) and AIDS. He stated that in response to the global epidemic, UNDP had provided assistance at the country and inter-country levels, as well as direct support to the World Health Organization (WHO) global strategy for the prevention and control of AIDS (see below). Under the WHO/UNDP Alliance to Combat AIDS, established in 1988 [YUN 1988, p. 588], multisectoral national AIDS committees had been set up in almost all countries, sometimes with UNDP assistance. UNDP field offices had participated in monitoring and evaluating short- and

medium-term plans and in round-table meetings at the country level to mobilize resources and ensure donor co-ordination. In an increasing number of countries, country programmes included HIV/AIDS components either as self-standing UNDP projects or as part of ongoing UNDP health or education programmes, while in other countries there were ongoing or planned country indicative planning figure (IPF) inputs to short- and medium-term plans for national HIV/AIDS control. Even in those countries where UNDP national IPF resources had not been committed, UNDP offices had, in several instances, worked closely with WHO in providing logistical and other support in the preparation of short- and medium-term plans. During the period 1987-1989, UNDP had committed more than \$10.8 million, either through the WHO Trust Fund or directly to 28 countries in Africa, Asia and the Caribbean. For those and another 10 countries, UNDP had already earmarked or committed some \$5.3 million in national IPFs for projects or project components dealing with HIV/AIDS.

Among UNDP's planned activities were: to further sensitize Governments and Resident Representatives to the developmental implications of HIV/AIDS; to undertake a training programme in collaboration with WHO to ensure that UNDP staff were fully aware of those implications, including economic, sociological, cultural and humanitarian factors, as well as areas where UNDP could most effectively assist Governments; to encourage projects under the United Nations Capital Development Fund and make use of United Nations Volunteers; to collaborate in preparing a booklet on HIV/AIDS for distribution to UN employees and their families; and to commission an anthology of contributions of individuals from developing countries about the epidemic, so as to bring about a greater understanding of the economic, social and cultural implications of HIV/AIDS.

In a 23 February decision [E/1990/29 (dec. 90/9)], the UNDP Governing Council called on UNDP, within the framework of national AIDS plans, to exercise fully its role at the country level, including assisting Governments to respond effectively to the problems of HIV and AIDS. The Council decided to consider at its thirty-seventh (1990) session the undertaking by UNDP of a study on the socio-economic impact of the AIDS pandemic to enable countries to address and deal with the problem. It called on UNDP, in the context of the WHO/UNDP Alliance, to strengthen its capacity to ensure that Governments could effectively implement their national AIDS plans. The Administrator was requested to promote and support the

full utilization of community-based organizations in programme development and delivery.

Updating his report in June [DP/1990/91], the Administrator stated that some \$20 million in national IPFs had so far been committed or planned for HIV/AIDS prevention and control. UNDP field offices were responding to requests from Governments for assistance. For example, assistance was being provided through the fourth country programme for Thailand to minimize transmission through sexual behaviour and drug use, to secure the blood and the blood product supply and to involve non-governmental organizations (NGOs) in prevention and support activities. In the Gambia, UNDP assisted district-level HIV/AIDS groups, and in Sierra Leone, it was working with NGOs operating HIV-testing centres.

The Administrator said that the initial stage of the implementation of the WHO/UNDP Alliance had been completed. UNDP's priorities for the next stage would be to increase understanding of the development implications of the epidemic and to strengthen its capacity to assist Governments effectively. Concerning the projected study of the socio-economic impact of the AIDS pandemic, the Administrator proposed that a preparatory phase be undertaken immediately to review existing research studies and methodologies, determine the approach to be adopted for programming implementation, identify potential collaborating institutions and explore funding modalities. The estimated cost of that phase was \$150,000. It was anticipated that a longer-term programme of assistance would be initiated requiring increased funding. UNDP, WHO, the World Bank and other donors would be invited to share the cost of the programme.

In a June decision [E/1990/29 (dec. 90/25)], the Governing Council took note of the Administrator's proposal to initiate a preparatory phase to determine the best means of conducting social and economic impact studies, and urged close collaboration with bilateral and UN agencies. It requested him, in strengthening the capacity of UNDP to respond to the development dimensions of the HIV pandemic, to pay particular attention to prevention, care and support programmes for women, and to report, in the framework of the 1992-1993 budget, on the budgetary proposals for strengthening UNDP's institutional capacity in the area and on the HIV-related programme proposals for the fifth programming cycle (1992-1996).

In a later report [DP/1991/15], the Administrator said that UNDP was consulting with a wide range of partners, including WHO, UNICEF, the United Nations Population Fund, the United Nations

Department of International Economic and Social Affairs, other UN organs and agencies, Governments, financial institutions, NGOs and experts to determine how best to support countries in policy formulation and programme development and delivery linked to the socio-economic impact of HIV/AIDS. The UNDP's Regional Bureau for Africa had set in motion an action programme which included consultation with African Ministers of Planning on the magnitude of the problem. An inter-country programme of the Regional Bureau for Asia and the Pacific had been approved, which would facilitate the organization of country and inter-country workshops leading to a region-wide seminar addressing the socio-economic aspects of the pandemic. An interregional programme to strengthen the capacity of UNDP and Governments to respond to the development implications of the pandemic, co-financed by the Netherlands and Norway, was approved in August. Work had started on the preparation of an HIV/AIDS policies and programming handbook, and UNDP had also initiated studies on issues affecting prevention, care and treatment programmes for women. Preparatory work had begun to establish a data base at UNDP headquarters on studies related to the socio-economic impact of the pandemic.

Global strategy for AIDS

The Secretary-General, in response to resolutions adopted in 1989 by the General Assembly [YUN 1989, p. 579] and the Economic and Social Council [YUN 1989, p. 579], transmitted the report of the WHO Director-General on a global strategy for the prevention and control of AIDS [A/45/256-E/1990/58].

As at 1 April 1990, said the Director-General, the number of officially reported AIDS cases world-wide was 237, 110. However, WHO estimated the actual number of cases to be over 600,000. In four years, the cases reported to WHO had grown 1&fold, with the number of countries reporting cases increasing by more than 100. WHO estimated that, since the beginning of the epidemic, more than 300,000 cases had occurred in Africa. More than 124,282 cases had been reported by the United States, or 80 per cent of all cases in the Americas region. In Europe the greatest numbers of cases were reported by France (8,883), followed by Italy, the Federal Republic of Germany, Spain and the United Kingdom, and in Asia and the Pacific, 51 countries reported 2,565 cases, or the remaining 1 per cent of the world cumulative total.

WHO projections suggested that by the year 2000 the estimated number of adult AIDS cases might reach 5 to 6 million. Many of those pro-

jected cases were considered to be preventable by global and regional HIV/AIDS prevention and control efforts carried out in conjunction with national programmes.

By the end of January 1990, progress accomplished in establishing national AIDS programmes was notable: every country in the world had created a national response to HIV/AIDS; of the 159 countries collaborating with WHO; 123 had short-term plans and 95 had formulated a medium-term plan; and the quality of planning had improved substantially.

Technical support had been provided in designing, implementing and monitoring the national plans and support was also provided in such areas as health promotion, epidemiological surveillance, clinical management of HIV infection and AIDS, counselling, and laboratory and blood transfusion services. Operational support to national AIDS programmes included personnel, training, equipment and supplies, and financial resources. However, implementation of national AIDS programmes had been constrained by limitations on human and institutional resources and by the complexities involved in AIDS prevention and control. A major effort in manpower planning and development had been made to support national programmes in evaluating staff needs, defining training needs and helping to undertake such training. More than 400 health educators had participated in training workshops, more than 300 laboratory technicians were trained in HIV diagnosis and almost 1,000 in counselling HIV-infected persons and families. WHO also played a critical role in generating resources internationally and in co-ordinating their allocation to countries. Resource mobilization meetings organized by the Global Programme on AIDS for 65 countries during the period May 1987 to January 1990 yielded over \$160 million.

Information on AIDS developed by the Global Programme included guidelines, published in the WHO AIDS series, dealing with sterilization and disinfection methods, monitoring of national AIDS prevention and control programmes, planning health promotion for AIDS prevention and control, prevention of sexual transmission of HIV, and AIDS and first aid in the workplace.

In a later report [A/46/171-E/1991/61], the WHO Director-General stated that the Global Commission on AIDS-a group of eminent experts established to give guidance to the WHO Director-General-held its third meeting in 1990 (Geneva, March). The Commission adopted recommendations on a variety of topics, including drug use and HIV transmission and blood safety, and identified 10 issues, including research, complacency,

women and AIDS, and the economic and social implications of HIV/AIDS, for priority attention in the early 1990s and defined the context in which they should be viewed. Since heterosexual transmission of HIV was becoming the predominant mode of transmission in most countries of the world, HIV infections among women of child-bearing age were rising steeply with a corresponding increase in the number of HIV-infected infants. In response to a May 1990 resolution of the World Health Assembly calling for the strengthening of AIDS prevention and control in respect of women and children, WHO was aiming activities at preventing HIV transmission to and from women (including perinatal transmission); lessening the impact of the pandemic on women and educators, counsellors and care givers; and ensuring the full participation of women in control programmes. In order to give special impetus to those activities, the WHO Director-General decided to devote World AIDS Day 1990 (1 December) to the theme of women and AIDS.

Concerning the avoidance of discrimination in relation to HIV-infected people and those with AIDS, four regional consultations on ethical, legal and human rights aspects of HIV/AIDS were held in the Congo (March), in the Republic of Korea (July) and in Chile and India (October).

UNICEF action. At its 1990 session (New York, 16-27 April), the UNICEF Executive Board adopted a decision [E/1990/28 (dec. 1990/18)] in which it urged the Executive Director to mobilize further the UNICEF field offices to make their full contribution to the efforts of the UN system, notably the UNDP/WHO alliance, to combat the spread of AIDS within the framework of national AIDS control programmes, and report in 1991 on UNICEF's efforts to combat and alleviate the effects of AIDS.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 27 July, the Economic and Social Council adopted resolution 1990/86.

Prevention and control of acquired immunodeficiency syndrome (AIDS)

The Economic and Social Council,

Recalling its resolution 1989/108 of 27 July 1989, General Assembly resolution 44/223 of 22 December 1989, relevant resolutions of the World Health Assembly, as well as relevant resolutions of other organizations of the United Nations system, the London Declaration on AIDS Prevention and the deliberations of the Sixth International Conference on AIDS, held at San Francisco, United States of America, in June 1990,

Recalling also the Paris Declaration on Women, Children and the Acquired Immunodeficiency Syndrome (AIDS), World Health Assembly resolution WHA 43.10 of 16 May 1990 on women, children and AIDS,

Acknowledging the established leadership of the World Health Organization in directing and co-ordinating AIDS prevention, control, education and research,

Noting with appreciation the efforts of other organizations of the United Nations system, as well as Governments, intergovernmental and non-governmental organizations and the public and private sectors, in combating the spread of AIDS,

Stressing the need to take full advantage of the World Health Organization/United Nations Development Programme Alliance to Combat AIDS and to strengthen its role in facilitating the implementation at the country level of the global strategy for the prevention and control of AIDS,

Aware that AIDS can have serious social and economic consequences, particularly in countries with a high incidence of infection from the human immunodeficiency virus (HIV) and limited public health services and other development resources,

Reaffirming that the struggle against AIDS should be consistent with and divert neither attention nor resources from other national public health priorities and development goals and should not divert international efforts and resources needed for overall health priorities,

Aware that about one of every four hundred adults in the world today is infected with the human immunodeficiency virus, of which three million are females, and that as heterosexual transmission of HIV infection increases, the percentage of women infected will rise to equal that of men,

Considering the extensive health, economic and psychological implications of HIV infection and AIDS for women, children and families,

Emphasizing that the prevention and control of HIV infection and AIDS for women and children call for the strengthening and improvement of the primary health care system and for educational and other psychological, social and economic support programmes for women, children and families,

Recalling the resolutions of the General Assembly, the Economic and Social Council and the World Health Assembly concerning the need to respect the human rights and dignity of all people, including those affected by the human immunodeficiency virus, their families and those with whom they live,

1. Takes note of the report of the Director-General of the World Health Organization on the global strategy for the prevention and control of AIDS;

2. Requests the Secretary-General, in view of the adverse impact of HIV infection and AIDS on the health and economic and social well-being of women, children and families, to intensify his efforts, in close collaboration with the Director-General of the World Health Organization and all other relevant organizations of the United Nations system, in particular the United Nations Development Programme, the United Nations Children's Fund and the United Nations Population Fund, to mobilize technical and other relevant resources to deal with this aspect of the problem;

3. Calls upon organizations of the United Nations system, Governments and intergovernmental and non-governmental organizations to co-ordinate their efforts with the World Health Organization in imple-

menting the global strategy for the prevention and control of AIDS;

4. Invites the General Assembly to consider the report of the Director-General of the World Health Organization and the response of the United Nations system to the AIDS pandemic and to take an appropriate decision on further action, taking the present resolution into account.

Economic and Social Council resolution 1990/86
27 July 1990 Meeting 37 Adopted without vote
Approved by Third Committee (E/1990/116) without vote, 20 July (meeting 15); 32-nation draft (E/1990/C.3/L.11); agenda item 10.

GENERAL ASSEMBLY ACTION

The General Assembly, on 21 December, adopted resolution 45/187.

Prevention and control of acquired immunodeficiency syndrome (AIDS)

The General Assembly,

Recalling its resolution 44/233 of 22 December 1989, and taking note of Economic and Social Council resolution 1990/86 of 27 July 1990, World Health Assembly resolution WHA 43.10 of 16 May 1990 on women, children and AIDS, as well as other relevant resolutions adopted by the organizations of the United Nations system,

Taking note of the Paris Declaration on Women, Children and the Acquired Immunodeficiency Syndrome (AIDS), adopted on 30 November 1989, the discussions of the Sixth⁷ International Conference on AIDS, held at San Francisco, United States of America, from 20 to 24 June 1990, the Fifth International Conference on AIDS and Associated Cancer, held at Kinshasa from 10 to 12 October 1990, and the Declaration on the Survival, Protection and World Development of Children, adopted by the World Summit for Children on 30 September 1990,

Noting with appreciation the established leadership and co-ordinating role of the World Health Organization, and the efforts of other organizations of the United Nations system, Governments, intergovernmental and non-governmental organizations and the public and private sectors, in combating the spread of AIDS,

Stressing the need to take full advantage of the World Health Organization/United Nations Development Programme Alliance to Combat AIDS and to strengthen its role in facilitating implementation at the country level of the global strategy for the prevention and control of AIDS,

Acknowledging that AIDS can have severe social and economic consequences, particularly in countries with a high incidence of infection from the human immunodeficiency virus (HIV), overburdened public health services and limited financial, developmental and skilled labour resources,

Concerned that AIDS has become a major cause of death for women aged 20 to 40 in major cities in the Americas, Western Europe and sub-Saharan Africa, that over 3 million women of child-bearing age have been infected with HIV, that the World Health Organization estimates that during the 1990s a cumulative figure of over 25 to 30 million people are expected to be infected with AIDS, that over 10 million infants and children will become infected with HIV, the vast major-

ity of whom will have died by the year 2000, and that 10 million uninfected children under the age of 10 years will be orphaned during the 1990s as a consequence of AIDS,

Emphasizing the crucial role that other sexually transmitted diseases can play in facilitating the transmission of HIV infection,

Considering that the behaviour and life-style practices that place individuals at risk of HIV infection are likely to be established in adolescence or young adulthood and that the relatively slow progression from HIV infection to AIDS suggests that many HIV-infected individuals over 25 years of age acquired the infection in adolescence or young adulthood,

Stressing, therefore, the importance of information, education and other support targeted to young people to encourage behavioural change and to enable them to remain uninfected,

Emphasizing the crucial importance of a supportive socio-economic environment to ensure the effective implementation of national AIDS prevention programmes and the humane care of affected persons,

Reiterating the need to respect the human rights and dignity of all people, including those affected by HIV, their families and those with whom they live,

Noting that scientific research is making progress in the development of improved diagnostic, therapeutic and preventive technologies and pharmaceuticals, and stressing the importance of making these technologies and pharmaceuticals available as soon as possible and at an affordable cost,

1. Takes note with appreciation of the report of the Director-General of the World Health Organization on the global strategy for the prevention and control of AIDS;

2. Requests the Secretary-General, in view of the serious implications of the AIDS pandemic for development in general in many developing countries, to intensify his efforts, in collaboration with the Director-General of the World Health Organization, the Administrator of the United Nations Development Programme, the heads of the World Bank, the United Nations Population Fund and the United Nations Children's Fund and all other relevant organizations of the United Nations system, to mobilize the cumulative experience of the United Nations system in the strategic planning of multi-sectoral projects and the raising of funds in support of those countries requesting assistance;

3. Urges Member States to increase their efforts to combat AIDS and to encourage national and international efforts to prevent the further spread of AIDS;

4. Culls upon governmental, intergovernmental and non-governmental organizations and the public and private sectors to continue to pay particular attention to the needs of women, young people and children and to co-ordinate their efforts with those of the World Health Organization for the implementation of the global strategy for the prevention and control of AIDS;

5. Requests the Secretary-General to invite the Director-General of the World Health Organization, in close collaboration with the other organizations of the United Nations system and without prejudice to ongoing priorities and programmes, to continue to advance the global strategy, for the prevention and control of AIDS and, specifically:

(a) To emphasize the need to strengthen the primary health care system together with educational, psychological, social and economic support programmes for women, youth and children;

(b) To promote the vital role that women and young people can play in national AIDS programmes for the further prevention and control of the disease;

(c) To encourage the development of services that can meet the particular needs of young people and women for counselling on relationships and on means to reduce the risk of AIDS, sexually transmitted diseases and risks associated with intravenous drug use;

(d) To support the efforts of countries to create or enhance programmes that promote the prevention and treatment of sexually transmitted diseases;

(e) To encourage countries to develop plans to meet the economic and social needs of uninfected children with HIV-infected parents or orphaned by AIDS and of elderly people left without providers and often responsible for orphaned grandchildren;

(f) To mobilize the necessary resources, both human and financial, in the health sector and other sectors, to develop and implement activities and technologies for the prevention of HIV infection/AIDS and for the care of those suffering from the disease;

(g) To ensure that the particular experience of women and children is used in the search for preventive, curative and palliative therapies so that their special needs can be better met;

6. Also requests the Secretary-General to intensify, through the information capacity of the United Nations system, public information activities with respect to HIV and AIDS;

7. Further requests the Secretary-General to invite the Director-General of the World Health Organization to report to the General Assembly at its forty-sixth session, through the Economic and Social Council, on the implementation of the present resolution.

General Assembly resolution 45/187

21 December 1990 Meeting 71 Adopted without vote

Approved by Second Committee (A/45/848) without vote, 28 November (meeting 49); draft by Chairman (A/C.2/45/L.51), based on informal consultations on 43-nation draft (A/C.2/45/L.25); agenda item 12.

Meeting numbers. GA 45th session: 2nd Committee 13-16, 22, 49; plenary 71.

Food

World food situation

World food production rose by 1.8 per cent in 1990, following a strong recovery in 1989 from the setback of the previous two years, said the Food and Agriculture Organization of the United Nations (FAO) in a report to the World Food Council (WFC) on the world food situation in 1990 [WFC/1991/8]. Food production in developing countries rose by 2.3 per cent during the year, but that was below the average growth rate of the 1980s. Of 112 developing countries, 67 failed to increase per capita food production. A large

number of African countries were experiencing acute food shortages, with particularly critical situations being faced by Ethiopia and the Sudan.

Production of staple foods recovered further in 1990 but, in per capita terms, output levels remained below the average of 1980-1985. Per capita staple food produced in Africa declined in both 1989 and 1990 and in Latin America and the Caribbean it fell in 1990 for the third consecutive year. World cereal production was estimated to have increased by 8 million tons over 1989 and world cereal stocks were forecast to increase to 325 million tons by the end of the 1992 crop year. That would be close to the level that FAO considered necessary to safeguard world food security.

WFC action

The 36-member WFC, the highest international body dealing with food problems, held its sixteenth ministerial session in Bangkok, Thailand, from 21 to 24 May [A/45/19].

The Council expressed particular concern about the sharp deterioration of the food situation in large parts of Africa and in other developing countries. It noted that the number of hungry people had increased to some 550 million during the 1980s; although the largest increases occurred in sub-Saharan Africa, the majority of undernourished people were still to be found in Asia.

With regard to co-operative action that could be taken by all countries in the 1990s, the Council stated that trends of environmental deterioration, if allowed to continue unchecked, would jeopardize the food security of future generations. The global-warming problem, desertification and deforestation could only be solved by the determined, joint efforts of all the countries of the world. The Council urged individual countries to take effective measures to prevent soil and environmental degradation, deforestation and desertification. Council members underlined the importance of incorporating agriculture effectively into international trade rules and disciplines in the context of the Uruguay Round of multilateral trade negotiations (see PART THREE, Chapter IV). The WFC secretariat was asked to report to the Council in 1991 on the outcome of the Uruguay Round in relation to its food security implications.

In reference to action to be taken by developing countries, the Council recalled that in its 1989 Cairo Declaration [YUN 1989, p. 588], WFC members had agreed to four broad hunger-alleviation goals for the 1990s: the elimination of starvation and death caused by famine; a substantial reduction of malnutrition and mortality among children; a reduction in chronic hunger; and the

elimination of major nutritional-deficiency diseases. Noting that most countries had yet to set specific targets in those areas, the Council called on them to do so urgently. The Council emphasized the importance of integrating food-security and poverty-alleviation objectives into economic adjustment programmes to ensure that food-security levels of low-income groups were protected and that adjustment led to long-term, sustainable reductions of hunger and malnutrition.

As to action to be taken by developed countries, the Council called on those countries to implement the undertakings made to attain the international target of devoting 0.7 per cent of their gross national product to official development assistance. It urged that co-operation be extended to the peoples of Eastern Europe, where radical economic reforms were being carried out, but not at the expense of developing countries.

In other follow-up to the Cairo Declaration, the Council requested the WFC Executive Director to consult with concerned institutions on the development of guidelines for more effective measures to ensure the safe passage of emergency food aid and recommended that the Secretary-General seek the support of the General Assembly in 1990 for drawing up an international draft agreement.

During the year, WFC organized regional consultations for Africa and Western Asia (Cairo, Egypt, 22-23 January) [WFC/1990/3/Add.2] and for Asia (Bangkok, Thailand, 1-2 February) [WFC/1990/3/Add.3] to consider the implementation of the commitments contained in the Cairo Declaration. The meetings reviewed and updated the hunger and poverty situations in the regions as well as national food strategies and anti-hunger efforts/priorities for future action. They also examined regional and South-South co-operation and the need for international assistance.

By decision 1990/268 of 26 July, the Economic and Social Council took note of the WFC report on the work of its sixteenth session.

In other food-related action, the Council adopted resolution 1990/77 on co-operation in fisheries in Africa, resolution 1990/61 on the fight against the screw-worm infestation and resolution 1990/62 on the international strategy for the fight against locust and grasshopper infestation, particularly in Africa.

Report of Secretary-General. In response to Economic and Social Council resolution 1989/88 [YUN 1989, p. 589], the Secretary-General submitted to the General Assembly a comprehensive report on trends in the international market for agricultural and tropical products and the liberalization of international agricul-

tural trade [A/45/583]. Prepared in consultation with WFC, the United Nations Conference on Trade and Development and FAO, the report updated information provided in a 1989 report on the same subject [YUN 1989, p. 588], highlighted developments in the Uruguay Round of multilateral trade negotiations concerning agricultural and tropical products and provided estimates of the likely impact of trade liberalization on the prospects for developing countries to increase their share of world trade in those products.

GENERAL ASSEMBLY ACTION

The General Assembly, on 21 December, adopted resolution 45/207.

Food and agricultural problems

The General Assembly,

Recalling the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries, contained in the annex to its resolution S-18/3 of 1 May 1990, and the International Development Strategy for the Fourth United Nations Development Decade, contained in the annex to its resolution 45/199 of 21 December 1990,

Recalling also its resolutions on food and agricultural problems, in particular resolutions 41/191 of 8 December 1986 and 43/191 of 20 December 1988, and Economic and Social Council resolution 1989/88 of 26

Reaffirming the Universal Declaration on the Eradication of Hunger and Malnutrition adopted by the World Food Conference,

Stressing the imperative need to keep food and agricultural issues at the centre of global attention, and their role in the reactivation of development, as was pointed out in the section on agriculture of the International Development Strategy for the Fourth United Nations Development Decade,

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, taking into account the interaction of agricultural development with, inter alia, the external economic environment, policies for agricultural growth, human resources development, rural development policies, and the links between natural resources, environment, population growth trends and sustainable agriculture,

Emphasizing that the continuing gravity of the economic situation in many developing countries, including the persistence of negative trends in the food production and agricultural sectors, requires, in many cases, urgent and decisive action at the national and international levels to support and ensure their full economic recovery and development,

Stressing the need for continued and additional support from the international donor community for agricultural development in developing countries, as well as the need for increased efforts and investment on the part of the developing countries in the development of their own food and agricultural sectors,

Noting with concern that the tensions concerning international trade in agricultural markets remain serious, notably owing to the persistence of all types of trade-distorting agricultural support, covering internal régimes, market access, export subsidies and sanitary and phyto-sanitary regulations in many developed countries,

Stressing that the Uruguay Round of multilateral trade negotiations, launched during the Special Session of the Contracting Parties to the General Agreement on Tariffs and Trade, held at Punta del Este, Uruguay, from 15 to 20 September 1986, presents a unique opportunity to develop a more open, viable and durable trading system, and stressing also the importance of overcoming obstacles in the negotiations and arriving at a successful, balanced and comprehensive conclusion of the Round,

Emphasizing that the long-term objective of the negotiations on agriculture is to establish a fair, market-oriented agricultural trading system and that a reform process should be initiated through the negotiation of commitments on support and protection and through the establishment of strengthened and more operationally effective rules and disciplines of the General Agreement on Tariffs and Trade,

Concerned that the economies of most developing countries continue to suffer because, *inter alia*, of the long-term adverse trends in international commodity prices, protectionism and worsening terms of trade, a growing debt-service burden and the trends in the transfer of resources to and from developing countries, which have had a negative effect on international trade and agriculture, particularly for developing countries,

Reaffirming that the right to food is a universal human right that 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, either at the national or at the international level,

Welcoming the ongoing work of the Global Information and Early Warning System on Food and Agriculture in monitoring the world food situation and in alerting the international community to impending problems,

Noting with alarm that the screw-worm fly has been introduced into North Africa and is now established, thereby posing a potential threat to people, livestock and wildlife in Africa, the Mediterranean parts of Europe and the Near East,

Welcoming the efforts made by the countries affected and the international community to contain locust and grasshopper infestations through the implementation of General Assembly resolution 43/203 of 20 December 1988 on the international strategy for the fight against locust and grasshopper infestation, particularly in Africa.

Welcoming the decision of the Conference of the Food and Agriculture Organization of the United Nations at its twenty-fifth session to reinforce the International Code of Conduct on the Distribution and Use of Pesticides, with a view to enhancing the protection of health and the environment, and noting the co-operation between the Food and Agriculture Organization of the United Nations and the United Nations Environment Programme in that regard,

Noting with particular concern that hunger and malnutrition have been increasing since the World Food Conference was held in 1974, that the number of people suffering from hunger and malnutrition increased in the 1980s and that only limited progress has been made towards the central objective of the Conference,

1. Welcomes the conclusions and recommendations of the World Food Council at its sixteenth ministerial session, held at Bangkok from 21 to 24 May 1990, in particular the pragmatic action taken to meet the growing challenges to fight hunger and malnutrition in the 1990s, and calls upon Governments and international and non-governmental organizations fully to assist the World Food Council in implementing the recommendations;

2. Takes note of the report of the Secretary-General on trends in the international market for agricultural and tropical products and the liberalization of international agricultural trade;

3. Stresses the urgent need for substantial progress in stimulating food production and productivity in developing countries and the importance of increasing domestic food production, thereby stimulating national economic growth and social progress in those countries, in particular in Africa and the least developed countries, and helping to resolve the problems of hunger and malnutrition effectively;

4. Affirms that increasing food production and improving access to food by low-income people in developing countries will significantly contribute to the eradication of poverty and the elimination of malnutrition, and recommends that a higher priority be given to supporting food production and to developing a marketing infrastructure and income/employment generation in the national development efforts of those countries in order to ensure adequate food supplies and equitable distribution of food;

5. Stresses that it is important for developing countries to create a basis for more rapid industrialization and diversification of their economic structure with a view to increasing their food and agricultural production and, in that context, stresses the importance of finance for investment in the agriculture sector, which should form part of national policies and programmes for international co-operation, both bilateral and multilateral;

6. Also stresses the importance of science and technology in the development of agriculture, in the increase of food production and in the modernization of agriculture, and, in that context, calls upon the international community to support scientific and technological training and research in developing countries in order to promote sustainable agricultural development in those countries, and emphasizes the urgency of strengthening international co-operation in the field of transfer of environmentally sound agricultural technologies and of facilitating the free exchange of information on experience and technology relating to food production, processing and storage, taking into account the need for developing countries to have assured non-discriminatory access to advances in such fields as biotechnology and genetic engineering, at appropriate cost;

7. Urges the members of the international community to take further determined action in support of the efforts of developing countries by increasing even

more the flow of resources, including concessional flows designated for agricultural development, and by increasing food aid commitments in support of the strengthened efforts of developing countries to increase mobilization and allocation of domestic resources to address food and agricultural problems, in addition to the flow of resources from developed countries, bearing in mind the need to channel this assistance through appropriate existing organizations and programmes;

8. Stresses that the provision of food aid in the context of emergency and natural disaster situations should be reinforced through additional rehabilitation and development assistance in order to help restore food production capacity and self-reliance and that it should be provided with a view to restoring such capacity;

9. Calls for a joint effort by all States and appropriate international and intergovernmental organizations to improve the food situation and enhance the nutritional levels of affected groups, in particular low-income groups, especially during the implementation of structural adjustment programmes;

10. Stresses that the outcome of the Uruguay Round of multilateral trade negotiations should present a unique opportunity to develop a more open, viable and durable trading system, to reverse the disquieting rise in protectionism through a progressive and substantial reduction of support and protection measures in order to avoid inflicting large losses on the more efficient producers, especially in developing countries, and to bring agriculture under the strengthened and operationally effective rules and disciplines of the General Agreement on Tariffs and Trade, fully in accordance with the Ministerial Declaration on the Uruguay Round and the Mid-Term Review Agreements, and stresses that efforts to that end should take into account the need to provide special and differential treatment for developing countries, bearing in mind their food security objectives and the need for agricultural and rural development, and should also take into account the need to give effect to the Mid-Term Review Agreements, in which it was stated that ways should be developed to take into account the possible negative effects of the reform process on net food-importing developing countries;

11. Also stresses the need to implement promptly and fully the relevant provisions of the Ministerial Declaration and the Mid-Term Review Agreements concerning tropical products, including processed and semi-processed tropical products;

12. Further stresses the need to improve global economic conditions in order to establish food security in developing countries at the national, subregional, regional and global levels;

13. Calls upon the international community to support and complement, through specific and effective measures, the efforts made by Governments of African States to stimulate agriculture and food production and to implement fully the United Nations Programme of Action for African Economic Recovery and Development 1986-1990, contained in the annex to General Assembly resolution S-13/2 of 1 June 1986;

14. Urges all States members of the Food and Agriculture Organization of the United Nations to assist the organization to fulfil its leading role in the United

Nations system in assisting countries in their agricultural and rural development;

15. Appeals to the international community to contribute generously to the World Food Programme so that the pledging target for the period 1991-1992, as set out in General Assembly resolution 44/230 of 22 December 1989, can be attained and the Programme can continue its activity in support of development and in meeting emergency food needs;

16. Welcomes the conclusion of the arrangements for the third replenishment of the International Fund for Agricultural Development, calls upon the international community to continue supporting the activities of the Fund in favour of agricultural development in developing countries, takes note with satisfaction of the positive contribution made by the Fund to the economic recovery programmes of its member developing countries and its increased assistance to the African region in conformity with the United Nations Programme of Action for African Economic Recovery and Development 1986-1990, particularly through its Special Programme for Sub-Saharan African Countries Affected by Drought and Desertification, and invites donors to endorse resolution 60/XIII of 25 January 1990 of the Governing Council of the International Fund for Agricultural Development, concerning the possibility of additional voluntary contributions to the Special Resources for Sub-Saharan Africa for a further three years, starting in January 1991, without prejudicing deliberations on the mobilization of core funding for the Fund;

17. Stresses the need for continued and co-ordinated international action to tackle the long-term problems of migratory pest control and food-related diseases in developing countries, and calls upon donors to continue to give high priority to the implementation and continued co-ordination by the Food and Agriculture Organization of the United Nations, and by other relevant programmes, of emergency control programmes, as well as medium-term and longer-term measures, against grasshoppers and locusts, including regional preventive programmes on the desert locust and research on sustainable control strategies formulated and financed in collaboration with the International Fund for Agricultural Development, and to remain prepared to provide financial and technical assistance to affected countries at short notice;

18. Urges the international community to give full support to action to eradicate the screw-worm fly, particularly in Africa, and welcomes the support already provided by donors to the collaboration between the Food and Agriculture Organization of the United Nations and the International Fund for Agricultural Development on the eradication programme and calls upon them to give high priority to the implementation of the international emergency eradication programme in Africa, co-ordinated by the Screw-worm Emergency Centre for North Africa of the Food and Agriculture Organization of the United Nations in co-operation with the International Fund for Agricultural Development;

19. Notes the decision of the Food and Agriculture Organization of the United Nations and the World Health Organization jointly to convene an International Conference on Nutrition in 1992, stresses the need for the Conference to focus on specific rules and

practical action and calls upon the international community to support that effort fully as a basis for concerted national and international action to tackle the problems of malnutrition, undernutrition and specific nutrition-related diseases and conditions in the 1990s;

20. Calls upon the international community to implement the Programme of Action for the Least Developed Countries for the 1990s adopted by the Second United Nations Conference on the Least Developed Countries, held in Paris from 3 to 14 September 1990, and, in particular, to support the efforts of those countries in the areas of food production and rural development, food security, development and management of fishery and forestry resources, environmental protection and sustainable development;

21. Emphasizes the need for further efforts to be made to achieve the four broad hunger-alleviation goals contained in the Cairo Declaration, adopted by the World Food Council at its fifteenth session, namely:

(a) The elimination of starvation and death caused by famine;

(b) A substantial reduction in malnutrition and mortality among young children;

(c) A tangible reduction in chronic hunger;

(d) The elimination of major nutritional-deficiency diseases;

22. Urges the World Food Council, as decided at its sixteenth ministerial session, within its mandate, to improve co-ordination of national and international action towards a more concerted attack on hunger and to examine the food production challenges facing different regions of the developing world in the 1990s, and also urges it to continue sensitizing the international community to the nature, causes and consequences of hunger and malnutrition and to continue recommending appropriate practical policies for remedial action;

23. Calls upon the developing countries, in addressing food problems, to promote international co-operation within the context of their primary responsibility for promoting technical co-operation among themselves in food and agriculture, to place greater emphasis on their technical co-operation in that sector, requests developed countries and the United Nations system to assist and support such activities and, in addition, requests the United Nations to play a prominent role as promoter and catalyst of international co-operation and technical co-operation among developing countries in food and agriculture;

24. Decides to change the title of the sub-item "Food problems" to "Food and agricultural development" in the agenda of future sessions of the General Assembly and the Economic and Social Council;

25. Requests the Secretary-General, in consultation with the World Food Council, the United Nations Conference on Trade and Development and the Food and Agriculture Organization of the United Nations, to submit to the Economic and Social Council, at its second regular session of 1991, an updated comprehensive report on trends in the international market for agricultural and tropical products, on developments in the liberalization of international trade in agricultural and tropical products, taking into account the share of developing countries in such trade and the possible adverse short-term effects on net-food-importing developing countries, and on the follow-up to the section on

agriculture of the International Development Strategy for the Fourth United Nations Development Decade.

General Assembly resolution 45/207

21 December 1990 Meeting 71 Adopted without vote

Approved by Second Committee (A/45/849/Add.5) without vote, 11 December (meeting 54); draft by Vice-Chairman (A/C.2/45/L.79), based on informal consultations on draft by Bolivia for Group of 77 (A/C.2/45/L.40) and orally revised; agenda item 79 (d).

Meeting numbers. GA 45th session: 2nd Committee 19-21, 43, 54; plenary 71.

Also on 21 December, the Assembly, by decision 45/444, reiterated its request to the developed countries and the agencies and organizations of the UN system, including UNDP, FAO, the International Fund for Agricultural Development and other international development and financial institutions, to extend assistance to developing countries to enable them to strengthen their technical co-operation with each other in food and agriculture.

World Food Programme

In 1990, the World Food Programme (WFP) continued to work towards the alleviation of poverty and hunger, to provide basic food requirements to long-term refugees and displaced persons and to deliver food aid to people in emergency situations.

By the end of 1990, total multilateral resources made available to WFP for the 1989-1990 biennium had reached nearly \$1.75 billion, including 4.5 million tons of food. That included contributions or pledges to WFP's regular resources, the Food Aid Convention, the International Emergency Food Reserve, special contributions for the Afghanistan operation and additional pledges to regular resources for the feeding of long-term refugees and displaced people.

Development assistance

At the end of 1990, WFP was assisting 278 ongoing development projects valued at \$3.24 billion, including \$480 million for 48 new development projects or expansions of existing ones and budget increases for ongoing projects. The portfolio for development projects provided food to an estimated 75 million people.

While the number of development projects approved in 1990 remained high, the \$480 million committed for them was the lowest amount since 1980. Commitments for WFP's larger projects tended to be cyclical, resulting in years with relatively high commitment levels and years, like 1990, with lower levels. Moreover, reduced availability of food aid commodities due to increased prices in 1989 and early 1990 meant that deliveries of earlier commitments extended over longer

periods, with the result that approval of commitments for new phases of projects was delayed. In addition, fewer commitments were made in 1990 for high-value goods, particularly dried skim milk, for which demand had declined, and vegetable oil, for which commitments were constrained by its limited availability.

Low-income food-deficit countries received 86 per cent of WFP's development assistance commitments, 85 per cent of emergency aid and 90 per cent of assistance for long-term refugees and displaced persons.

WFP allocated \$364 million to the least developed countries (LDCs) (see PART THREE, Chapter I) in 1990, nearly half of its total expenditure.

Emergencies and refugees

Through 23 active operations worth \$324 million, WFP supported 6.6 million long-term refugees and displaced persons (people who had received assistance for more than one year) in 1990, providing them with most of their basic food requirements. Food aid worth \$132 million was provided to some 5.8 million people in 20 countries through 32 emergency operations. During the year, disaster relief, including the feeding of long-term refugees, amounted to nearly half of all WFP food aid commitments—\$336 million for long-term refugees and displaced people and \$132 million for emergency operations.

WFP resources

WFP's annual turnover in 1990—the sum of the resources managed by the Programme—was more than \$1 billion. Programme support and administrative costs as a proportion of turnover came to 7 per cent. Total staff costs were \$49.6 million in 1990, or 4.6 per cent of turnover.

By the end of 1990, 80 countries had pledged a total of more than \$1.2 billion, representing 86 per cent of the target for the 1989-1990 biennium of \$1.4 billion for WFP's regular budget, which was mainly used to fund development projects. Of that amount, three quarters was in food commodities (or cash for the purchase of commodities) and one quarter in cash. Thus, the cash portion remained well below the one-third level specified in WFP's regulations. A pledging target of \$1.5 billion was agreed upon for the 1991-1992 biennium.

Committee on Food

Aid Policies and Programmes

The Committee on Food Aid Policies and Programmes (CFA)—the governing body of WFP—held two sessions in 1990.

At its twenty-ninth session (Rome, Italy, 4-8 June) [WFP/CFA: 29/13], CFA discussed the Executive Director's annual report covering 1989 [WFP/CFA: 29/P/4 & Corr.1 & Add.1,2 & Add.2/Corr.1], reviewed the Federal Republic of Germany's experience with food aid policies and programmes [WFP/CFA: 29/P/5], considered the status of the WFP Headquarters Agreement and addressed issues concerning the relationship between WFP and FAO.

The Committee approved 15 projects with a total value of \$186.2 million, representing a food commitment of 565,900 tons. It also approved nine projects for refugees and displaced persons.

CFA approved the continued high level of support given to low-income food-deficit countries and especially LDCs and requested the Executive Director to intensify efforts to increase assistance to sub-Saharan Africa. It urged that international efforts continue to establish more effective arrangements for the safe passage of emergency food assistance in areas of conflict. CFA decided to establish a sub-committee on the governance of WFP and the relationships between the United Nations, FAO and WFP to study and make recommendations regarding proposals put forward by Member States, the WFP Executive Director, the FAO Director-General and the UN Secretary-General.

At its thirtieth session (Rome, 3-7 and 14 December) [CFA:30/7], CFA approved 24 projects with a total value of \$263.9 million, representing a food commitment of 784,400 tons. It also approved six projects for refugees and displaced persons and two projects for activities related to Afghan refugees in Iran and Pakistan.

The Committee, having constituted a working group to present proposals on the governance of WFP and the relationships between the United Nations, FAO and WFP, adopted the Group's recommendations on: the status of WFP and its relationship with FAO and the United Nations; the size and composition of CFA; the WFP Trust Fund; procedure for emergency operations; the authority of CFA; the legal capacity of WFP; and the authority, responsibility and accountability of the Executive Director. Another working group, to be established by the Chairman of CFA, would meet in January 1991 to work on the implementation of the recommendations.

The Committee reiterated its earlier appeals to see the WFP Headquarters Agreement signed and ratified without further delay.

CFA's fifteenth annual report [E/1990/99], which covered the activities of WFP in 1989, was submitted to the Economic and Social Council in July, as was a secretariat note E/1990/101] conveying the

decision of the Committee at its twenty-ninth session on the governance of WFP.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 27 July, the Economic and Social Council adopted resolution 1990/79.

Governance of the World Food Programme

The Economic and Social Council,

Having considered the fifteenth annual report of the Committee on Food Aid Policies and Programmes and the note by the Secretariat transmitting a decision on governance of the World Food Programme, adopted by the Committee at its twenty-ninth session, in June 1990, and transmitted to the Council by the Executive Director of the World Food Programme at the request of the Committee,

Recognizing the need for improved governance arrangements for the World Food Programme consistent with its programme requirements, its accountability to member States, and its characteristics as an entity of the United Nations system,

1. Welcomes the decision of the Committee on Food Aid Policies and Programmes to establish a sub-committee of the whole of the Committee on Food Aid Policies and Programmes to review the governance of the World Food Programme and the relationships between the United Nations, the Food and Agriculture Organization of the United Nations and the World Food Programme;

2. Requests the Committee on Food Aid Policies and Programmes to report to the Economic and Social Council in 1991 on its consideration of the important review carried out by the sub-committee, as well as to the Council of the Food and Agriculture Organization of the United Nations.

Economic and Social Council resolution 1990/79

27 July 1990 Meeting 37 Adopted without vote

Approved by Third Committee (E/1990/115) without vote, 24 July (meeting 17); 10-nation draft (E/1990/C.3/L.17/Rev.1), orally revised; agenda item 9.

Sponsors: Australia, Canada, Denmark, Finland, Kenya, Netherlands, Norway, Sweden, Thailand, United States.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/218.

Governance of the World Food Programme

The General Assembly,

Recalling its decision 44/414 of 22 November 1989,

Taking note of Economic and Social Council resolution 1990/79 of 27 July 1990 on the governance of the World Food Programme, which is a joint programme of the United Nations and the Food and Agriculture Organization of the United Nations,

Considering that a careful review of the present arrangements governing the World Food Programme is needed,

Considering also that intergovernmental oversight of the World Food Programme, through the Committee on Food Aid Policies and Programmes, which reports to the General Assembly and the Conference of the Food and Agriculture Organization of the United Nations through the Economic and Social Council and the

Council of the Food and Agriculture Organization of the United Nations respectively, together with clear lines of responsibility and accountability, are required for effective governance of the Programme and should contribute to the enhancement of the effectiveness and efficiency of the secretariat in carrying out the mandate of the Programme,

1. Recognizes the need for improved governance arrangements for the World Food Programme consistent with its programme requirements, its accountability to member States and its characteristics as an entity of the United Nations system;

2. Welcomes the decision taken by the Committee on Food Aid Policies and Programmes at its twenty-ninth session to establish a sub-committee on governance of the World Food Programme and the relationships between the United Nations, the Food and Agriculture Organization of the United Nations and the World Food Programme, and urges the Committee to complete expeditiously its review of governance arrangements for the Programme;

3. Urges the Committee in conducting its review, to take into account the need for enhanced governance arrangements and improved efficiency and effectiveness of the World Food Programme and enhanced accountability to member States;

4. Requests the Secretary-General, taking into account the foregoing, to continue to participate fully in the review of governance arrangements of the World Food Programme and to report to the General Assembly at its forty-sixth session, through the Economic and Social Council, on the participation of the United Nations in the review of the governance arrangements for the World Food Programme.

General Assembly resolution 45/218

21 December 1990 Meeting 71 Adopted without vote

Approved by Second Committee (A/45/854) without vote, 5 December (meeting 51); 22-nation draft (A/C.2/45/L.63); agenda item 84.

Meeting numbers. GA 45th session: 2nd Committee 33-36, 38, 50, 51; plenary 71.

Nutrition

UNU activities. During 1990, the United Nations University (UNU) continued its programme on food and nutrition for human and social development, focusing on research, policy-making, training and dissemination to alleviate hunger and malnutrition [E/1991/15]. In November, it convened in Washington, D.C., with the co-operation of UNICEF, WHO, and the International Development Research Centre and voluntary agencies, a global conference on rapid assessment methodologies for planning and evaluation of health-related programmes. A training workshop was held in Brazil in August and in Kenya in September, focusing on its application in studying AIDS-related behaviour. A workshop entitled "Improved Protein-Energy Intakes in Early Childhood and Human Capital

Formation: The Guatemalan Oriente Study" took place in August in Italy. The publication of that workshop's findings would promote programmes for the prevention of malnutrition in the pre-school child.

Under a new activity, the country health and nutrition transition project, a series of monographs would be developed to document the progress made by developing countries in improving the nutrition and health of their populations to levels approaching or equal to those of the industrialized countries. A planning meeting was held in Costa Rica in October.

ACC activities. The Sub-Committee on Nutrition of the Administrative Committee on Coordination (ACC) held two sessions in 1990. At its sixteenth session (Paris, 19-23 February) [ACC/1990/PG/8], the Sub-Committee drew to ACC's attention a statement that it had approved on nutrition, health and school performance. It requested ACC to endorse another statement on malnutrition and infection. The Sub-Committee also examined work in progress in the following areas: women and household food security; coping with economic deterioration; preparations for the International Conference on Nutrition to be held in 1992; the iodine and vitamin A programmes; iron deficiency; nutritional surveillance; preparations for an ad hoc group meeting on nutrition policy; assessment of flows of external resources relevant to nutrition; uses of anthropometry; nutrition in times of disaster; dried skim milk feeding in refugee camps; managing successful nutrition programmes; institution building; the activities of the International Dietary Energy Consultative Group; progress made with the UNU International Network Food Data Bases (INFOODS) and International Food Intake Directory (INFID) projects; rapid assessment procedures for nutrition and primary health care; the work of the Inter-Agency Group for Action

on Breast-feeding; and nutrition and structural adjustment.

At its seventeenth session (Geneva, 24-26 July) [ACC/1990/PG/10], the Sub-Committee discussed preparations by FAO and WHO for the 1992 International Conference on Nutrition, which would provide an opportunity for an integrated and convergent approach to solving nutritional problems. The Sub-Committee endorsed a proposal for an international decade on food and nutrition in Africa and adopted a statement regarding a pellagra (deficiency of nicotinic acid) outbreak in refugee camps in Malawi, in which it urged donor agencies to allot resources for foods or procedures to minimize the risk of serious micronutrient deficiencies among refugees receiving food rations.

At its first regular session (Vienna, Austria, 2-4 May) [ACC/1990/DEC/1-14], ACC adopted the Sub-Committee's statements on nutrition, health and school performance [dec. 1990/10] and on malnutrition and infection: technical and programmatic implications [dec. 1990/11].

UNICEF action. The UNICEF Executive Board (New York, 16-27 April) [E/1990/28 (dec. 1990/19)] endorsed the nutritional goals of controlling protein-energy malnutrition and micronutrient deficiency disorders for the year 2000. It further endorsed a proposed strategy to achieve the objective of empowering families, communities and Governments to improve the nutrition of women and children (see PART THREE, Chapter XIV).

The General Assembly, in resolution 45/207 of 21 December, noted the decision of FAO and WHO jointly to convene an International Conference on Nutrition in 1992 and stressed the need for the Conference to focus on specific rules and practical action. It called upon the international community to support that effort as a basis for concerted national and international action to tackle the problems of malnutrition, undernutrition and specific nutrition-related diseases and conditions in the 1990s.

Chapter XII

Social and cultural development, crime prevention and human resources

The United Nations continued in 1990 to disseminate data on the world social situation, particularly in regard to the developing countries, in order to promote policy measures based on accurate knowledge of the specific interrelationships among economic growth, human development and social progress in the achievement of overall development. It moreover continued to examine the question of social justice and ways in which it could be achieved for all.

A major event of the year was the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in Havana, Cuba, in August/September. It adopted 28 substantive resolutions and recommended to the General Assembly 13 draft instruments and resolutions that emerged from its deliberations on international co-operation in crime prevention and criminal justice; criminal justice policies in relation to problems of imprisonment, other penal sanctions and alternative measures; effective national and international action against organized crime and terrorist criminal activities; and policy approaches to delinquency prevention, juvenile justice and protection of the young.

The Assembly welcomed the Congress resolutions and instruments and invited Governments to be guided by them when formulating legislation and policy directives. In adopting the Congress recommendations on international co-operation for crime prevention and criminal justice in the context of development, the Assembly called for the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs, as the only professional and specialized entity within the UN system with overall responsibility for its crime prevention and criminal justice programme, to be strengthened in terms of both human and financial resources. On the basis of a report of the Committee on Crime Prevention and Control, the Assembly established an intergovernmental working group to elaborate proposals for an effective crime prevention and criminal justice programme and to suggest how it could be implemented.

In taking note of the Secretary-General's report on developing human resources for devel-

opment and of the human-centred approach to the development process set out in the Human Development Report 1990, sponsored by the United Nations Development Programme (UNDP), the Assembly called on the international community to support the efforts of developing countries in human resources development, in accordance with their national priorities and plans, through, among other means, operational activities of the UN system. It encouraged the Secretary-General to continue to explore new modalities for greater interfacing among autonomous UN research bodies in order to enhance co-operation among them. It also appealed for financial contributions to the Endowment Fund of the United Nations University and to the University for Peace to ensure their smooth operation.

In observance of 1990 as International Literacy Year, the World Conference on Education for All was held in Jomtien, Thailand, in March. Sponsored by the United Nations Educational, Scientific and Cultural Organization, UNDP, the United Nations Children's Fund and the World Bank, the Conference adopted the World Declaration on Education for All and a Framework for Action to Meet Basic Learning Needs.

Social and cultural development

Social aspects of development

World social situation

In March, the Secretary-General submitted to the General Assembly, through the Economic and Social Council, a supplement [A/45/137-E/1990/35] to the 1989 Report on the World Social Situation [Sales No. E.89.IV.1]. Prepared in response to Council resolution 1989/72 [YUN 1989, p. 602], the supplementary report provided an overview of general trends in the main indicators of the social situation and living standards world wide in the 1980s—output, consumption and investment per capita, government expenditure on social services, literacy and education levels, nutrition levels, infant mortality and life expectancy at

birth-particularly in developing countries. It analysed the relationship between trends in the world economy and in the social situation, including projections in economic conditions, population, health and education to the year 2000, traced the impact of structural adjustment and of the developing countries' external indebtedness on the social situation and examined the likely impact on the 1990s of developments in the 1980s, especially the substantially changed perceptions as to the nature of policies to address economic and social problems and public demand for government accountability.

The report found that although sustained high growth in Asia's larger countries ensured that one third of the total population in developing countries benefited from a growth rate in gross domestic product (GDP) per capita exceeding 3 per cent a year in the 1980s, in the remaining two thirds it grew by no more than 1 per cent a year. At the end of the decade, some 20 per cent of the world's population, or about 1 billion people, lived in conditions of absolute poverty, of whom 55 per cent were concentrated in Asia and 38 per cent in Africa. There was ample evidence of a deterioration in living conditions and an aggravation of problems of poverty in virtually all major regions of developing countries; on the other hand, progress was possible in some areas in spite of economic difficulties, notably in health.

The report noted the strong correlation between economic and social conditions; thus, in countries where the GDP per capita was high, so were the social indicators. Several developing countries with low GDP per capita, however, had been able to secure some social conditions not far distant from those in high-income developed countries, due especially to public intervention to secure more egalitarian patterns of growth and access to social services, including provision of nutrition, health and education. New priorities arising from growth in population and changes in its composition, as well as a rapidly growing labour force and the increasing complexity and technical sophistication of all economies, would require involvement principally of Governments but also of private institutions in economic and social development.

Slow growth, stagnation and declines in per capita income adversely affected the social situation in developing countries, especially in Africa and Latin America, in many of which living conditions were lower in 1989 than they were in 1970. Apart from natural disasters, military conflicts and other calamities, structural adjustment and external indebtedness also had distinct effects on

the social situation. Transfers abroad to service debt directly reduced resources for domestic use. All these contributed to reducing current and future levels of investment and living standards.

Prospects for improvements in social conditions at the beginning of the 1990s, however, seemed far more propitious than at the beginning of the previous decade. Regional conflicts that caused enormous social misery had concluded or were proceeding to conclusion. Dramatic new opportunities had been opened for reducing armaments and expenditures on them. There was a fresh wind bringing countries together in co-operative endeavour seeking solutions to such global problems as acquired immunodeficiency syndrome (AIDS), illicit drug production and trafficking and drug abuse, and environmental degradation. The evolution of the European Economic Community into one market presaged opportunities for faster growth in the Community's economies. Rapid changes in political and economic institutions in the USSR and Eastern Europe were likely to release new energies spurred by new incentives. The widespread application of new technologies that came into their own in the 1980s were expected to raise productivity, especially in developed countries.

The principal challenge of development in the 1990s, the report stated, was to reverse the negative trends that characterized the 1980s—problems of poverty on a mass scale, persistent malnutrition, recurrent starvation of large masses in sub-Saharan Africa—the necessary condition for which lay in the lightening of international debt burdens, as well as in a more open trading system. While the case for State provision of certain essential functions to improve social conditions remained unquestioned, a more dynamic private initiative had increasingly been seen as an important source of impulses to social and economic development. Barrier-breaking communications technologies and economic changes that accelerated the movement of ideas, capital and people in the 1980s had resulted in the emergence of a strengthened perception of a shared destiny of all mankind.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 24 May, the Economic and Social Council adopted resolution 1990/28.

World social situation

The Economic and Social Council,

Recalling its resolution 1989/72 of 24 May 1989 and taking note of General Assembly resolution 44/56 of 8 December 1989,

Bearing in mind that in paragraph 10 of General Assembly resolution 44/56 the Secretary-General was requested to submit an interim report on the world social

situation to the Assembly in 1991, through the Commission for Social Development and the Economic and Social Council,

Bearing in mind also paragraph 3 of Council resolution 1989/72,

Having considered the supplement to the 1989 Report on the World Social Situation,

Noting with satisfaction that the supplement takes into account the concerns and guidelines specified in Council resolution 1989/72.

Bearing in mind the importance of the report on the world social situation for increasing awareness of the advances made towards the goals of social progress and better standards of living, established in the Charter of the United Nations, and of the obstacles to further progress,

Concerned about the worsening economic situation in many developing countries, particularly that of the least developed countries, including the significant decline in living conditions, the persistence and increase of widespread poverty in a large number of countries and the decrease of the main social and economic indicators of those countries,

Believing that there is a need for greater efforts by the United Nations system to study and disseminate data on the existing world social situation, particularly in regard to the developing countries,

1. Decides to include in the agenda of its first regular session of 1991, bearing in mind paragraph 13 of General Assembly resolution 44/56, an item entitled "World social situation", for the purpose of considering, inter alia, the interim report on the world social situation and the report requested in paragraph 3 of Council resolution 1989/72;

2. Requests the Secretary-General, in preparing the interim report, to take into account paragraph 4 of Council resolution 1989/72, in which the Secretary-General was requested, in preparing the 1993 report, to give high priority to an analysis of the main indicators of social progress and standards of living, and to make a comprehensive analysis of the main causes and circumstances that explain negative trends in those indicators; chapters devoted to the study of specific social problems were to be related to global economic and social situations, taking into account both national and international conditions.

Economic and Social Council resolution 1990/28
24 May 1990 Meeting 13 Adopted without vote

Approved by Second Committee (E/1990/69) without vote, 16 May (meeting 14); draft by Bolivia for Group of 77 (E/1990/C.2/L.7), orally revised; agenda item 5.

GENERAL ASSEMBLY ACTION

On 14 December, the General Assembly adopted resolution 45/87.

World social situation

The General Assembly,

Recalling its resolutions 1392(XIV) of 20 November 1959, 2542(XXIV) of 11 December 1969, 40/98 and 40/100 of 13 December 1985, 42/49 of 30 November 1987, 43/113 of 8 December 1988 and 44/56 of 8 December 1989 and Economic and Social Council resolutions 1987/39, 1987/40, 1987/46 and 1987/52 of 28 May 1987, 1989/72 of 24 May 1989 and Council decision

1989/113 of 28 July 1989, and taking note of Council resolution 1990/28 of 24 May 1990.

Bearing in mind the objective of improving the well-being of the world's population on the basis of the full and equal participation of all members of society in the process of development and the fair distribution to them of the benefits therefrom,

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 the primary responsibility of ensuring the social progress and well-being of the people,

Convinced of the urgent need to eradicate policies and practices that hinder social progress, including racism and racial discrimination, in particular apartheid,

Convinced also that the pace of development in the developing countries should be accelerated substantially in order to enable them to achieve that objective, especially to meet the basic needs for food, housing, education, employment and health care and to struggle against scourges which endanger the health and well-being of their population,

Deeply concerned about the worsening economic situation in many developing countries, particularly in the least developed countries, as evidenced by the significant decline in living conditions, the persistence and increase of widespread poverty in a large number of countries and the decline of the main social and economic indicators of those countries,

Bearing in mind the importance of the 1989 Report on the World Social Situation for increasing awareness of the advances made towards the goals of social progress and better standards of living, established in the Charter of the United Nations, and of the obstacles to further progress,

Believing that there is a need for greater efforts by the United Nations system to study and disseminate data on the existing world social situation, particularly in regard to the developing countries,

Taking note of the deliberations on the question of the world social situation by the Economic and Social Council at its first regular session of 1990,

Having considered the supplement to the 1989 Report on the World Social Situation.

1. Notes with satisfaction that the supplement to the 1989 Report on the World Social Situation takes into account the concerns and guidelines specified in General Assembly resolution 44/56 and Economic and Social Council resolution 1989/72;

2. Recalls the 1989 Report on the World Social Situation, in particular the information on the critical situation in Africa contained in the annex to the report;

3. Notes with satisfaction the increasing awareness of the importance of formulating policy measures at all levels based on the interrelationships between economic growth, human development and social progress in the achievement of overall development;

4. Notes with deep concern the continuing deterioration of the economic and social situation in many developing countries, in particular in the least developed countries, whose numbers have increased over the years;

5. Notes also with deep concern the substantial weakening of the overall position of the developing countries in international trade and finance, which has been made worse by a long-term downward trend in com-

modity prices, a serious deterioration in the terms of trade, the net transfer of resources from developing countries, protectionism and the serious debt burden, combined with high real interest rates;

6. Reaffirms the commitments and policies for international development co-operation as set out in the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries, adopted by the General Assembly at its eighteenth special session;

7. Reaffirms also the principles and objectives of the Declaration on Social Progress and Development and calls for their effective realization as a means of attaining a more equitable world social situation;

8. 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 for employment, education, health, nutrition, housing facilities, crime prevention, the well-being of children, equal opportunities for the disabled and the aging, full participation of youth in the development process and full integration and participation of women in development;

9. Requests the Secretary-General to continue monitoring the world social situation in depth on a regular basis and, in accordance with paragraph 10 of resolution 44/56, to submit an interim report to the General Assembly at its forty-sixth session, through the Commission for Social Development and the Economic and Social Council, and a full report in 1993;

10. Endorses the request of the Economic and Social Council, in paragraph 2 of its resolution 1990/28, that the Secretary-General take into account, in preparing the interim report, paragraph 4 of Council resolution 1989/72;

11. Also endorses the request made in paragraph 3 of Council resolution 1989/72 regarding the submission of a report by the Secretary-General to the General Assembly at its forty-sixth session, through the Economic and Social Council, on the work being done within the United Nations system to improve and further develop quantitative and qualitative indicators that measure accurately the social condition and the standard of living of the world's population, particularly in developing countries;

12. Requests the Secretary-General to make the necessary arrangements to ensure the wider dissemination of reports on the world social situation;

13. 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 and, in this connection, requests the Secretary-General to convene an inter-agency meeting before the preparation of the report;

14. Decides to include the item entitled "World social situation" in the provisional agenda of its forty-sixth session for the purpose of considering, *inter alia*, the interim report and the report mentioned in paragraph 11 above, and in the provisional agenda of its forty-eighth session for the purpose of considering the next full report in 1993.

General Assembly resolution 45/87

14 December 1990 Meeting 68 146-1-4 (recorded vote)

Approved by Third Committee (A/45/746) by recorded vote (112-1-4), 9 November (meeting 37); draft by Bolivia for Group of 77 (A/C.3/45/L.18/Rev.1), orally corrected: agenda item 90.

Meeting numbers. GA 45th session: 3rd Committee 11-17, 25, 37; plenary 68.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: United States.

Abstaining: Germany, Israel, Japan, United Kingdom.

Achievement of social justice

On 24 May, the Economic and Social Council adopted resolution 1990/25.

Achievement of social justice

The Economic and Social Council,

Recalling General Assembly resolutions 42/49 of 30 November 1987 and 44/55 of 8 December 1989 and Council resolutions 1988/46 of May 1988 and 1989/71 of 24 May 1989,

Recalling also the pledge made by States Members of the United Nations in the Charter to take joint and separate action to promote higher standards of living, full employment and conditions of economic and social progress and development,

Recognizing that more extensive international and regional co-operation is important for promoting social justice,

Bearing in mind that, in accordance with the Declaration on Social Progress and Development, social progress and development must be founded on respect for the dignity and value of the human person and must ensure the promotion of human rights and social justice,

Mindful of the Guiding Principles for Developmental Social Welfare Policies and Programmes in the Near Future, the Nairobi Forward-looking Strategies for the Advancement of Women, the World Programme of Action concerning Disabled Persons and the International Plan of Action on Aging,

Persuaded of the importance of taking measures to ensure co-ordination within the United Nations system in order to develop a comprehensive approach to developmental social welfare, including better integrated and mutually supportive economic and social development policies, aimed at the achievement of social justice,

1. Confirms that social justice is one of the most important goals of social progress;
2. Reaffirm that the common purpose of the international community must be to forge from varied economic, social and political conditions a global environment of sustained development, full enjoyment of human rights and fundamental freedoms and social justice and peace;
3. Reaffirms the importance of co-operation among countries in the promotion of a climate conducive to the achievement by individual countries of the goals of development and social justice and progress;
4. Considers that such co-operation and the promotion thereof should continue to be a major focus of activities of the United Nations in accordance with the principles of the Charter;
5. Calls upon Member States, in elaborating policies in the field of social development and the social situation of all population groups, to take into consideration the importance of achieving social justice for all;
6. Recommends that the Secretary-General, in preparing studies and reports on social problems, examine the question of social justice and the ways in which it can be achieved;
7. Requests the Commission for Social Development to consider the question of social justice and possible avenues of international co-operation for promoting social progress.

Economic and Social Council resolution 1990/25
24 May 1990 Meeting 13 Adopted without vote
Approved by Second Committee (E/1990/69) without vote, 16 May (meeting 13); B-nation draft (E/1990/C.2/L.4) orally revised: agenda item 5.
Sponsors: Algeria, Byelorussian SSR, Colombia, Ecuador, Ukrainian SSR, USSR.

GENERAL ASSEMBLY ACTION

On 14 December, the General Assembly adopted resolution 45/86.

Achievement of social justice

The General Assembly,

Recalling its resolutions 42/49 of 30 November 1987 and 44/55 of 8 December 1989, as well as Economic and Social Council resolutions 1988/46 of 27 May 1988 and 1989/71 of 24 May 1989, and taking note of Council resolution 1990/25 of 24 May 1990.

Recalling also the pledge made by States Members of the United Nations in the Charter to take joint and separate action to promote higher standards of living, full employment and conditions of economic and social progress and development,

Recognizing that more extensive international and regional co-operation is important for promoting social progress at the national level,

Bearing in mind that, in accordance with the Declaration on Social Progress and Development, social progress and development shall be founded on respect for the dignity and value of the human person and shall ensure the promotion of human rights and social justice,

Mindful of the Guiding Principles for Developmental Social Welfare Policies and Programmes in the Near Future, the Nairobi Forward-looking Strategies for the Advancement of Women, the World Programme of Action concerning Disabled Persons and the International Plan of Action on Aging,

Persuaded of the importance of taking measures to ensure co-ordination within the United Nations system in order to develop a comprehensive approach to developmental social welfare, including better integrated and mutually supportive economic and social development policies, aimed at the achievement of social justice,

1. Confirms that social justice is one of the most important goals of social progress;
2. Reaffirms that the common purpose of the international community must be to forge from varied economic, social and political conditions a global environment of sustained development, full enjoyment of human rights and fundamental freedoms, and social justice and peace;
3. Reaffirm the importance of co-operation among countries in promoting a climate conducive to the achievement by individual countries of the goals of development and social justice and progress;
4. Considers that such co-operation and its promotion should continue to be a major focus of activities of the United Nations, in accordance with the principles of the Charter of the United Nations;
5. Calls upon Member States, in elaborating policies in the field of social development and for the improvement of the social situation of all population groups, to take into consideration the importance of achieving social justice for all;
6. Recommends that the Secretary-General, in preparing studies and reports on social problems, should examine the question of social justice and ways in which it could be achieved;
7. Requests the Commission for Social Development, at its next regular session, to consider the question of achieving social justice.

General Assembly resolution 45/86
14 December 1990 Meeting 68 Adopted without vote
Approved by Third Committee (A/45/746) without vote, 9 November (meeting 37); 3-nation draft (A/C.3/45/L.16); agenda item 90.
Sponsors: Byelorussian SSR, Ecuador, Ukrainian SSR.
Meeting numbers. GA 45th session: 3rd Committee 11-17, 25, 37; plenary 68.

Social welfare

Guiding Principles for Social Welfare Policies and Programmes

Negative social consequences of alcohol use

On 18 September, Norway transmitted to the Secretary-General a report on the Expert Meeting on the Negative Social Consequences of Alcohol Use (Oslo, 27-31 August) [A/C.3/45/3]. The Meeting was organized in response to Economic and Social Council resolution 1989/49 [YUN 1989, p. 609], which had requested the Secretary-General to consider following up the recommendations of the 1987 Interregional Consultation on Developmental Social Welfare Policies and Programmes [YUN 1987, p. 616] by, inter alia, carrying out a study on the negative social consequences of alcohol use, based on the report of an

expert meeting. Convened by Norway's Ministry of Health and Social Affairs with substantive support by the UN Centre for Social Development and Humanitarian Affairs in Vienna, the Meeting sought to identify those social measures that might appropriately be taken in different national circumstances, as well as at the international level, to meet the challenges posed by the negative social consequences of alcohol use. It discussed trends in alcohol consumption and the economic importance of production and trade in alcohol; the economic and social costs of alcohol consumption; the socio-cultural differences in alcohol-related behaviour; and prevention and limitation of alcohol-related damage.

The Meeting recommended that the Secretary-General assign high priority to questions concerning the negative social consequences of alcohol use in the work programmes related to social development, advancement of women, crime prevention, youth, children and human settlements; include the topic in the follow-up to the Guiding Principles for Developmental Social Welfare Policies and Programmes in the Near Future [YUN 1987, p. 616]; initiate studies and organize technical meetings aimed at developing improved indicators of social problems related to alcohol use and at increasing understanding of the prevalence and causes of such problems in order to facilitate prevention; incorporate alcohol-related themes in the preparatory work for the International Year of the Family in 1994; initiate preparations to convene by 1994 a global conference on the social, economic and environmental impact of alcohol production and consumption on development; and undertake studies, provide technical advisory services and organize policy-oriented meetings targeted to wards developing countries' needs in alcohol control. Other recommendations called for seeking donor assistance for the foregoing activities and for bringing the Meeting's report and recommendations to the attention of the Commission for Social Development and other relevant commissions, committees and specialized agencies for appropriate follow-up action.

GENERAL ASSEMBLY ACTION

On 14 December, the General Assembly adopted resolution 45/134.

Follow-up to the Guiding Principles for Developmental Social Welfare Policies and Programmes in the Near Future, and the negative social consequences of alcohol use

The General Assembly,

Recalling its resolution 42/125 of 7 December 1987, in which, *inter alia* it endorsed the Guiding Principles for Developmental Social Welfare Policies and Pro-

grammes in the Near Future, adopted by the Interregional Consultation on Developmental Social Welfare Policies and Programmes,

Recalling also Economic and Social Council resolution 1989/49 of 24 May 1989 concerning the follow-up to the Guiding Principles, in which the Council requested the Secretary-General, *inter alia*, to carry out a study on the negative social consequences of alcohol use, based on the report of an expert meeting to be convened on the question,

Convinced that the dangerous dimension of alcohol use requires sustained action for the implementation of a comprehensive international response, based on a common-effort by all States,

1. Notes with appreciation the holding of the Expert Meeting on the Negative Social Consequences of Alcohol Use at Oslo from 27 to 31 August 1990, which was convened by the Government of Norway with the substantive support of the Centre for Social Development and Humanitarian Affairs of the Secretariat;

2. Takes note of the report of the Expert Meeting and requests the Secretary-General to make the report available to the Commission for Social Development at its thirty-second session;

3. Invites Member States to submit their comments on the report of the Expert Meeting to the Commission for Social Development at its thirty-second session;

4. Requests the Commission for Social Development to report on its discussions of the report and the comments from Member States to the Economic and Social Council at its first regular session of 1991 with proposals for future action.

General Assembly resolution 45/134

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/45/760), 9 November (meeting 37); 7-nation draft (A/C.3/45/L.15), orally revised; agenda item 104.

Sponsors: Iceland, Libyan Arab Jamahiriya, Morocco, Norway, Philippines, Poland, Sweden.

Meeting numbers. GA 45th session: 3rd Committee 11-17, 25, 37; plenary 68.

The family

international Year of the Family (1994)

In response to General Assembly resolution 44/82 [YUN 1989, p. 612], which had proclaimed 1994 as the International Year of the Family, the Secretary-General reported in August [A/45/365] regarding preparations for the Year's observance. He explained that, as at 1 July, the responses received from Governments, the UN system and intergovernmental and non-governmental organizations (NGOs) to his invitation for suggestions on a draft programme for the Year were insufficient to serve as the basis for formulating a representative programme. Follow-up action was undertaken, however, and consultations had begun with a selected number of NGOs, as well as with the NGO Standing Committee of the United Nations Educational, Scientific and Cultural Organization (UNESCO). Contacts had been established with organiza-

tions and agencies of the UN system for the development of a system-wide co-ordinated approach and action. A number of research institutes were being identified to co-operate with the United Nations in disseminating information on their work relating to the family.

In addition, the Secretary-General had designated the Director of the Social Development Division of the United Nations Office at Vienna as Co-ordinator for the Year and had established an organizational secretariat within the Social Development Division of the Centre for Social Development and Humanitarian Affairs of the Secretariat. Negotiations with Governments had begun for the temporary loan of experts and consultants to work closely with the Secretariat on specific family-related issues.

In December 1990, the Secretary-General submitted the requested draft programme [E/CN.5/1991/2] to the Commission for Social Development for its consideration in February 1991.

GENERAL ASSEMBLY ACTION

On 14 December, the General Assembly adopted resolution 45/133.

International Year of the Family

The General Assembly,

Guided by the resolve of the peoples of the United Nations to promote social progress and better standards of life in larger freedom, with a view to the creation of conditions of stability and well-being, which are necessary for peaceful and friendly relations between nations,

Guided also by the relevant provisions of the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights and the Declaration on Social Progress and Development, according to which the widest possible protection and assistance should be accorded to the family,

Bearing in mind the Nairobi Forward-looking Strategies for the Advancement of Women and recalling that by its resolution 42/125 of 7 December 1987 it endorsed the Guiding Principles for Developmental Social Welfare Policies and Programmes in the Near Future, which called for social welfare policies to give greater attention to the family,

Welcoming the entry into force on 2 September 1990 of the Convention on the Rights of the Child and the successful conclusion of the World Summit for Children, held in New York on 29 and 30 September 1990, in particular the adoption of the World Declaration on the Survival, Protection and Development of Children and the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s,

Recalling its resolutions 42/134 of 7 December 1987 and 43/135 of 8 December 1988 on the need to enhance international co-operation in the field of the protection of and assistance to the family, as well as Economic and Social Council resolutions 1983/23 of 26 May 1983, 1985/29 of 29 May 1985 and 1989/54 of 24 May 1989,

Recalling, in particular, its resolution 44/82 of 8 December 1989, in which it proclaimed 1994 as the International Year of the Family and requested the Secretary-General to prepare a draft programme for the preparation for and observance of the Year,

Confident that the Year will offer a unique opportunity for mobilizing efforts, particularly at the local and national levels, to highlight the importance of the family, promote a better understanding of its functions and problems and strengthen national institutions to formulate, implement and monitor policies in respect of the family,

Aware that for the Year to be successful and for its impact and practical efficiency to be maximized, adequate preparation and the widespread support of all Governments, specialized agencies, intergovernmental and non-governmental organizations and the public are required.

Recognizing the efforts made by Governments at the local and national levels in carrying out specific programmes concerning the family, in which the United Nations may have an important role to play, and in raising awareness, increasing understanding and promoting policies that improve the position and well-being of the family,

Stressing the significant role that non-governmental organizations may play in the preparation and implementation of the programme for the Year,

Taking into account its decision 35/424 of 5 December 1980 and Economic and Social Council resolution 1980/67 of 25 July 1980 concerning guidelines for international years and anniversaries,

1. Takes note of the note by the Secretary-General, prepared in pursuance of its resolution 44/82;

2. Welcomes the designation by the Secretary-General of a Co-ordinator for the International Year of the Family and the establishment of an organizational secretariat for the Year within the Social Development Division of the Centre for Social Development and Humanitarian Affairs of the Secretariat;

3. Invites Governments to contribute resources, including staff, to the organizational secretariat;

4. Affirms that the major activities for the observance of the Year should be concentrated at the local and national levels and assisted by the United Nations and its system of organizations, with a view to creating among Governments, policy-makers and the public a greater awareness of the family as the natural and fundamental unit of society;

5. Invites all Governments, specialized agencies, intergovernmental and non-governmental organizations concerned, as well as interested national organizations, to exert all possible efforts in the preparation for and observance of the Year and to co-operate with the Secretary-General in achieving the objectives of the Year;

6. Appeals to the Governments that have not yet done so to make known to the Secretary-General their views on the preparation for and observance of the Year in order to ensure an adequate basis for formulating the programme for the Year;

7. Requests the Secretary-General to finalize a draft programme for the preparation for and observance of the Year and to submit it for consideration by the Commission for Social Development at its session in

1991 and by the General Assembly at its forty-sixth session;

8. Requests the Commission for Social Development to give priority consideration at its session in 1991 to the draft programme for the Year;

9. Invites the Commission for Social Development to ensure that all plans, programmes and activities related to the family accord with the concept of equality between women and men as expressed in the Nairobi Forward-looking Strategies for the Advancement of Women, and with the Convention on the Elimination of All Forms of Discrimination against Women and to ensure the incorporation of the principles relating to policies aimed at fostering equality between women and men, as outlined in the report of the Secretary-General, into the programme for the Year;

10. Requests the Commission for Social Development to inform the Commission on the Status of Women on the preparations for the Year;

11. Invites all States to take prompt action to establish national mechanisms, such as co-ordinating committees, to prepare for, observe and follow up the Year, in particular for the purpose of planning, stimulating and harmonizing the activities of the governmental and non-governmental agencies and organizations concerned with the preparation for and observance of the Year;

12. Requests the Secretary-General to establish a voluntary fund for the preparation for and observance of the Year and invites all States and interested organizations to contribute to that fund,

13. Also requests the Secretary-General to continue taking specific measures, through all the communication media at his disposal, to give widespread publicity to the activities of the United Nations system in the area of family issues and to increase the dissemination of information on the family;

14. Further requests the Secretary-General to submit a report to the General Assembly at its forty-sixth session on the progress made in the preparations for the Year, and to include therein recommendations and comments made by the preparatory and co-ordinating bodies for the Year;

15. Decides to include in the provisional agenda of its forty-sixth session the item entitled "International Year of the Family".

General Assembly resolution 45/133

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/45/760), 9 November (meeting 37); 22-nation draft (A/C.3/45/L.14/Rev.1); agenda item 104.

Meeting numbers. GA 45th session: 3rd Committee 11-17, 25, 37; plenary 68.

Institutional machinery

UN Research Institute for Social Development

The United Nations Research Institute for Social Development (UNRISD) continued in 1990 to implement the research programme approved by its Board of Directors in 1988 [YUN 1988, p. 609], to expand and diversify financial support for the Institute's activities and to widen technical co-

operation with international agencies and other research institutes.

According to its November report [E/CN.5/1991/6] to the Commission for Social Development, UNRISD completed its country case-studies for projects dealing with food policy in the world recession and with patterns of consumption and related qualitative indicators of development. Studies were under way on projects dealing with crisis, adjustment and social change; ethnic conflict and development; sustainable development through people's participation in resource management; and the two continuing projects on refugees. The ground was laid for launching studies under projects concerning social participation and the social impact of changes in ownership relations in production; political violence and social movements; women, environment and population; and the social dynamics of deforestation in developing countries. The initial phase of a new project dealing with the socio-economic and political consequences of the international trade in illicit drugs was completed, and preparations for case-studies on that project were under way.

UNRISD continued to carry out its research programme in collaboration with national research teams and scholars drawn from local universities and other research institutes from all parts of the world, with strong representation from developing countries.

During the year, UNRISD published a number of reports, three monographs and eight discussion papers. It also published the second and third issues of UNRISD News, providing information on UNRISD research and other activities.

The 1990 budget and cash flow of UNRISD reflected a sound financial position resulting from increased core contributions and project funding, a continuing effort to control expenses and growing co-operation with other organizations in programme implementation. Funds available for expenditure were expected to total \$2,709,526. Expenditure was expected to total \$2,650,000, including the transfer of an additional \$50,000 into the operating reserve, bringing that reserve to \$250,000.

Commission for Social Development

The Commission for Social Development, which met biennially, was not convened in 1990.

By decision 1990/286 of 9 November, the Economic and Social Council decided that the Commission's thirty-second session, which was to have been held in Vienna from 13 to 22 February 1991, would be held from 11 to 20 February,

Cultural development

World Decade for Cultural Development

In May, the Secretary-General submitted a report [A/45/277-E/1990/77] to the General Assembly through the Economic and Social Council relating to the World Decade for Cultural Development (1988-1997), proclaimed by Assembly resolution 41/187 [YUN 1986, p. 624]. The report summarized replies received from nine Governments and seven UN organs and specialized agencies to the Secretary-General's request for views on the objectives and scope of the global mid-Decade review in 1993. The Secretary-General said that, due to the small number of replies received, it was difficult to arrive at definitive conclusions that would be representative of the world community's view on the subject. Nevertheless, the information received supported in principle the idea of conducting a mid-term review and evaluation of the implementation of the goals of the Decade. Some replies proposed the convening of an international conference in 1993 for that purpose, with the Intergovernmental Committee for the Decade, established within UNESCO, to serve as the preparatory body. Other replies proposed carrying out the evaluation in the form of seminars, expert meetings, consultations and other forums at the regional level under UN and UNESCO auspices. Some Governments, referring to the very broad spectrum of objectives in the Decade's action plan, as well as to the lack of financial resources, suggested that a mid-Decade review should concentrate on reconsidering some of the objectives and setting out concrete tasks for the second half of the Decade. Suggested for discussion during the review were objectives such as the cultural aspects of the socio-economic development of developing countries, especially the least developed among them, questions of cultural identity, cultural property and heritage, and problems of a great number of ethnic groups within a single State.

In an October addendum [A/45/277/Add.1-E/1990/77/Add.1], the Secretary-General submitted a summary of the views received from an additional six Governments.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 27 July, the Economic and Social Council adopted resolution 1990/88.

World Decade for Cultural Development

The Economic and Social Council,

Recalling General Assembly resolution 44/238 of 22 December 1989, in which the Assembly expressed its support for the conduct of an evaluation at the mid-point of the World Decade for Cultural Development,

in 1993, under the auspices of the United Nations and the United Nations Educational, Scientific and Cultural Organization,

Taking into account its own resolution 1989/107 of 27 July 1989,

1. Takes note of the report of the Secretary-General on the mid-term review of the World Decade for Cultural Development;

2. Invites the Secretary-General and the Director-General of the United Nations Educational, Scientific and Cultural Organization to continue their inquiry into the appropriate means for undertaking a mid-term review of the World Decade for Cultural Development.

Economic and Social Council resolution 1990/88

27 July 1990

Meeting 37

Adopted without vote

Approved by Third Committee (E/1990/116) without vote, 24 July (meeting 17); draft by Bolivia for Group of 77 (E/1990/C.3/L.15), revised following informal consultations; agenda item 10.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/189.

World Decade for Cultural Development

The General Assembly,

Recalling its resolution 41/187 of 8 December 1986, in which it proclaimed the period of 1988-1997 the World Decade for Cultural Development,

Taking into account its resolution 44/238 of 22 December 1989, in which it expressed its support for the conduct of an evaluation at the mid-point of the World Decade for Cultural Development, in 1993, under the auspices of the United Nations and the United Nations Educational, Scientific and Cultural Organization, in order to evaluate the implementation of the Plan of Action for the Decade,

Taking into account paragraph 87 of the International Development Strategy for the Fourth United Nations Development Decade, in which it was stated, *inter alia*, that each country has to choose its approach to human resource and institutional development in accordance with its national priorities, values, traditions and culture and stage of development,

Taking note of Economic and Social Council resolution 1990/88 of 27 July 1990,

Welcoming the progress made by Member States, organizations and programmes of the United Nations system and international non-governmental organizations in the implementation of the Plan of Action for the World Decade for Cultural Development,

1. Takes note with appreciation of the report of the Secretary-General on the mid-term review of the World Decade for Cultural Development;

2. Reaffirms its support for a mid-term review to assess the progress made in implementing the Plan of Action for the Decade and to make proposals to further strengthen activities in this area, taking into account the changing circumstances and the new realities in the international community;

3. Invites the regional commissions, in consultation with Governments and intergovernmental and non-governmental organizations, to carry out, within existing resources, an evaluation of the cultural factors influencing the development of the cultural sector as a

potential creator of jobs and generator of income, for consideration at the mid-term review of the Decade, in 1993;

4. Recommends that the organs, organizations and bodies of the United Nations system consider including activities relating to the Decade in the programme for the biennium 1992-1993, and requests them to co-ordinate those activities;

5. Invites the Secretary-General of the United Nations and the Director-General of the United Nations Educational, Scientific and Cultural Organization to include specific proposals on the modalities of a mid-term review, taking into account the views of Governments, in the second biennial report on progress in the implementation of the World Decade for Cultural Development, to be submitted to the General Assembly at its forty-sixth session, through the Economic and Social Council;

6. Decides to include, on a biennial basis in its provisional agenda for subsequent sessions, a sub-item entitled "World Decade for Cultural Development" under the item entitled "Development and international economic co-operation".

General Assembly resolution 45/189

21 December 1990 Meeting 71 Adopted without vote

Approved by Second Committee (A/45/848) without vote, 5 December (meeting 51); draft by Chairman (A/C.2/45/L.64) based on informal consultations on draft by Bolivia for Group of 77 (A/C.2/45/L.33); agenda item 12.

Meeting numbers. GA 45th session: 2nd Committee 13-16, 43, 51; plenary 71.

Revival of the Library of Alexandria

On 12 March [A/45/169-E/1990/45], Egypt transmitted to the Secretary-General the text of the Aswan Declaration on the revival of the Library of Alexandria, issued by the inaugural session of the International Commission for the Revival of the Ancient Library of Alexandria (Aswan, 13 February). By the Declaration, the Commission stated that, under the patronage of the President of Egypt, Hosni Mubarak, the Government was seeking, in co-operation with UNESCO and financial support from the United Nations Development Programme (UNDP) and other public and private sources, to revive the ancient library in Alexandria by restating its legacy in modern terms. The ancient Library of Alexandria and its associated museum, the Commission continued, gave birth to a new intellectual dynamic. By gathering together all the known sources of knowledge and organizing them for the purposes of scholarly study and investigation, they marked the foundation of the modern notion of the research foundation.

The new Alexandria Library, to be constructed on the site of the palace of the Ptolemies, would give modern expression to an ancient endeavour. A contemporary design had been adopted through an international architecture competition and plans had been drawn up for a facility with the latest computer technology to serve as a

research library, open to researchers from all over the world. Its specialized collections would relate to Egyptian, Middle-Eastern and Greek civilizations, the birth of Coptic Christianity, and the theo-Islamic heritage, with special emphasis on the history of science and on works that likely would have been contained in the original library. Bibliotheca Alexandrina would be a link with the past and an opening into the future. It would be unique in being the first library on such a scale to be designed and constructed with the assistance of the international community, acting through the UN system.

The International Commission reiterated the 1987 appeal made by the UNESCO Director-General to all Governments, international organizations and NGOs, public and private institutions, funding agencies, librarians, archivists and the people of all countries to participate by means of voluntary contributions of all kinds in the effort to revive the Library of Alexandria.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 11 May, the Economic and Social Council adopted resolution 1990/2.

Revival of the ancient Library of Alexandria

The Economic and Social Council,

Bearing in mind Articles 13, 55 and 57 of the Charter of the United Nations concerning the promotion of international co-operation in cultural and educational fields,

Affirming the vital importance of preserving the cultural heritage of societies,

Aware of the four main objectives of the World Decade for Cultural Development set out in General Assembly resolution 41/187 of 8 December 1986,

Welcoming the progress made by Member States and by international, regional, governmental and non-governmental organizations towards the development of activities within the framework of the Decade,

Taking note of the Aswan Declaration, regarding the project undertaken by the Government of Egypt aimed at the revival of the ancient Library of Alexandria,

1. Welcomes the goals of the project, which are outlined in the Aswan Declaration;

2. Expresses its deep appreciation for the valuable support provided by the organs and organizations of the United Nations system, in particular the United Nations Educational, Scientific and Cultural Organization and the United Nations Development Programme, as well as by donor countries, for the efforts of the Government of Egypt aimed at the revival of the historical heritage of the Library of Alexandria, which, owing to its multidisciplinary and international character, will serve Egypt as well as the world at large;

3. Invites the international community to continue to lend support for the efforts of the Government of Egypt to fulfil the various goals set out in the Aswan Declaration.

Economic and Social Council resolution 1990/2
 11 May 1990 Meeting 9 Adopted without vote
 115-nation draft (E/1990/L.20); agenda item 1.
 Meeting numbers. ESC 8, 9.

Crime prevention and criminal justice

Implementation of Seventh (1985) Crime Congress recommendations

In response to General Assembly resolution 44/72 [YUN 1989, p. 615], the Secretary-General submitted a July report [A/45/324] on the implementation of the resolutions and recommendations of the Seventh (1985) United Nations Congress on the Prevention of Crime and the Treatment of Offenders [YUN 1985, p. 738]. It was prepared on the basis of new information received from 23 Governments on the subject and on information previously received from six other Governments which, because of timing, could not be included in the Secretary-General's 1989 report [YUN 1989, p. 615]. The report updated information on: 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 [YUN 1985, p. 738 & 742]; crime prevention in connection with law reform and socio-economic development; improvements in national criminal justice systems; measures against national discrimination and apartheid and against the most serious forms of crime; and international collaboration against organized crime, illicit drug trafficking and terrorism. Also updated were measures taken towards the effective organization of criminal justice systems and administration of justice, as well as towards the implementation of the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power and of the United Nations Standard Minimum Rules for the Administration of Juvenile Justice [YUN 1985, pp. 743 & 747].

The Secretary-General stated that criminal code and procedure reforms had been undertaken in a large number of countries and widely disseminated. The police and the judicial and corrections systems were being restructured to strengthen their efficacy in upholding the rule of law. There was also an evident trend towards decriminalization of minor offences so as to allow greater attention to the control of more serious crime. Member States had intensified their struggle against the most serious forms of crime, including organized crime, terrorism, illicit drug

trafficking and environmental and economic offences. The promulgation and application of laws and regulations to control and combat such crimes had often resulted from international treaties and instruments. Developing countries, however, had voiced concern about serious handicaps in their implementation efforts, such as the lack of skilled personnel and the absence of training opportunities and of technological and material means, compounded by the economic, social and human costs of crime. The information received underlined interest in UN advisory services and other types of aid and pointed out that national programmes had not always received appropriate international assistance. The report noted that the UN recommendations constituted policy guidelines by which Governments could assess and direct their efforts and provided a basis for harmonizing national legislations and for viable cooperation among States.

Eighth UN Crime Congress

Congress preparations

The Secretary-General's 1989 report [E/AC.57/1990/51] on preparations for the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders was submitted to the Economic and Social Council through the Committee on Crime Prevention and Control at its eleventh session in February 1990. That report described the substantive preparations, including regional preparatory meetings, as well as the organizational preparations, setting out, among other arrangements, the proposed organization of work of the Congress and details of proposed workshops and ancillary meetings to be held during the Congress.

As the preparatory body for the Eighth Congress, the Committee on Crime Prevention and Control recommended for transmission to the Congress, through the Council, draft resolutions on: international co-operation for crime prevention and criminal justice in the context of development; the functioning and programme of work of the United Nations in crime prevention and criminal justice; a draft model treaty for the prevention of crimes that infringed on the cultural heritage of peoples in the form of movable property; the role of criminal law in the protection of nature and the environment; UN standard minimum rules for non-custodial measures (the Tokyo rules); prevention of urban crime; management of criminal justice and the development of sentencing policies; basic principles for the treatment of prisoners; computerization of

criminal justice; prevention and control of organized crime; terrorist criminal activities; other draft model treaties on extradition, on the transfer of proceedings and mutual assistance in criminal matters, and on the transfer of supervision of offenders conditionally sentenced or conditionally released; UN guidelines for the prevention of juvenile delinquency; UN rules for the protection of juveniles deprived of their liberty; basic principles on the use of force and firearms by law enforcement officials; basic principles on the role of lawyers; and guidelines on the role of prosecutors. In addition, the Committee adopted a resolution recommending that the Eighth Congress consider the establishment, under UN auspices, of a world foundation on crime control and assistance to victims.

An April report [E/1990/36] of the Secretary-General noted that the new draft instruments annexed to some of those draft resolutions should make a significant contribution to the development of international law and standards in crime prevention and criminal justice.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 24 May, the Economic and Social Council adopted resolution 1990/23.

Continuation of preparations for the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders

The Economic and Social Council,

Recalling General Assembly resolutions 415(V) of 1 December 1950, 32/60 of 8 December 1977, 41/107 of 4 December 1986, 42/59 of 30 November 1987, 43/99 of 8 December 1988 and 44/72 of 8 December 1989,

Recalling also Economic and Social Council resolutions 1987/49 of 28 May 1987 and 1989/69 of 24 May 1989,

Bearing in mind that the General Assembly and the Economic and Social Council have reaffirmed in numerous resolutions the importance of the United Nations congresses on the prevention of crime and the treatment of offenders as global events providing a forum for the exchange of expertise and experience in priority areas and for the development of policy options and international co-operation in the field of crime,

Having considered the report of the Secretary-General on the continuation of preparations for the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

1. Takes note of the reports of the regional preparatory meetings for the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in 1989;

2. Approves the organization of work for the Eighth Congress, as proposed by the Secretary-General in his report;

3. Commends the Secretary-General of the Eighth Congress for the important work done in preparing for the Congress, in spite of the limited resources available;

4. Expresses its appreciation to the Committee on Crime Prevention and Control, which, as the preparatory body for the Congress, has provided overall guidance;

5. Endorses the recommendations contained in the reports of the regional preparatory meetings for the Eighth Congress, as reviewed by the Committee on Crime Prevention and Control, and recommends that the Congress approve them;

6. Approves the documentation for the Eighth Congress, which was reviewed by the Committee on Crime Prevention and Control at its tenth and eleventh sessions;

7. Notes with satisfaction the preparations for the two workshops to be held during the Eighth Congress, one on alternatives to imprisonment and the other on computerization of the administration of criminal justice;

8. Invites all Governments to attend the Eighth Congress at the highest appropriate level;

9. Invites Governments to finalize their national preparations for the Eighth Congress, including the submission of national papers, and to consider including members of the Committee on Crime Prevention and Control and national correspondents in their delegations to the Congress;

10. Welcomes the organization of ancillary meetings of professional groups during the Congress;

11. Urges the regional commissions, the regional and interregional institutes for crime prevention and the treatment of offenders, the specialized agencies and other entities within the United Nations system, other intergovernmental organizations concerned, non-governmental organizations in consultative status with the Economic and Social Council, professional organizations and experts to attend the Eighth Congress;

12. Decides to transmit to the Eighth Congress the draft resolutions recommended by the Committee on Crime Prevention and Control at its eleventh session.

Economic and Social Council resolution 1990/23

24 May 1990 Meeting 13 Adopted without vote

Approved by Second Committee (E/1990/69) without vote, 11 May (meeting 11); draft by Committee on Crime Prevention and Control (E/1990/31), orally amended by Italy; agenda item 5.

Convening of Congress

The Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders was held in Havana, Cuba, from 27 August to 7 September 1990, in conformity with Economic and Social Council resolution 1989/69 [YUN 1989, p. 620]. At its opening meeting on 27 August, the Congress elected Juan Escalona Reguera, President of the National Assembly of the People's Power of the Republic of Cuba, as President of the Congress. The Director-General of the United Nations Office at Vienna served as Secretary-General of the Congress and the Chief of the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs served as Executive Secretary.

In attendance were delegations from 127 States, observers from Palestine and the African National Congress, officials of 19 UN offices and organs and of two UN specialized agencies, and representatives of six intergovernmental organizations and 46 NGOs. The participants numbered over 1,200, among whom were 350 experts.

In his message to the Congress, the Secretary-General highlighted the importance of UN congresses such as the current one in that they influenced national policies on crime prevention and treatment of offenders. He called for devising new and more effective means of international co-operation to prevent crime, reduce victimization and improve the quality of justice. He emphasized that the Congress provided a unique opportunity to examine such key problems as terrorism, organized crime and corruption, as well as the penal protection of the environment, to assess the measures taken and to devise a global strategy.

Under the overall theme of "International co-operation in crime prevention and criminal justice for the twenty-first century", the agenda included five topics: crime prevention and criminal justice in the context of development: realities and perspectives of international co-operation; criminal justice policies in relation to problems of imprisonment, other penal sanctions and alternative measures; effective national and international action against organized crime and terrorist criminal activities; prevention of delinquency, juvenile justice and the protection of the young; policy approaches and directions; and UN norms and guidelines in crime prevention and criminal justice: implementation and priorities for further standard-setting.

During the Congress, two workshops were held: one, on alternatives to imprisonment, focusing on research; the other, on computerization of criminal justice information, with practical demonstrations. A special meeting on technical co-operation for participants from developing and potential donor countries was held, as was a meeting of national correspondents. A series of ancillary meetings was organized by intergovernmental and non-governmental organizations, which dealt with community participation in corrections; local crime prevention policies; children deprived of their liberty; conditions of prisoners awaiting trial in Latin America and Western Europe; priorities for penal reform; prevention and prosecution of computer crime; domestic violence; strategies for increasing the use of alternatives to imprisonment; abolition of the death penalty; recidivism; implementation of the basic principles embodied in the UN declaration on victims; independence of

the judiciary; drugs and drug-related crime; implementation of UN standards and rules; and restoration as an alternative approach to justice. Meetings of regional groups and of special professional interest groups were also held.

The Congress recommended 13 draft instruments and resolutions for adoption by the General Assembly and adopted 3 other instruments and 30 resolutions and a decision. One resolution concerned the approval of the Credentials Committee report and another expressed thanks to the people and Government of Cuba for their hospitality. (See below for other resolutions.)

The Congress, on 7 September, adopted its report as a whole [A/CONF.144/28/Rev.1].

Congress instruments and resolutions

Following its deliberations on the agenda item on crime prevention and criminal justice in the context of development: realities and perspectives of international co-operation, the Eighth Congress recommended two draft resolutions for General Assembly action and adopted 15 resolutions, one of which annexed an international instrument.

One of the two draft resolutions subsequently adopted by the Assembly was on international co-operation for crime prevention and criminal justice in the context of development, which embodied 29 recommendations for a wide range of measures addressed to Governments, as well as for concerted action to strengthen international scientific and technical co-operation in combating crime and to improve mechanisms for crime prevention and criminal justice (resolution 45/107). The other was on the review of the functioning and programme of work of the United Nations in crime prevention and criminal justice (resolution 45/108).

The Congress, by its resolution on prevention of urban crime, recommended that Member States develop appropriate policies and strategies relating to the family, children, youth, urban housing and community development, police and community co-operation, the justice system, the prevention of violence and recidivism as well as of alcohol, drugs and other substance abuse, crime victims, and publicizing existing social programmes in those areas. It invited the Secretary-General to develop the role of the UN Secretariat in initiating and co-ordinating crime prevention by various means, including establishing an international data bank and a foundation for crime prevention.

The resolution annexing the instrument on a model treaty for the prevention of crimes that infringed on the cultural heritage of peoples in the form of movable property recommended that Member States consider the model treaty as a

framework for negotiating and drawing up bilateral agreements designed to improve co-operation in the prevention of such crimes and periodically to inform the Secretary-General of efforts to conclude such agreements. The related resolution on the use of an automated information exchange to combat crimes against movable cultural property requested the Secretary-General to arrange, in co-operation with Member States, intergovernmental, non-governmental and other organizations, for the creation of national and international computer data bases to be used in preventing and combating crime against cultural heritage and to contain information on stolen or illegally exported movable cultural property around the world, national legislation and international instruments on the protection of cultural heritage and measures to combat international traffic in movable cultural property; it further requested the Secretary-General to facilitate access to those data bases and to examine the feasibility of establishing a fund to be supported by revenues generated from their use.

The resolution on the role of criminal law in the protection of nature and the environment called on Member States to recognize the need to modify or enact and to enforce national criminal laws designed to protect nature and the environment, as well as people threatened by their deterioration; it asked the Secretary-General to encourage the incorporation, in future international conventions for the protection of the environment, of provisions under which States would be expected to enact sanctions under national criminal law, and to prepare a report every five years on developments in environmental criminal law.

In its resolution on computer-related crimes, the Congress, concerned by the increase of the abuse of computers as a modality of economic crime, recommended that the Committee on Crime Prevention and Control promote international efforts and dissemination of comprehensive guidelines and standards to assist Member States to deal with such crimes nationally and internationally; it requested the Secretary-General to convene an ad hoc expert meeting to submit proposals for national and international action to the Committee and to consider producing a technical publication on the prevention and prosecution of computer-related crimes. The resolution on corruption in government recommended that Member States devise administrative and regulatory mechanisms for the prevention of corrupt practices on the abuse of power; endorsed the manual on practical measures against corruption and called for its wide dissemination; and requested the Crime Prevention and Criminal Jus-

tice Branch to develop a draft international code of conduct for public officials for submission to the Ninth (1995) United Nations Congress and to keep the issue of government corruption under constant review.

The resolution on organized crime invited the Committee on Crime Prevention and Control to study the possible establishment of a universal and/or regional register of judicial sentences imposed for offences of trafficking in arms, drugs and persons, of terrorism, and against ecosystems and cultural property involving transnational modalities, or to explore the possibility of setting up an improved system of data and information exchange. In two related resolutions, one on racketeering and illicit trafficking in narcotic drugs and psychotropic substances called for intensified international response against such organized crimes, with due regard for human rights and States' sovereignty and territorial and political integrity; the other resolution, on measures against drug addiction, called on States to strengthen their national policies to combat drug addiction and called also on UN Members to develop and strengthen international co-operation to that end.

The resolution on international co-operation and mutual assistance through training programmes and exchange of expertise invited Member States to map out training programmes on crime prevention and criminal justice within their sphere of expertise and to make them available to Member States seeking training, irrespective of regional affiliation; it recommended that the United Nations act as the co-ordinating body, matching Members requiring specific training with those able to provide it. In its resolution on consolidation of the role of national correspondents, the Congress, recognizing that the current system of activating national correspondents with a view to gathering and exchanging information on criminal justice systems and crime patterns needed to be more effective, recommended defining the specific tasks expected of those correspondents and urged that, in fulfilling their functions, they pay particular attention to updating regularly the United Nations Crime and Justice Information Network. The resolution on development of UN criminal justice statistical surveys called for the active involvement of Member States in the design and development of such surveys and requested the Secretary-General to appoint an ad hoc expert group to advise him on survey design, development, implementation and analysis and to make recommendations to the Committee on Crime Prevention and Control on how to involve Member States in survey development.

The resolution on the social aspects of crime prevention and criminal justice in the context of development appealed to Member States to develop their economic policies with, *inter alia*, the aim of reducing crime by combating corruption, drug trafficking and any form of exploitation; considered that the social aspects of development, being an important factor in the achievement of the objectives of the strategy for crime prevention and criminal justice, should be given higher priority within the UN system; supported international action to protect the environment from further deterioration to ensure better living conditions and to harmonize existing international instruments entailing penal sanctions under national criminal law; and requested the Secretary-General to consider the preparation of a manual on enhancing the role of education in criminal justice policies at all educational levels in the training of criminal justice staff, taking into account the relevant recommendations by the Economic and Social Council.

The resolution on support for the UN African Institute for the Prevention of Crime and the Treatment of Offenders urged those African Member States that had acceded to the statute of the Institute to meet their financial obligations, thereby providing a sound basis for its functioning, and urged those that had not acceded to do so in order to broaden its support base. The resolution on the support for the UN Latin American Institute for the Prevention of Crime and Treatment of Offenders requested the UN Secretariat to support and promote technical and financial co-operation between developed and developing countries with regard to crime prevention, criminal justice and human rights; appealed to the Latin American and Caribbean Governments to make technical and financial contributions towards sustaining and expanding the Institute's programmes; and urged developed countries outside the Latin American region, UNDP, the Department of Technical Co-operation for Development and other international agencies and funds to offer greater technical and financial support to the region through the Institute.

Under the agenda item on criminal justice policies in relation to problem of imprisonment, other penal sanctions and alternative measures, the Congress recommended three draft resolutions for Assembly action and adopted eight resolutions, all aimed at the more effective and humane treatment of offenders in institutions and in the community, with emphasis on the wider use of alternatives to incarceration.

The draft resolutions later adopted by the Assembly were on the United Nations Standard Minimum Rules for Non-custodial Measures

(The Tokyo Rules) (resolution 45/110), basic principles for the treatment of prisoners (resolution 45/111) and a computerization of criminal justice (resolution 45/109).

The Congress, by its resolution on management of criminal justice and development of sentencing policies, adopted recommendations for further action at the national, regional and inter-regional levels on the application of criminal law, on ensuring fair treatment and coherent sentencing policies, on management of imprisonment, especially in crisis situations, and on management and staff training in the criminal justice system. By its resolution on principles and directions for research on non-custodial sanctions, the Congress endorsed a set of principles and directions for policy-oriented research on the subject, encouraged the use of the resultant findings as resource material for conferences and training courses for criminal justice personnel, and also encouraged UN interregional and regional institutes for crime prevention and treatment of offenders to provide technical assistance to Member States in implementing the principles and directions. The resolution on pre-trial detention recommended that, in criminal proceedings, Member States use pre-trial detention only if strictly necessary and as a last resort and called on the Committee on Crime Prevention and Control to examine the question in all its aspects. The resolution on assessment for the release of life-sentence prisoners requested the Committee to examine the legal position as to the rights and duties of prisoners serving life sentences and the various systems for reviewing their suitability for conditional release, to give special consideration to assessment procedures and decision-making in cases of life sentences, and to examine the need for such sentences.

The resolution on infection with HIV and AIDS in prison requested the Secretary-General, in collaboration with the World Health Organization, to assist prison administrations, at the request of the Member States concerned, in the development of national AIDS prevention and control programmes for the prison population, to encourage international co-operation in the elaboration and exchange of educational materials designed to prevent the further spread of HIV infection in prison, and to elaborate guidelines for the institutional and clinical management of HIV-infected prisoners and those with AIDS.

The resolution on international and inter-regional co-operation in prison management and community-based sanctions and other matters contained recommendations relating to the custodial and non-custodial treatment of offenders; prison labour, education, leisure and family vis-

its; the treatment of drug-dependent offenders; health care for those physically disabled and mentally disturbed; the treatment of juveniles; and international co-operation in penal administration and related matters. The resolution on the activities of the International Committee of the Red Cross (ICRC) with regard to detention invited the Secretary-General to maintain regular contacts with ICRC in order to share its experiences in the treatment of detainees within the framework of its specific mandates. A further resolution proposed that the Assembly proclaim an international year for the protection of victims of crime and the rehabilitation of offenders.

Under the agenda item on effective national and international action against organized crime and terrorist criminal activities, the Congress, in addition to adopting two resolutions, recommended for Assembly action three major international instruments, each annexed to a draft resolution-model treaties on extradition, on the transfer of proceedings in criminal matters, and on mutual assistance in criminal matters-all subsequently adopted by the Assembly (resolutions 45/116, 45/118, 45/117, respectively).

The Congress resolution on prevention and control of organized crime annexed guidelines for national measures for preventive strategies, criminal legislation and investigation, and law enforcement and criminal justice administration, as well as for the development of international co-operative arrangements to tackle the transnational dimensions of organized crime. The resolution on terrorist criminal activities agreed that the series of measures annexed to the resolution represented valuable guidance for concerted action against international terrorism and urged Member States to give favourable consideration to implementing them nationally and internationally. Those measures covered various aspects of the problem, including the definition of terrorist behaviour; identification of problems hindering the prevention and control of all forms of terrorist violence; the questions of jurisdiction, extradition and non-applicability of defence; the conduct of States; the protection of vulnerable targets, as well as of victims and witnesses; the control of weapons, ammunition and explosives; the treatment of offenders; and the role of the mass media.

In connection with the agenda item on prevention of delinquency, juvenile justice and the protection of the young: policy approaches and directions, the Congress recommended to the Assembly four draft resolutions, which the Assembly later adopted: one annexing draft United Nations Guidelines for the Prevention of Juvenile Delinquency (resolution 45/112), another annexing

draft United Nations Rules for the Protection of Juveniles Deprived of their Liberty (resolution 45/113), and two others, on the instrumental use of children in criminal activities (resolution 45/115) and on domestic violence (resolution 45/114).

Under the agenda item on UN norms and guidelines in crime prevention and criminal justice: implementation and priorities for further standard-setting, the Congress, in addition to adopting six resolutions, recommended for Assembly consideration a draft resolution annexing a model treaty on the transfer of supervision of offenders conditionally sentenced or conditionally released, later adopted by the Assembly (resolution 45/119).

The Congress adopted a resolution to which were annexed Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, containing general and special provisions governing the lawful use of force and firearms by law enforcement officials, the policing of unlawful non-violent or violent assemblies, as well as of persons in custody or detention, the qualifications and professional training in the use of force or firearms by law enforcement officials, as well as stress-counselling for such officials, and an effective system of reporting and review of all incidents involving the use of force and firearms. Another resolution annexed Basic Principles on the Role of Lawyers governing access by all to legal services, safeguards for the accused, arrested or detained in criminal justice matters; the education of lawyers, including awareness of their ethical duties and of the human rights and fundamental freedoms recognized by national and international law; the duties and responsibilities of lawyers towards their clients; guarantees for the functioning of lawyers, including freedom of expression and association; and disciplinary proceedings against lawyers. By the resolutions annexing the two sets of Basic Principles, the Congress recommended them for national, regional and interregional implementation, taking into account the political, economic, social and cultural circumstances and traditions of each country; invited Member States to inform the Secretary-General every five years, beginning in 1992, of the progress achieved in the implementation of those principles, including their incorporation into domestic legislation, practice and policies; and requested the Secretary-General to give the Basic Principles the widest possible dissemination.

A set of guidelines on the role of prosecutors, formulated to assist Member States in securing and promoting the effectiveness, impartiality and fairness of prosecutors in criminal proceedings, was annexed to the Congress resolution of

the same title, which urged Governments to take the guidelines into account within the framework of their national legislation and practice, and to bring them to the attention of prosecutors, judges, lawyers, members of the executive and legislative branches of Government and the public at large; it also requested the Secretary-General to prepare every five years, beginning in 1993, a report on the guidelines' implementation. The guidelines addressed prosecutors' qualifications, selection and training, status and conditions of service, entitlement to freedom of expression and association, role in criminal proceedings, discretionary functions including with regard to alternatives to prosecution, and relations with other government agencies or institutions. Also addressed were disciplinary proceedings against prosecutors and their responsibilities as to the observance of the guidelines.

By its resolution on the protection of human rights of victims of crime and abuse of power, the Congress recommended that Governments consider making available public and social support services for such victims and foster programmes for victim assistance, information and compensation; it requested the Secretary-General to study the feasibility of setting up an international fund, within the framework of the UN crime prevention and criminal justice programme, for the compensation of and assistance to victims of transnational crimes and for the promotion of international research, data collection and dissemination, as well as to formulate relevant policy guidelines. In its resolution on the transfer of enforcement of penal sanctions, the Congress invited Member States to consider concluding agreements on the subject, called on the Secretary-General to facilitate the provision of professional advice and technical support for Member States interested in concluding such agreements, and requested the Committee on Crime Prevention and Control to consider formulating a model agreement for submission to the Ninth Congress. In its resolution on the development of future procedures for evaluating the extent to which Member States implemented UN norms and guidelines in criminal justice and crime prevention, the Congress requested the Secretary-General to convene an ad hoc group of experts to submit proposals to the Committee on Crime Prevention and Control at its 1991 session for promoting the implementation of existing standards, consolidating and rationalizing arrangements for such evaluation, and improving techniques for the effective evaluation and monitoring of the implementation of those norms and guidelines.

Follow-up to Congress

On 6 September, the Congress adopted a decision by which it requested the Secretary-General, in carrying forward its conclusions, to give priority attention to practical measures to combat international crime and to promote the implementation of norms, standards and instruments adopted by the international community, as well as to the provision, where practicable, of technical co-operation to Member States at their request.

In an October report [A/45/629], prepared in response to Assembly resolution 44/72 [YUN 1989, p. 615], the Secretary-General summarized the recommendations and conclusions of the Eighth Congress. He further made proposals for fulfilling the new Congress mandates, especially with respect to transnational criminality, crime prevention planning and criminal justice management, the application of UN norms and guidelines, and strengthening international co-operation and the UN crime and justice programme. The report stated that additional new activities had to be undertaken as soon as possible in order to respond to the requests of the Eighth Congress, which had identified a wide spectrum of requirements unmet because of the limitations of national and international capacity to deal with the worsening crime situation. It called for progress reports on several matters to be submitted to the Committee on Crime Prevention and Control in early 1992, necessitating intensive work during 1991. The new tasks mandated by the Congress included the preparation of a dozen manuals, guidelines, compendia or technical publications, a series of periodic reports to the Committee and 16 reports on new subjects for the Ninth (1995) Congress. In addition to the establishment of nine data banks, the convening and servicing of eight working groups and the provision of technical assistance to Member States in the implementation of almost all resolutions were requested. The report outlined the activities related to the accomplishment of those tasks.

The Secretary-General stated that the Eighth Congress had not only pointed the way but outlined the directions for concrete action. How to give tangible effect to its recommendations and expectations was a matter before the Assembly. The consensus by which the Governments at the Congress had adopted all the resolutions reflected agreement that incisive steps had to be taken and that the United Nations had to respond more vigorously to the dangers and the challenge of crime. The nefarious links between organized criminality, especially illicit drug trafficking, corruption, violence and a vast array of other crimes, having revealed the futility of

piece-meal measures, called for a global strategy to confront those critical issues in a coherent and far-sighted manner.

GENERAL ASSEMBLY ACTION

On 14 December, the General Assembly adopted resolution 45/121.

Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders

The General Assembly,

Deeply concerned about the steady rise in crime in many parts of the world, particularly its dangerous new forms and transnational dimensions,

Conscious of the negative effects of crime on the quest for sustained development, a secure environment and a better quality of life,

Recognizing the importance to all countries of more effective crime prevention and criminal justice in furthering socio-economic development, political stability and a propitious climate for national growth and world peace,

Recalling its resolution 40/32 of 29 November 1985, in which it approved the Milan Plan of Action as a useful and effective means of strengthening international co-operation in the field of crime prevention and criminal justice and invited Governments to be guided by it 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, in accordance with the economic, social, cultural and political circumstances of each country,

Recalling also its resolution 44/72 of 8 December 1989, in which it stressed the importance of the programme of work of the United Nations in crime prevention and criminal justice and the necessity of strengthening it in order to make it more responsive to the needs and expectations of Member States, whose stability and social peace, as well as law enforcement and judicial structures, might be undermined by the growing level and impact of criminality, and requested the Secretary-General to ensure that the level of human and financial resources of the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs of the Secretariat is sufficient for it to carry out its multiple tasks mandated by United Nations policy-making bodies, including the promotion of collaborative action by Governments on problems of mutual concern, evaluation research, the collection and dissemination of information, the preparation of reports and studies and technical co-operation activities, and to ensure that the specialized nature of the programme of work of the Branch is fully reflected in its management and staffing.

Recalling further its resolution 42/59 of 30 November 1987, in which it invited the Committee on Crime Prevention and Control to accord priority to preparations for the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders and to ensure adequate follow-up to the review of the functioning and programme of work of the United Nations in the field of crime prevention and criminal justice

undertaken by the Economic and Social Council and its resolution 43/99 of 8 December 1988, in which it stressed the necessity for Member States to continue to make concerted and systematic efforts to strengthen international co-operation in crime prevention and criminal justice,

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, 36/21 of 9 November 1981 and 40/32,

Recalling Economic and Social Council resolutions 1986/10 and 1986/11 of 21 May 1986, 1987/49 and 1987/53 of 28 May 1987, 1988/44 of 27 May 1988 and 1989/68 and 1989/69 of 24 May 1989,

Taking note, in particular, of Economic and Social Council resolution 1990/27 of 24 May 1990, in which the Council invited the General Assembly, at its forty-fifth session, to take appropriate measures to ensure the timely implementation and proper follow-up of the recommendations of the Eighth Congress,

Acknowledging that the United Nations congresses, as major intergovernmental forums, have influenced national policies and practices by facilitating the exchange of views and experiences, mobilizing public opinion and recommending policy options at the national, regional and international levels, thus making a significant contribution to progress and the promotion of international co-operation in this field,

Mindful of the main objectives of the United Nations in the field of crime prevention and criminal justice, which include the promotion of a more effective administration of justice, the strengthening of international co-operation in the fight against international crime, the observance of human rights and the pursuance of the highest standards of fairness, efficiency, humanity and professional conduct,

Reaffirming the validity of the guidelines for setting international standards in the field of human rights: contained in its resolution 41/120 of 4 December 1986, and the need to give due consideration in this work to the established international legal framework,

Emphasizing the importance of continuing to provide Governments with the maximum opportunity to submit written comments and to participate in the formulation of international instruments and model treaties,

Bearing in mind the theme of the Eighth Congress. "International co-operation in crime prevention and criminal justice for the twenty-first century", and the importance of preserving peace, freedom and justice as essential conditions for development and international co-operation,

Noting the fact that the Eighth Congress, in pursuance of that theme, paid particular attention to the question of crime prevention and criminal justice in the context of development and the realities and perspectives of international co-operation in this field: underlined the need for granting this question higher priority at the United Nations system level: recommended major instruments to facilitate inter-State co-operation

against crime, giving particular attention to the linkage between illicit drug trafficking, organized crime and terrorist criminal activities, the efficiency and effectiveness of national systems of criminal justice, the computerization of criminal justice and the non-institutional treatment of offenders, domestic violence and the prevention of juvenile delinquency; and identified other priority areas for practical action, such as environmental protection, in accordance with the requests of the General Assembly,

Noting also that the programme of work of the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs of the Secretariat has expanded in recent years,

Aware that crime prevention and criminal justice must be considered not only in the context of public systems, social and cultural values and social evolution, but also in the context of consistent economic development, and alarmed by the growing threat of organized crime, whose destabilizing and corrupting influence on basic economic and political institutions poses a challenge that demands more effective international co-operation,

Considering that the formulation and implementation of rules and guidelines in the field of crime prevention and criminal justice provide a basis for the introduction of improvements in criminal justice at the national and regional levels,

Reaffirming its determination to improve regional and international co-operation to foster further progress in this area, including implementation of the recommendations of the Eighth Congress, according to an orderly timetable reflecting priorities, taking into account the results of the meeting of the inter-governmental working group and the ministerial meeting to be held in 1991,

Having considered the report of the Eighth Congress, the report of the Secretary-General on the implementation of the resolutions and recommendations of the Seventh Congress and the report of the Secretary-General on the implementation of the conclusions of the Eighth Congress, submitted in pursuance of resolution 44/72,

1. Expresses its satisfaction with the successful results achieved by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders and the thorough preparations for the Congress, overseen by the Committee on Crime Prevention and Control as the preparatory body, which contributed to its productive outcome, and by the regional and inter-regional preparatory meetings convened in co-operation with the regional commissions, the United Nations institutes for the prevention of crime and the treatment of offenders and interested Governments;

2. Takes note of the report of the Eighth Congress, as well as the report of the Secretary-General on the implementation of the recommendations of the Seventh Congress and his report on the conclusions of the Eighth Congress;

3. Welcomes the instruments and resolutions adopted by the Eighth Congress, and invites Governments to be guided by them in the formulation of appropriate legislation and policy directives and to make efforts to implement the principles contained in them and in the relevant instruments and resolutions approved by previous congresses and other relevant reso-

lutions, in accordance with the economic, social, legal, cultural and political circumstances of each count;;

4. Endorses the decision of the Eighth Congress that priority attention should be given to specific practical measures to combat international crime over the forthcoming five-year period, bearing in mind the criteria set out in the relevant regulations and rules governing programme planning;

5. 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 continue to explore new avenues for international co-operation in this field;

6. Invites the Committee on Crime Prevention and Control at its twelfth session to examine the implications of the resolutions and recommendations of the Eighth Congress for the programmes of the United Nations system and to make specific recommendations on the implementation of the resolutions and recommendations in its report to the Economic and Social Council at its first regular session of 1992, in accordance with the priorities to be set by the ministerial meeting to be held in 1991;

7. Requests the Economic and Social Council to examine, at its first regular session of 1992, the report of the Committee on Crime Prevention and Control referred to in paragraph 6 above, in order to provide, within the United Nations system, overall policy guidance in crime prevention and criminal justice, and to undertake periodically the review, monitoring and appraisal of the resolutions and recommendations of the Eighth Congress, and the priority accorded to them;

8. Emphasizes the urgent need to be responsive to the calls of the Eighth congress for strengthening the operational aspects of the United Nations programme of work in crime prevention and criminal justice, with a view to assisting interested countries in developing self-reliant and adequate law enforcement and judicial structures;

9. Urges all entities of the United Nations system, including the regional commissions and the institutes for 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 resolutions and recommendations of the Eighth Congress;

10. Also urges the Department of Technical Co-operation for Development of the Secretariat, the United Nations Development Programme and other pertinent bodies to give 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;

11. Requests the Secretary-General to use his best endeavours to translate into action, as appropriate, the resolutions recommended by the Eighth Congress for adoption by the General Assembly and to provide adequate follow-up of the other resolutions unanimously adopted by the Congress, and to do so in accordance with the priorities indicated by the Congress;

12. Invites the Secretary-General to use his best endeavours to review the resources required to enable the

Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs of the Secretariat to discharge its responsibilities in accordance with the mandates and tasks recommended by the Eighth Congress;

13. Requests the Secretary-General to consider including in the proposed programme budget for the biennium 1992-1993 programme and resources proposals to assist with the long-term solution of the problems posed by the implementation of existing mandates;

14. Also requests the Secretary-General to circulate the report of the Eighth Congress to Member States and intergovernmental and non-governmental organizations in order to ensure that it is disseminated as widely as possible and to conduct appropriate public information activities in this field;

15. Further requests the Secretary-General to submit to the General Assembly, at its forty-sixth session, a report on the measures taken to implement the present resolution;

16. Decides to include in the provisional agenda of its forty-sixth session the item entitled "Crime prevention and criminal justice".

General Assembly resolution 45/121

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/45/756) without vote, 23 November (meeting 51); 2-nation draft (A/C.3/45/L.29/Rev.1); agenda item 100.

Sponsors: Cuba, Italy.

Financial implications: 5th Committee, A/45/945; S-G, A/C.3/45/L.37/Add.1, A/C.5/45/59.

Meeting numbers. GA 45th session: 3rd Committee 24-27, 36, 51; 5th Committee 42; plenary 68.

Also on 14 December, the General Assembly adopted resolution 45/120.

Crime prevention and criminal justice:
expression of appreciation to the

Government and people of Cuba on the occasion of the Eighth 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 Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Havana from 27 August to 7 September 1990,

Expresses its deep appreciation to the Government and people of Cuba for acting as host to the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

General Assembly resolution 45/120

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/45/756) without vote, 23 November (meeting 51); draft by Italy (A/C.3/45/L.23); agenda item 100.

Meeting numbers. GA 45th session: 3rd Committee 24-27, 36, 51; plenary 68.

Model treaties

In December, the General Assembly considered the four model treaties recommended for its adoption by the Eighth Congress. Intended to serve as the bases for bilateral negotiations between States, the model treaties were on extradition, on transfer of proceedings in criminal mat-

ters, on mutual assistance in criminal matters, and on transfer of supervision of offenders conditionally sentenced or conditionally released. The first three model treaties were complementary and, together, would reduce the chances of criminals avoiding prosecution and punishment.

Model Treaty on Extradition

The Model Treaty on Extradition, together with the following Model Treaty on the Transfer of Proceedings in Criminal Matters, were intended to ensure, in so far as possible, that an offender was brought to trial. On 14 December, the General Assembly adopted resolution 45/116.

Model Treaty on Extradition

The General Assembly,

Bearing in mind the Milan Plan of Action, adopted by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders and approved by the General Assembly in its resolution 40/32 of 29 November 1985,

Bearing in mind also the Guiding Principles for Crime Prevention and Criminal Justice the Context of Development and a New International Economic Order, principle 37 of which stipulates that the United Nations should prepare model instruments suitable for use as international and regional conventions and as guides for national implementing legislation,

Recalling resolution 1 of the Seventh Congress, on organized crime, in which Member States were urged, *inter alia*, to increase their activity at the international level in order to combat organized crime, including, as appropriate, entering into bilateral treaties on extradition and mutual legal assistance,

Recalling also resolution 23 of the Seventh Congress, on criminal acts of a terrorist character, in which all States were called upon to take steps to strengthen co-operation, *inter alia*, in the area of extradition,

Culling attention to the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances,

Acknowledging the valuable contributions of Governments, non-governmental organizations and individual experts, in particular the Government of Australia and the International Association of Penal Law,

Gravely concerned by the escalation of crime, both national and transnational,

Convinced that the establishment of bilateral and multilateral arrangements for extradition will greatly contribute to the development of more effective international co-operation for the control of crime,

Conscious of the need to respect human dignity and recalling the rights conferred upon every person involved in criminal proceedings, as embodied in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights.

Conscious that in many cases existing bilateral extradition arrangements are outdated and should be replaced by modern arrangements which take into account recent developments in international criminal law,

Recognizing the importance of a model treaty on extradition as an effective way of dealing with the com-

plex aspects and serious consequences of crime, especially in its new forms and dimensions,

1. Adopts the Model Treaty on Extradition contained in the annex to the present resolution as a useful framework that could be of assistance to States interested in negotiating and concluding bilateral agreements aimed at improving co-operation in matters of crime prevention and criminal justice;

2. Invites Member States, if they have not yet established treaty relations with other States in the area of extradition, or if they wish to revise existing treaty relations, to take into account, whenever doing so, the Model Treaty on Extradition;

3. Urges all States to strengthen further international co-operation in criminal justice;

4. Requests the Secretary-General to bring the present resolution, with the Model Treaty, to the attention of Member States;

5. Urges Member States to inform the Secretary-General periodically of efforts undertaken to establish extradition arrangements;

6. Requests the Committee on Crime Prevention and Control to review periodically the progress attained in this field;

7. Also requests the Committee on Crime Prevention and Control, where requested, to provide guidance and assistance to Member States in the development of legislation that would enable giving effect to the obligations in such treaties as are to be negotiated on the basis of the Model Treaty on Extradition;

8. Invites Member States, on request, to make available to the Secretary-General the provisions of their extradition legislation so that these may be made available to those Member States desiring to enact or further develop legislation in this field.

ANNEX Model Treaty on Extradition and the

The
Desirous of making more effective the co-operation of the two countries in the control of crime by concluding a treaty on extradition,

Have agreed as follows:

Article 1 Obligation to extradite

Each Party agrees to extradite to the other, upon request and subject to the provisions of the present Treaty, any person who is wanted in the requesting State for prosecution for an extraditable offence or for the imposition or enforcement of a sentence in respect of such an offence.

Article 2 Extraditable offences

1. For the purposes of the present Treaty, extraditable offences are offences that are punishable under the laws of both Parties by imprisonment or other deprivation of liberty for a maximum period of at least [one/two] year(s), or by a more severe penalty. Where the request for extradition relates to a person who is wanted for the enforcement of a sentence of imprisonment or other deprivation of liberty imposed for such an offence, extradition shall be granted only if a period of at least [four/six] months of such sentence remains to be served.

2. In determining whether an offence is an offence punishable under the laws of both Parties, it shall not matter whether:

(a) The laws of the Parties place the acts or omissions constituting the offence within the same category of offence or denominate the offence by the same terminology;

(b) Under the laws of the Parties the constituent elements of the offence differ, it being understood that the totality of the acts or omissions as presented by the requesting State shall be taken into account.

3. Where extradition of a person is sought for an offence against a law relating to taxation, customs duties, exchange control or other revenue matters, extradition may not be refused on the ground that the law of the requested State does not impose the same kind of tax or duty or does not contain a tax, customs duty or exchange regulation of the same kind as the law of the requesting State.

4. If the request for extradition includes several separate offences each of which is punishable under the laws of both Parties, but some of which do not fulfil the other conditions set out in paragraph 1 of the present article, the requested Party may grant extradition for the latter offences provided that the person is to be extradited for at least one extraditable offence.

Article 3

Mandatory grounds for refusal

Extradition shall not be granted in any of the following circumstances:

(a) If the offence for which extradition is requested is regarded by the requested State as an offence of a political nature;

(b) If the requested State has substantial grounds for believing that the request for extradition has been made for the purpose of prosecuting or punishing a person on account of that person's race, religion, nationality, ethnic origin, political opinions, sex or status, or that that person's position may be prejudiced for any of those reasons;

(c) If the offence for which extradition is requested is an offence under military law, which is not also an offence under ordinary criminal law;

(d) If there has been a final judgement rendered against the person in the requested State in respect of the offence for which the person's extradition is requested;

(e) If the person whose extradition is requested has, under the law of either Party, become immune from prosecution or punishment for any reason, including lapse of time or amnesty;

(f) If the person whose extradition is requested has been or would be subjected in the requesting State to torture or cruel, inhuman or degrading treatment or punishment or if that person has not received or would not receive the minimum guarantees in criminal proceedings, as contained in the International Covenant on Civil and Political Rights, article 14;

(g) If the judgement of the requesting State has been rendered in absentia, the convicted person has not had sufficient notice of the trial or the opportunity to arrange for his or her defence and he has not had or will not have the opportunity to have the case retried in his or her presence.

Article 4

Optional grounds for refusal

Extradition may be refused in any of the following circumstances:

(a) If the person whose extradition is requested is a national of the requested State. Where extradition is refused on this ground, the requested State shall, if the other State so requests, submit the case to its competent authorities with a view to taking appropriate action against the person in respect of the offence for which extradition had been requested;

(b) If the competent authorities of the requested State have decided either not to institute or to terminate proceedings against the person for the offence in respect of which extradition is requested;

(c) If a prosecution in respect of the offence for which extradition is requested is pending in the requested State against the person whose extradition is requested;

(d) If the offence for which extradition is requested carries the death penalty under the law of the requesting State, unless that State gives such assurance as the requested State considers sufficient that the death penalty will not be imposed or, if imposed, will not be carried out;

(e) If the offence for which extradition is requested has been committed outside the territory of either Party and the law of the requested State does not provide for jurisdiction over such an offence committed outside its territory in comparable circumstances;

(f) If the offence for which extradition is requested is regarded under the law of the requested State as having been committed in whole or in part within that State. Where extradition is refused on this ground, the requested State shall, if the other State so requests, submit the case to its competent authorities with a view to taking appropriate action against the person for the offence for which extradition had been requested;

(g) If the person whose extradition is requested has been sentenced or would be liable to be tried or sentenced in the requesting State by an extraordinary or ad hoc court or tribunal;

(h) If the requested State, while also taking into account the nature of the offence and the interests of the requesting State, considers that, in the circumstances of the case, the extradition of that person would be incompatible with humanitarian considerations in view of age, health or other personal circumstances of that person.

Article 5

Channels of communication and required documents

1. A request for extradition shall be made in writing. The request, supporting documents and subsequent communications shall be transmitted through the diplomatic channel, directly between the ministries of justice or any other authorities designated by the Parties.

2. A request for extradition shall be accompanied by the following:

(a) In all cases,

(i) As accurate a description as possible of the person sought, together with any other information that may help to establish that person's identity, nationality and location;

(ii) The text of the relevant provision of the law creating the offence or, where necessary, a statement of the law relevant to the offence and a statement of the penalty that can be imposed for the offence;

(b) If the person is accused of an offence, by a warrant issued by a court or other competent judicial authority for the arrest of the person or a certified copy of that warrant, a statement of the offence for which extradition is requested and a description of the acts or omissions constituting the alleged offence, including an indication of the time and place of its commission;

(c) If the person has been convicted of an offence, by a statement of the offence for which extradition is requested and a description of the acts or omissions constituting the offence and by the original or certified copy of the judgement or any other document setting out the conviction and the sentence imposed, the fact that the sentence is enforceable, and the extent to which the sentence remains to be served;

(d) If the person has been convicted of an offence in his or her absence, in addition to the documents set out in paragraph 2 (c) of the present article, by a statement as to the legal means available to the person to prepare his or her defence or to have the case retried in his or her presence;

(e) If the person has been convicted of an offence but no sentence has been imposed, by a statement of the offence for which extradition is requested and a description of the acts or omissions constituting the offence and by a document setting out the conviction and a statement affirming that there is an intention to impose a sentence.

3. The documents submitted in support of a request for extradition shall be accompanied by a translation into the language of the requested State or in another language acceptable to that State.

Article 6

Simplified extradition procedure

The requested State, if not precluded by its law, may grant extradition after receipt of a request for provisional arrest, provided that the person sought explicitly consents before a competent authority.

Article 7

Certification and authentication

Except as provided by the present Treaty, a request for extradition and the documents in support thereof, as well as documents or other material supplied in response to such a request, shall not require certification or authentication.

Article 8

Additional information

If the requested State considers that the information provided in support of a request for extradition is not sufficient, it may request that additional information be furnished within such reasonable time as it specifies.

Article 9

Provisional arrest

1. In case of urgency the requesting State may apply for the provisional arrest of the person sought pending the presentation of the request for extradition. The application shall be transmitted by means of the facilities of the International Criminal Police Organization, by

post or telegraph or by any other means affording a record in writing.

2. The application shall contain a description of the person sought, a statement that extradition is to be requested, a statement of the existence of one of the documents mentioned in paragraph 2 of article 5 of the present Treaty, authorizing the apprehension of the person, a statement of the punishment that can be or has been imposed for the offence, including the time left to be served and a concise statement of the facts of the case, and a statement of the location, where known, of the person.

3. The requested State shall decide on the application in accordance with its law and communicate its decision to the requesting State without delay.

4. The person arrested upon such an application shall be set at liberty upon the expiration of [40] days from the date of arrest if a request for extradition, supported by the relevant documents specified in paragraph 2 of article 5 of the present Treaty, has not been received. The present paragraph does not preclude the possibility of conditional release of the person prior to the expiration of the [40] days.

5. The release of the person pursuant to paragraph 4 of the present article shall not prevent rearrest and institution of proceedings with a view to extraditing the person sought if the request and supporting documents are subsequently received.

Article 10

Decision on the request

1. The requested State shall deal with the request for extradition pursuant to procedures provided by its own law, and shall promptly communicate its decision to the requesting State.

2. Reasons shall be given for any complete or partial refusal of the request.

Article 11

Surrender of the person

1. Upon being informed that extradition has been granted, the Parties shall, without undue delay, arrange for the surrender of the person sought and the requested State shall inform the requesting State of the length of time for which the person sought was detained with a view to surrender.

2. The person shall be removed from the territory of the requested State within such reasonable period as the requested State specifies and, if the person is not removed within that period, the requested State may release the person and may refuse to extradite that person for the same offence.

3. If circumstances beyond its control prevent a Party from surrendering or removing the person to be extradited, it shall notify the other Party. The two Parties shall mutually decide upon a new date of surrender, and the provisions of paragraph 2 of the present article shall apply.

Article 12

Postponed or conditional surrender

1. The requested State may, after making its decision on the request for extradition, postpone the surrender of a person sought, in order to proceed against that person, or, if that person has already been con-

victed, in order to enforce a sentence imposed for an offence other than that for which extradition is sought. In such a case the requested State shall advise the requesting State accordingly.

2. The requested State may, instead of postponing surrender, temporarily surrender the person sought to the requesting State in accordance with conditions to be determined between the Parties.

Article 13

Surrender of property

1. To the extent permitted under the law of the requested State and subject to the rights of third parties, which shall be duly respected, all property found in the requested State that has been acquired as a result of the offence or that may be required as evidence shall, if the requesting State so requests, be surrendered if extradition is granted.

2. The said property may, if the requesting State so requests, be surrendered to the requesting State even if the extradition agreed to cannot be carried out.

3. When the said property is liable to seizure or confiscation in the requested State, it may retain it or temporarily hand it over.

4. Where the law of the requested State or the protection of the rights of third parties so require, any property so surrendered shall be returned to the requested State free of charge after the completion of the proceedings, if that State so requests.

Article 14

Rule of speciality

1. A person extradited under the present Treaty shall not be proceeded against, sentenced, detained, re-extradited to a third State, or subjected to any other restriction of personal liberty in the territory of the requesting State for any offence committed before surrender other than:

(a) An offence for which extradition was granted;

(b) Any other offence in respect of which the requested State consents. Consent shall be given if the offence for which it is requested is itself subject to extradition in accordance with the present Treaty.

2. A request for the consent of the requested State under the present article shall be accompanied by the documents mentioned in paragraph 2 of article 5 of the present Treaty and a legal record of any statement made by the extradited person with respect to the offence.

3. Paragraph 1 of the present article shall not apply if the person has had an opportunity to leave the requesting State and has not done so within [30/45] days of final discharge in respect of the offence for which that person was extradited or if the person has voluntarily returned to the territory of the requesting State after leaving it.

Article 15

Transit

1. Where a person is to be extradited to a Party from a third State through the territory of the other party, the Party to which the person is to be extradited shall request the other Party to permit the transit of that person through its territory. This does not apply where air transport is used and no landing in the territory of the other Party is scheduled.

2. Upon receipt of such a request, which shall contain relevant information, the requested State shall deal with this request pursuant to procedures provided by its own law. The requested State shall grant the request expeditiously unless its essential interests would be prejudiced thereby.

3. The State of transit shall ensure that legal provisions exist that would enable detaining the person in custody during transit.

4. In the event of an unscheduled landing, the Party to be requested to permit transit may, at the request of the escorting officer, hold the person in custody for [48] hours, pending receipt of the transit request to be made in accordance with paragraph 1 of the present article.

Article 16

Concurrent requests

If a Party receives requests for extradition for the same person from both the other Party and a third State it shall, at its discretion, determine to which of those States the person is to be extradited.

Article 17

costs

1. The requested State shall meet the cost of any proceedings in its jurisdiction arising out of a request for extradition.

2. The requested State shall also bear the costs incurred in its territory in connection with the seizure and handing over of property, or the arrest and detention of the person whose extradition is sought.

3. The requesting State shall bear the costs incurred in conveying the person from the territory of the requested State, including transit costs.

Article 18

Final provisions

1. The present Treaty is subject to [ratification, acceptance or approval]. The instruments of [ratification, acceptance or approval] shall be exchanged as soon as possible.

2. The present Treaty shall enter into force on the thirtieth day after the day on which the instruments of [ratification, acceptance or approval] are exchanged.

3. The present Treaty shall apply to requests made after its entry into force, even if the relevant acts or omissions occurred prior to that date.

4. Either Contracting Party may denounce the present Treaty by giving notice in writing to the other Party. Such denunciation shall take effect six months following the date on which such notice is received by the other Party.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto by their respective Governments, have signed the present Treaty.

DONE at _____ on _____ in the _____ and _____ languages, [both/all] texts being equally authentic.

[The text of this Treaty includes 13 footnotes of an explanatory or interpretive nature (see A/Res/45/116).]

General Assembly resolution 45/116

14 December 1990 Meeting 68 Adopted without vote
Approved by Third Committee (A/45/756) without vote, 23 November (meeting 51); draft by Eighth Congress (A/CONF.144/28); agenda item 100.

Financial implications. 5th Committee, A/45/845; S-G, A/C.3/45/L.36, A/C.5/45/59.

Meeting numbers. GA 45th session: 3rd Committee 24-27, 36, 47, 51; 5th Committee 42; plenary 68.

Model Treaty on the Transfer of Proceedings in Criminal Matters

On 14 December, the General Assembly adopted resolution 45/118.

Model Treaty on the Transfer of Proceedings in Criminal Matters

The General Assembly,

Recalling the Milan Plan of Action, adopted by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders and approved by the General Assembly in its resolution 40/32 of 29 November 1985,

Recalling also the Guiding Principles for Crime Prevention and Criminal Justice in the Context of Development and a New International Economic Order, principle 37 of which stipulates that the United Nations should prepare model instruments suitable for use as international and regional conventions and as guides for national implementing legislation,

Recalling further resolution 12 of the Seventh Congress, on the transfer of proceedings in criminal matters, in which the Committee on Crime Prevention and Control was requested to study the question and to consider the possibility of formulating a model agreement in this area,

Acknowledging the valuable contributions made by Governments, non-governmental organizations and individual experts to the drafting of a model treaty on the transfer of proceedings in criminal matters, in particular the International Expert Meeting on the United Nations and Law Enforcement, held under the auspices of the United Nations at Baden, Austria, from 16 to 19 November 1987, the Interregional Preparatory Meeting for the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders on topic V, "United Nations norms and guidelines in crime prevention and criminal justice: implementation and priorities for further standard setting" and the regional preparatory meetings for the Eighth Congress,

Convinced that the establishment of bilateral and multilateral arrangements for the transfer of proceedings in criminal matters will greatly contribute to the development of more effective international co-operation aimed at controlling crime,

Conscious of the need to respect human dignity and recalling the rights conferred upon every person involved in criminal proceedings, as embodied in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights,

Recognizing the importance of a model treaty on the transfer of proceeding in criminal matters as an effective way of dealing with the complex aspects, consequences and modern evolution of transnational crime,

1. Adopts the Model Treaty on the Transfer of Proceedings in Criminal Matters, contained in the annex

to the present resolution, as a useful framework that could be of assistance to States interested in negotiating and concluding bilateral or multilateral treaties aimed at improving co-operation in matters of crime prevention and criminal justice;

2. Invites Member States, if they have not yet established treaty relations with other States in regard to transfer of proceedings in criminal matters, or if they wish to revise existing treaty relations, to take the Model Treaty into account whenever doing so;

3. Urges Member States to strengthen international co-operation in criminal justice;

4. Also urges Member States to inform the Secretary-General periodically of efforts undertaken to establish arrangements for the transfer of proceedings in criminal matters;

5. Requests the Committee on Crime Prevention and Control to conduct periodic reviews of the progress attained in this field;

6. Requests the Secretary-General to assist Member States, at their request, in the development of treaties on the transfer of proceedings in criminal matters and to report regularly thereon to the Committee.

ANNEX

Model Treaty on the Transfer of Proceedings in Criminal Matters

The and the

Desirous of further strengthening international co-operation and mutual assistance in criminal justice, on the basis of the principles of respect for national sovereignty and jurisdiction and of non-interference in the internal affairs of States,

Believing that such co-operation should further the ends of justice, the social resettlement of offenders and the interests of the victims of crime,

Bearing in mind that the transfer of proceedings in criminal matters contributes to effective administration of justice and to reducing conflicts of competence,

Aware that the transfer of proceedings in criminal matters can help to avoid pre-trial detention and thus reduce the prison population,

Convinced, therefore, that the transfer of proceedings in criminal matters should be promoted,

Have agreed as follows:

Article 1

Scope of application

1. When a person is suspected of having committed an offence under the law of a State which is a Contracting Party, that State may, if the interests of the proper administration of justice so require, request another State which is a Contracting Party to take proceedings in respect of this offence.

2. For the purpose of applying the present Treaty, the Contracting Parties shall take the necessary legislative measures to ensure that a request of the requesting State to take proceedings shall allow the requested State to exercise the necessary jurisdiction.

Article 2

Channels of communications

A request to take proceedings shall be made in writing. The request, supporting documents and subsequent communication shall be transmitted through diplomatic channels, directly between the Ministries of Justice or any other authorities designated by the Parties.

Article 3

Required documents

1. The request to take proceedings shall contain or be accompanied by the following information:

(a) The authority presenting the request;

(b) A description of the act for which transfer of proceedings is being requested, including the specific time and place of the offence;

(c) A statement on the results of investigations which substantiate the suspicion of an offence;

(d) The legal provisions of the requesting State on the basis of which the act is considered to be an offence;

(e) A reasonably exact statement on the identity, nationality and residence of the suspected person.

2. The documents submitted in support of a request to take proceedings shall be accompanied by a translation into the language of the requested State or into another language acceptable to that State.

Article 4

Certification and authentication

Subject to national law and unless the Parties decide otherwise, a request to take proceedings and the documents in support thereof, as well as the documents and other material supplied in response to such a request, shall not require certification or authentication.

Article 5

Decision on the request

The competent authorities of the requested State shall examine what action to take on the request to take proceedings in order to comply, as fully as possible, with the request under their own law, and shall promptly communicate their decision to the requesting State.

Article 6

Dual criminality

A request to take proceedings can be complied with only if the act on which the request is based would be an offence if committed in the territory of the requested State.

Article 7

Grounds for refusal

If the requested State refuses acceptance of a request for transfer of proceedings, it shall communicate the reasons for refusal to the requesting State. Acceptance may be refused if:

(a) The suspected person is not a national of or ordinary resident in the requested State;

(b) The act is an offence under military law, which is not also an offence under ordinary criminal law;

(c) The offence is in connection with taxes, duties, customs or exchange;

(d) The offence is regarded by the requested State as being of a political nature.

Article 8

The position of the suspected person

1. The suspected person may express to either State his or her interest in the transfer of the proceedings. Similarly, such interest may be expressed by the legal representative or close relatives of the suspected person.

2. Before a request for transfer of proceedings is made, the requesting State shall, if practicable, allow the suspected person to present his or her views on the alleged offence and the intended transfer, unless that

person has absconded or otherwise obstructed the course of justice.

Article 9

The rights of the victim

The requesting and requested States shall ensure in the transfer of proceedings that the rights of the victim of the offence, in particular his or her right to restitution or compensation, shall not be affected as a result of the transfer. If a settlement of the claim of the victim has not been reached before the transfer, the requested State shall permit the representation of the claim in the transferred proceedings, if its law provides for such a possibility. In the event of the death of the victim, these provisions shall apply to his or her dependants accordingly.

Article 10

Effects of the transfer of proceedings on the requesting State

(ne bis in idem)

Upon acceptance by the requested State of the request to take proceedings against the suspected person, the requesting State shall provisionally discontinue prosecution, except necessary investigation, including judicial assistance to the requested State, until the requested State informs the requesting State that the case has been finally disposed of. From that date on, the requesting State shall definitely refrain from further prosecution of the same offence.

Article 11

Effects of the transfer of proceedings on the requested State

1. The proceedings transferred upon agreement shall be governed by the law of the requested State. When charging the suspected person under its law, the requested State shall make the necessary adjustment with respect to particular elements in the legal description of the offence. Where the competence of the requested State is based on the provision set forth in paragraph 2 of article 1 of the present Treaty, the sanction pronounced in that State shall not be more severe than that provided by the law of the requesting State.

2. As far as compatible with the law of the requested State, any act with a view to proceedings or procedural requirements performed in the requesting State in accordance with its law shall have the same validity in the requested State as if the act had been performed in or by the authorities of that State.

3. The requested State shall inform the requesting State of the decision taken as a result of the proceedings. To this end a copy of any final decision shall be transmitted to the requesting State upon request.

Article 12

Provisional measures

When the requesting State announces its intention to transmit a request for transfer of proceedings, the requested State may, upon a specific request made for this purpose by the requesting State, apply all such provisional measures, including provisional detention and seizure, as could be applied under its own law if the offence in respect of which transfer of proceedings is requested had been committed in its territory.

Article 13

The plurality of criminal proceedings

When criminal proceedings are pending in two or more States against the same suspected person in respect of the same offence, the States concerned shall conduct consultations to decide which of them alone should continue the proceedings. An agreement reached thereupon shall have the consequences of a request for transfer of proceedings.

Article 14

Costs

Any costs incurred by a Contracting Party because of a transfer of proceedings shall not be refunded, unless otherwise agreed by both the requesting and requested States.

Article 15

Final provisions

1. The present Treaty is subject to [ratification, acceptance or approval]. The instruments of [ratification, acceptance or approval] shall be exchanged as soon as possible.

2. The present Treaty shall enter into force on the thirtieth day after the day on which the instruments of [ratification, acceptance or approval] are exchanged.

3. The present Treaty shall apply to requests made after its entry into force, even if the relevant acts or omissions occurred prior to that date.

4. Either Contracting Party may denounce the present Treaty by giving notice in writing to the other Party. Such denunciation shall take effect six months following the date on which it is received by the other Party.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto by their respective Governments, have signed the present Treaty.

DONE at in the and languages, [both/all] texts being equally authentic.

[The text of this Treaty includes two footnotes of an explanatory or interpretive nature (see A/RES/45/118.)]

General Assembly resolution 45/118

14 December 1990 Meeting 68 Adopted without vote Approved by Third Committee (A/45/756) without vote, 23 November (meeting 51); draft by Eighth Congress (A/CONF.144/28); agenda item 100.

Financial implications. 5th Committee, A/45/845; S-G, A/C.3/45/L.36, A/C.5/45/59.

Meeting numbers. GA 45th session: 3rd Committee 24-27, 36, 51; 5th Committee 42; plenary 68.

Model Treaty on Mutual Assistance in Criminal Matters

The Model Treaty on Mutual Assistance in Criminal Matters was intended to facilitate the acquisition of all relevant evidence for the prosecution of offences, regardless of where they were committed. It also contained an Optional Protocol aimed at the freezing and forfeiture of assets generated by criminal activities.

On 14 December, the General Assembly adopted resolution 45/117.

The General Assembly,

Bearing in mind also the Guiding Principles for Crime Prevention and Criminal Justice in the Context of Development and a New International Economic Order, principle 37 of which stipulates that the United Nations should prepare model instruments suitable for use as international and regional conventions and as guides for national implementing legislation,

Recalling also resolution 23 of the Seventh Congress, on criminal acts of a terrorist character, in which all States were called upon to take steps to strengthen co-operation particularly, *inter alia*, in the area of mutual legal assistance,

Acknowledging the valuable contributions to the development of a model treaty on mutual assistance in criminal matters that Governments, non-governmental organizations and individual experts have made, in particular the Government of Australia and the International Association of Penal Law.

Convinced that the establishment of bilateral and multilateral arrangements for mutual assistance in criminal matters will greatly contribute to the development of more effective international co-operation for the control of criminality,

Recognizing the importance of a model treaty on mutual assistance in criminal matters as an effective way of dealing with the complex aspects and serious consequences of crime, especially in its new forms and dimensions,

2. Invites Member States, if they have not yet established treaty relations with other States in the matter of mutual assistance in criminal matters, or if they wish to revise existing treaty relations, to take into account, whenever doing so, the Model Treaty;

4. Requests the Secretary-General to bring the present resolution, with the Model Treaty and the Optional Protocol thereto, to the attention of Governments;

6. Requests the Committee on Crime Prevention and Control to review periodically the progress attained in this field;

8. Invites Member States, on request, to make available to the Secretary-General the provisions of their legislation on mutual assistance in criminal matters so that these may be made available to those Member States desiring to enact or further develop legislation in this field.

Model Treaty on Mutual Assistance in Criminal Matters
The _____ and the _____

Have agreed as follows:

Scope of application

2. Mutual assistance to be afforded in accordance with the present Treaty may include:

- (c) Effecting service of judicial documents;
- (d) Executing searches and seizures;
- (e) Examining objects and sites;
- (f) Providing information and evidentiary items;
- (g) Providing originals or certified copies of relevant documents and records, including bank, financial, corporate or business records.

(a) The arrest or detention of any person with a view to the extradition of that person;

(c) The transfer of persons in custody to serve sentences;

(d) The transfer of proceedings in criminal matters.

Article 2

Other arrangements

Unless the Parties decide otherwise, the present Treaty shall not affect obligations subsisting between them whether pursuant to other treaties or arrangements or otherwise.

Article 3

Designation of competent authorities

Each Party shall designate and indicate to the other Party an authority or authorities by or through which requests for the purpose of the present Treaty should be made or received.

Article 4

Refusal of assistance

1. Assistance may be refused if:

(a) The requested State is of the opinion that the request, if granted, would prejudice its sovereignty, security, public order (*ordre public*) or other essential public interests;

(b) The offence is regarded by the requested State as being of a political nature;

(c) There are substantial grounds for believing that the request for assistance has been made for the purpose of prosecuting a person on account of that person's race, sex, religion, nationality, ethnic origin or political opinions or that that person's position may be prejudiced for any of those reasons;

(d) The request relates to an offence that is subject to investigation or prosecution in the requested State or the prosecution of which in the requesting State would be incompatible with the requested State's law on double jeopardy (*ne bis in idem*);

(e) The assistance requested requires the requested State to carry out compulsory measures that would be inconsistent with its law and practice had the offence been the subject of investigation or prosecution under its own jurisdiction;

(f) The act is an offence under military law, which is not also an offence under ordinary criminal law.

2. Assistance shall not be refused solely on the ground of secrecy of banks and similar financial institutions.

3. The requested State may postpone the execution of the request if its immediate execution would interfere with an ongoing investigation or prosecution in the requested State.

4. Before refusing a request or postponing its execution, the requested State shall consider whether assistance may be granted subject to certain conditions. If the requesting State accepts assistance subject to these conditions, it shall comply with them.

5. Reasons shall be given for any refusal or postponement of mutual assistance.

Article 5

Contents of requests

1. Requests for assistance shall include:

(a) The name of the requesting office and the competent authority conducting the investigation or court proceedings to which the request relates;

(b) The purpose of the request and a brief description of the assistance sought;

(c) A description of the facts alleged to constitute the offence and a statement or text of the relevant laws, except in cases of a request for service of documents;

(d) The name and address of the person to be served, where necessary;

(e) The reasons for and details of any particular procedure or requirement that the requesting State wishes to be followed, including a statement as to whether sworn or affirmed evidence or statements are required;

(f) Specification of any time-limit within which compliance with the request is desired;

(g) Such other information as is necessary for the proper execution of the request.

2. Requests, supporting documents and other communications made pursuant to the present Treaty shall be accompanied by a translation into the language of the requested State or another language acceptable to that State.

3. If the requested State considers that the information contained in the request is not sufficient to enable the request to be dealt with, it may request additional information.

Article 6

Execution of requests

Subject to article 19 of the present Treaty, requests for assistance shall be carried out promptly, in the manner provided for by the law and practice of the requested State. To the extent consistent with its law and practice, the requested State shall carry out the request in the manner specified by the requesting State.

Article 7

Return of material to the requested State

Any property, as well as original records or documents, handed over to the requesting State under the present Treaty shall be returned to the requested State as soon as possible unless the latter waives its right of return thereof.

Article 8

Limitation on use

The requesting State shall not, without the consent of the requested State, use or transfer information or evidence provided by the requested State for investigations or proceedings other than those stated in the request. However, in cases where the charge is altered, the material provided may be used in so far as the offence, as charged, is an offence in respect of which mutual assistance could be provided under the present Treaty.

Article 9

Protection of confidentiality

Upon request:

(a) The requested State shall use its best endeavours to keep confidential the request for assistance, its contents and its supporting documents as well as the fact of granting of such assistance. If the request cannot be executed without breaching confidentiality, the requested State shall so inform the requesting State, which shall then determine whether the request should nevertheless be executed;

(b) The requesting State shall keep confidential evidence and information provided by the requested State, except to the extent that the evidence and information is needed for the investigation and proceedings described in the request.

Article 10

Service of documents

1. The requested State shall effect service of documents that are transmitted to it for this purpose by the requesting State.

2. A request to effect service of summonses shall be made to a requested State not less than [...] days before the date on which the appearance of a person is required. In urgent cases, the requested State may waive the time requirement.

Article II

Obtaining of evidence

1. The requested State shall, in conformity with its law and upon request, take the sworn or affirmed testimony, or otherwise obtain statements of persons or require them to produce items of evidence for transmission to the requesting State.

2. Upon the request of the requesting State, the parties to the relevant proceedings in the requesting State, their legal representatives and representatives of the requesting State may, subject to the laws and procedures of the requested State, be present at the proceedings.

Article 12

Right or obligation to decline to give evidence

1. A person who is required to give evidence in the requested or requesting State may decline to give evidence where either:

(a) The law of the requested State permits or requires that person to decline to give evidence in similar circumstances in proceedings originating in the requested State; or

(b) The law of the requesting State permits or requires that person to decline to give evidence in similar circumstances in proceedings originating in the requesting State.

2. If a person claims that there is a right or obligation to decline to give evidence under the law of the other State, the State where that person is present shall, with respect thereto, rely on a certificate of the competent authority of the other State as evidence of the existence or non-existence of that right or obligation.

Article 13

Availability of persons in custody to give evidence or to assist in investigations

1. Upon the request of the requesting State, and if the requested State agrees and its law so permits, a person in custody in the latter State may, subject to his or her consent, be temporarily transferred to the requesting State to give evidence or to assist in the investigations.

2. While the person transferred is required to be held in custody under the law of the requested State, the requesting State shall hold that person in custody and shall return that person in custody to the requested State at the conclusion of the matter in relation to which transfer was sought or at such earlier time as the person's presence is no longer required.

3. Where the requested State advises the requesting State that the transferred person is no longer required to be held in custody, that person shall be set at liberty and be treated as a person referred to in article 14 of the present Treaty.

Article 14

Availability of other persons to give evidence or assist in investigations

1. The requesting State may request the assistance of the requested State in inviting a person:

(a) To appear in proceedings in relation to a criminal matter in the requesting State unless that person is the person charged; or

(b) To assist in the investigations in relation to a criminal matter in the requesting State.

2. The requested State shall invite the person to appear as a witness or expert in proceedings or to assist in the investigations. Where appropriate, the requested State shall satisfy itself that satisfactory arrangements have been made for the person's safety.

3. The request or the summons shall indicate the approximate allowances and the travel and subsistence expenses payable by the requesting State.

4. Upon request, the requested State may grant the person an advance, which shall be refunded by the requesting State.

Article 15

Safe conduct

1. Subject to paragraph 2 of the present article, where a person is in the requesting State pursuant to a request made under article 13 or 14 of the present Treaty:

(a) That person shall not be detained, prosecuted, punished or subjected to any other restrictions of personal liberty in the requesting State in respect of any acts or omissions or convictions that preceded the person's departure from the requested State;

(b) That person shall not, without that person's consent, be required to give evidence in any proceeding or to assist in any investigation other than the proceeding or investigation to which the request relates.

2. Paragraph 1 of the present article shall cease to apply if that person, being free to leave, has not left the requesting State within a period of [15] consecutive days, or any longer period other-wise agreed on by the Parties, after that person has been officially told or notified that his or her presence is no longer required or, having left, has voluntarily returned.

3. A person who does not consent to a request pursuant to article 13 or accept an invitation pursuant to article 14 shall not, by reason thereof, be liable to any penalty or be subjected to any coercive measure, notwithstanding any contrary statement in the request or summons.

Article 16

Provision of publicly available documents and other records

1. The requested State shall provide copies of documents and records in so far as they are open to public access as part of a public register or otherwise, or in so far as they are available for purchase or inspection by the public.

2. The requested State may provide copies of any other document or record under the same conditions as such document or record may be provided to its own law enforcement and judicial authorities.

Article 17

Search and seizure

The requested State shall, in so far as its law permits, carry out requests for search and seizure and delivery

of any material to the requesting State for evidentiary purposes, provided that the rights of bona fide third parties are protected.

Article 18

Certification and authentication

A request for assistance and the documents in support thereof, as well as documents or other material supplied in response to such a request, shall not require certification or authentication.

Article 19

costs

The ordinary costs of executing a request shall be borne by the requested State, unless otherwise determined by the Parties. If expenses of a substantial or extraordinary nature are or will be required to execute the request, the Parties shall consult in advance to determine the terms and conditions under which the request shall be executed as well as the manner in which the costs shall be borne.

Article 20

Consultation

The Parties shall consult promptly, at the request of either, concerning the interpretation, the application or the carrying out of the present Treaty either generally or in relation to a particular case.

Article 21

Final provisions

1. The present Treaty is subject to (ratification, acceptance or approval). The instruments of [ratification, acceptance or approval] shall be exchanged as soon as possible.

2. The present Treaty shall enter into force on the thirtieth day after the day on which the instruments of [ratification, acceptance or approval] are exchanged.

3. The present Treaty shall apply to requests made after its entry into force, even if the relevant acts or omissions occurred prior to that date.

4. Either Contracting Party may denounce the present Treaty by giving notice in writing to the other Party. Such denunciation shall take effect six months following the date on which it is received by the other Party.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto by their respective Governments, have signed the present Treaty.

DONE at _ on _ in the _ and _ languages, [both/all] texts being equally authentic.

[The text of this Treaty includes three footnotes of an explanatory or interpretive nature {see A/res/45/119}.]

Optional Protocol to the Model Treaty on Mutual Assistance in Criminal Matters concerning the proceeds of crime

1. In the present Protocol "proceeds of crime" means any property suspected, or found by a court, to be property directly or indirectly derived or realized as a result of the commission of an offence or to represent the value of property and other benefits derived from the commission of an offence.

2. The requested State shall, upon request, endeavour to ascertain whether any proceeds of the alleged crime are located within its jurisdiction and shall no-

tify the requesting State of the results of its inquiries. In making the request, the requesting State shall notify the requested State of the basis of its belief that such proceeds may be located within its jurisdiction.

3. In pursuance of a request made under paragraph 2 of the present Protocol, the requested State shall endeavour to trace assets, investigate financial dealings, and obtain other information or evidence that may help to secure the recovery of proceeds of crime.

4. Where, pursuant to paragraph 2 of the present Protocol, suspected proceeds of crime are found, the requested State shall upon request take such measures as are permitted by its law to prevent any dealing in, transfer or disposal of, those suspected proceeds of crime, pending a final determination in respect of those proceeds by a court of the requesting State.

5. The requested State shall, to the extent permitted by its law, give effect to or permit enforcement of a final order forfeiting or confiscating the proceeds of crime made by a court of the requesting State or take other appropriate action to secure the proceeds following a request by the requesting State.

6. The Parties shall ensure that the rights of bona fide third parties shall be respected in the application of the present Protocol.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto by their respective Governments, have signed the present Protocol.

DONE at _ on _ in the _ and _ languages, [both/all] texts being equally authentic.

[The text of this Treaty and Optional Protocol includes 20 footnotes of an explanatory or interpretive nature (see A/Res/45/117).]

General Assembly resolution 45/117

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/45/756) without vote, 23 November (meeting 51); draft by Eighth Congress (A/CONF.144/28); agenda item 100.

Financial implications: 5th Committee, A/45/845; S-G, A/C.3/45/L.36, A/c.5/45/59.

Meeting numbers. GA 45th session: 3rd Committee 24-27,36,51; plenary 68.

Model Treaty on the Transfer of Supervision of Offenders Conditionally Sentenced or Released

The Model Treaty on the Transfer of Supervision of Offenders Conditionally Sentenced or Conditionally Released drew on experience gained under existing conventions, treaties and agreements. It took account of the scope of application, the types of transfer, and the underlying basic principles relating to national sovereignty, dual criminality, rights of the victim, double jeopardy, adaptation and non-aggravation.

The General Assembly, on 14 December, adopted resolution 45/119.

Model Treaty on the Transfer of Supervision of Offenders Conditionally Sentenced or Conditionally Released

The General Assembly,

Bearing in mind the Milan Plan of Action, adopted by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders and ap-

proved by the General Assembly in its resolution 40/32 of 29 November 1985,

Bearing in mind also the Guiding Principles for Crime Prevention and criminal Justice in the Context of Development and a New International Economic Order, principle 37 of which stipulates that the United Nations should prepare model instruments suitable for use as international and regional conventions and as guides for national implementing legislation,

Recalling resolution 13 of the Seventh Congress, on the transfer of supervision of foreign offenders who have been conditionally sentenced or conditionally released, in which the Committee on Crime Prevention and Control was requested to study this subject and to consider the possibility of formulating a model treaty in this area,

Acknowledging the valuable contributions made by Governments, non-governmental organizations and individual experts to the drafting of a model treaty on the transfer of supervision of offenders conditionally sentenced or conditionally released, in particular the International Expert Meeting on the United Nations and Law Enforcement, held under the auspices of the United Nations at Baden, Austria, from 16 to 19 November 1987, the Interregional Preparatory Meeting for the Eighth United Nations Congress on the Prevention of Crime and the Treatment of offenders on topic V. "United Nations norms and guidelines in crime prevention and criminal justice: implementation and priorities for further standard setting" and the regional preparatory meetings for the Eighth Congress,

Convinced that the establishment of bilateral and multilateral arrangements for transfer of supervision of offenders conditionally sentenced or conditionally released will greatly contribute to the development of more effective international co-operation in penal matters,

Conscious of the need to respect human dignity and recalling the rights conferred upon every person involved in criminal proceedings, as embodied in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights,

1. Adopts the Model Treaty on the Transfer of Supervision of Offenders Conditionally Sentenced or Conditionally Released, contained in the annex to the present resolution, as a useful framework that could be of assistance to States interested in negotiating and concluding bilateral or multilateral treaties aimed at improving co-operation in matters of crime prevention and criminal justice;

2. Invites Member States, if they have not yet established treaty relations with other States in the area of the transfer of supervision of offenders conditionally sentenced or conditionally released, or if they wish to revise existing treaty relations, to take into account the Model Treaty whenever doing so;

3. Urges all Member States to strengthen international co-operation in criminal justice;

4. Also urges Member States to inform the Secretary-General periodically of efforts undertaken to establish arrangements on the transfer of supervision of offenders conditionally sentenced or conditionally released;

5. Requests the Committee on Crime Prevention and Control to conduct periodic reviews of the progress attained in this field;

6. Requests the Secretary-General to assist Member States, at their request, in the development of treaties on the transfer of supervision of offenders conditionally sentenced or conditionally released and to report regularly thereon to the Committee.

ANNEX

Model Treaty on the Transfer of Supervision of Offenders Conditionally Sentenced or Conditionally Released

The _____ and the _____

Desirous of further strengthening international co-operation and mutual assistance in criminal justice, on the basis of the principles of respect for national sovereignty and jurisdiction and of non-interference in the internal affairs of States,

Believing that such co-operation should further the ends of justice, the social resettlement of sentenced persons and the interests of the victims of crime,

Bearing in mind that the transfer of supervision of offenders conditionally sentenced or conditionally released can contribute to an increase in the use of alternatives to imprisonment,

Aware that supervision in the home country of the offender rather than enforcement of the sentence in a country where the offender has no roots also contributes to an earlier and more effective reintegration into society,

Convinced, therefore, that the social rehabilitation of offenders and the increased application of alternatives to imprisonment would be promoted by facilitating the supervision of conditionally sentenced or conditionally released offenders in their State of ordinary residence,

Have agreed as follows:

Article 1

Scope of application

1. The present Treaty shall be applicable, if, according to a final court decision, a person has been found guilty of an offence and has been:

(a) Placed on probation without sentence having been pronounced;

(b) Given a suspended sentence involving deprivation of liberty;

(c) Given a sentence, the enforcement of which has been modified (parole) or conditionally suspended, in whole or in part, either at the time of the sentence or subsequently.

2. The State where the decision was taken (sentencing State) may request another State (administering State) to take responsibility for applying the terms of the decision (transfer of supervision)

Article 2

Channels of communications

A request for the transfer of supervision shall be made in writing. The request, supporting documents and subsequent communication shall be transmitted through diplomatic channels, directly between the Ministries of Justice or any other authorities designated by the Parties.

Article 3

Required documents

1. A request for the transfer of supervision shall contain all necessary information on the identity, nationality and residence of the sentenced person. The request shall be accompanied by the original or a copy

of any court decision referred to in article 1 of the present Treaty and a certificate that this decision is final.

2. The documents submitted in support of a request for transfer of supervision shall be accompanied by a translation into the language of the requested State or into another language acceptable to that State.

Article 4

Certification and authentication

Subject to national law and unless the Parties decide otherwise, a request for transfer of supervision and the documents in support thereof, as well as the documents and other material supplied in response to such a request, shall not require certification or authentication.

Article 5

Decision on the request

The competent authorities of the administering State shall examine what action to take on the request for supervision in order to comply, as fully as possible, with the request under their own law, and shall promptly communicate their decision to the sentencing State.

Article 6

Dual criminality

A request for transfer of supervision can be complied with only if the act on which the request is based would constitute an offence if committed in the territory of the administering State.

Article 7

Grounds for refusal

If the administering State refuses acceptance of a request for transfer of supervision, it shall communicate the reasons for refusal to the sentencing State. Acceptance may be refused where:

- (a) The sentenced person is not an ordinary resident in the administering State;
- (b) The act is an offence under military law, which is not also an offence under ordinary criminal law;
- (c) The offence is in connection with taxes, duties, customs or exchange;
- (d) The offence is regarded by the administering State as being of a political nature;
- (e) The administering State, under its own law, can no longer carry out the supervision or enforce the sanction in the event of revocation because of lapse of time.

Article 8

The position of the sentenced person

Whether sentenced or standing trial, a person may express to the sentencing State his or her interest in a transfer of supervision and his or her willingness to fulfil any conditions to be imposed. Similarly, such interest may be expressed by his or her legal representative or close relatives. Where appropriate, the Contracting States shall inform the offender or his or her close relatives of the possibilities under the present Treaty.

Article 9

The rights of the victim

The sentencing State and the administering State shall ensure in the transfer of supervision that the rights of the victims of the offence, in particular his or her rights to restitution or compensation, shall not be affected as a result of the transfer. In the event of the

death of the victim, this provision shall apply to his or her dependants accordingly.

Article 10

The effects of the transfer of supervision on the sentencing State

The acceptance by the administering State of the responsibility for applying the terms of the decision rendered in the sentencing State shall extinguish the competence of the latter State to enforce the sentence.

Article 11

The effects of the transfer of supervision on the administering State

1. The supervision transferred upon agreement and the subsequent procedure shall be carried out in accordance with the law of the administering State. That State alone shall have the right of revocation. That State may, to the extent necessary, adapt to its own law the conditions or measures prescribed, provided that such conditions or measures are, in terms of their nature or duration, not more severe than those pronounced in the sentencing State.

2. If the administering State revokes the conditional sentence or conditional release, it shall enforce the sentence in accordance with its own law without, however, going beyond the limits imposed by the sentencing State.

Article 12

Review, pardon and amnesty

1. The sentencing State alone shall have the right to decide on any application to reopen the case.
2. Each Party may grant pardon, amnesty or commutation of the sentence in accordance with the provisions of its Constitution or other laws.

Article 13

Information

1. The Contracting Parties shall keep each other informed, in so far as it is necessary, of all circumstances likely to affect measures of supervision or enforcement in the administering State. To this end they shall transmit to each other copies of any relevant decisions in this respect.
2. After expiration of the period of supervision, the administering State shall provide to the sentencing State, at its request, a final report concerning the supervised person's conduct and compliance with the measures imposed.

Article 14

costs

Supervision and enforcement costs incurred in the administering State shall not be refunded, unless otherwise agreed by both the sentencing State and the administering State.

Article 15

Final provisions

1. The present Treaty is subject to [ratification, acceptance or approval]. The instruments of [ratification, acceptance or approval] shall be exchanged as soon as possible.
2. The present Treaty shall enter into force on the thirtieth day after the day on which the instruments of [ratification, acceptance or approval] are exchanged.

3. The present Treaty shall apply to requests made after its entry into force, even if the relevant acts or omissions occurred prior to that date.

4. Either Contracting Party may denounce the present Treaty by giving notice in writing to the other Party. Such denunciation shall take effect, six months following the date on which it is received by the other Party.

IN WITNESS WHEREOF the undersigned., being duly authorized thereto by their respective Governments, have signed the present Treaty.

DONE at on - in the _ _ and -lan - guages, [both/all] texts being equally authentic.

[The text of this Treaty includes three footnotes of an explanatory or interpretive nature (see A/RES/45/119).¹

General Assembly resolution 45/119

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/451756) without vote, 23 November (meeting 51); draft by Eighth Congress (A/CONF.144/28); agenda item 100.

Financial implications: 5th Committee, G/45/845; S-G, A/C.3/45/L.36, A/C.5/45/59.

Meeting numbers, GA 45th session: 3rd Committee 24-27, 36, 51; 5th Committee 42; plenary 68.

Committee on Crime Prevention and Control

The Committee on Crime Prevention and Control held its eleventh session in Vienna from 5 to 16 February 1990. In its report [E/1990/31], the Committee recommended seven draft resolutions for adoption by the Economic and Social Council dealing with: the continuation of preparations for the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders; the implementation of UN standards and norms in crime prevention and criminal justice; victims of crime and abuse of power; education, training and public awareness in the field of crime prevention; prison education; UN surveys of criminal justice; and technical co-operation.

As the preparatory body for the Eighth Congress, the Committee recommended for transmission to the Congress through the Council 21 draft resolutions on specific aspects of crime prevention and treatment of offenders. Five of those annexed new draft international instruments (for details, see above, under "Congress preparations").

The Committee took note of the Secretary-General's report on UN activities in crime prevention and control, which had focused on the improvement of international co-operation by model instruments, information exchange, especially on crime victims and crime prevention, the promotion of technical co-operation, and the maintenance of standards of human rights and integrity. It welcomed the establishment of the UN African Institute for the Prevention of Crime

and the Treatment of Offenders, took note of the excerpts from the draft medium-term plan for the period 1992-1997 and selected, for endorsement by the Council, the candidates for membership in the Board of Trustees of the UN Interregional Crime and Justice Research Institute.

Besides examining a number of preparatory documents for the Eighth Congress, the Committee considered several reports on the implementation of the conclusions and recommendations of the Seventh (1985) Congress. It further considered a note by the Secretary-General on the results of the review of the functioning and programme of work of the United Nations in crime prevention and criminal justice, undertaken by a sub-committee, whose Chairman pointed out that the programme suffered from severe financial constraints compared with other UN programmes and operated at a continuing disadvantage in spite of calls for improving the situation. On 16 February, the Committee considered the draft provisional agenda for its twelfth session and documentation to be submitted under each item, adopted the report on its eleventh session, and recommended a draft decision on those two items for adoption by the Council.

An addendum [E/1990/31/Add.1] to the Committee's report provided an overview of the magnitude of the problem of contemporary crime, assessed the most efficient means of stimulating practical international action and made recommendations in that regard. It examined the problem of contemporary crime at the national and international levels in terms of its nature, extent and costs. It described the inadequacy of current international co-operation and assistance in dealing with the problem, and called for the development of an effective international crime and criminal justice programme, setting out its functions, essential elements, organizational structure and a mechanism for restructuring to make the programme more responsive to the needs of Member States.

ECONOMIC AND SOCIAL COUNCIL ACTION

On the basis of a draft decision recommended by the Committee on Crime Prevention and Control, the Economic and Social Council, by decision 1990/216 of 24 May, took note of the report of the Committee on its eleventh session, endorsed its request that the Secretary-General transmit to the Eighth Congress the Committee's report on the need for the creation of an effective international crime and justice programme and approved the provisional agenda and documentation for its twelfth session.

On the same date, the Council adopted resolution 1990/27.

Crime prevention and criminal justice

The Economic and Social Council,

Mindful of the responsibilities of the United Nations in crime prevention and criminal justice and its leading role in co-ordinating and strengthening regional and multilateral co-operation in this field,

Convinced that, to enhance its effectiveness and responsiveness and meet its increased responsibilities, the United Nations programme in crime prevention and criminal justice requires adequate resources,

Recalling its resolutions 1986/11 of 21 May 1986, 1987/53 of 28 May 1987, 1988/44 of 27 May 1988 and 1989/68 of 24 May 1989, on the review of the functioning and programme of work of the United Nations in crime prevention and criminal justice,

Recalling also General Assembly resolution 44/72 of 8 December 1989, in which the Economic and Social Council, at its first regular session of 1990, was invited to give priority consideration to the report of the Committee on Crime Prevention and Control on the work of its eleventh session,

1. Takes note of the report of the Secretary-General on crime prevention and criminal justice;

2. Welcomes the report of the Committee on Crime Prevention and Control on the work of its eleventh session;

3. Invites intergovernmental and non-governmental organizations, which have consistently contributed in a constructive and practical way to progress in the United Nations programme in crime prevention and criminal justice, to continue lending their support, particularly on the occasion of the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders;

4. Invites the General Assembly, at its forty-fifth session, in considering the report of the Eighth Congress, to take appropriate measures to ensure the timely implementation and proper follow-up of the recommendations contained therein;

5. Requests the Secretary-General to submit to the Economic and Social Council, at its first regular session of 1991, a progress report on the implementation of the present resolution, paying particular attention to action taken by the General Assembly at its forty-fifth session.

Economic and Social Council resolution 1990/27

24 May 1990 Meeting 13 Adopted without vote

Approved by Second Committee (E/1990/69) without vote, 16 May (meeting 13); draft by Italy (E/1990/C.2/L.6); agenda item 5.

UN Crime Prevention and Criminal Justice Programme

As requested by Economic and Social Council resolution 1989/68 [YUN 1989, p. 618], the Secretary-General prepared an April report [E/1990/36] on crime prevention and criminal justice, with particular emphasis on the review of the functioning and programme of work of the United Nations in crime prevention and criminal

justice. The Secretary-General, referring to the report [E/1990/31/Add.1] of the Committee on Crime Prevention and Control on the need for creating an effective international crime and justice programme, pointed to that report's emphasis on the seriousness of the world crime situation, the enormous human and material costs of crime, and the alarming new forms of crime that increasingly assumed transnational dimensions and whose use of advanced technological means and sophisticated organizational forms was outpacing official capacity for control. He noted that organized crime, violence, environmental offences, juvenile delinquency, victim protection, criminal justice system management, community-based sanctions, upgrading of law enforcement activities and training were highlighted as meriting special or continuing attention; that the pivotal role of criminal justice was in protecting the interests of society, safeguarding human rights and securing peaceful and democratic development; and that, therefore, effective implementation of the UN instruments and standards, as well as practical initiatives, such as the development of model agreements and effective strategies for international co-operation, were necessary.

The Secretary-General stated that an international convention had been suggested to provide an appropriate institutional framework and permit consolidation of the instruments for international co-operation in crime prevention and criminal justice. A summit or ministerial meeting was also proposed for the purpose of mobilizing the necessary political will and identifying a strategy to be pursued in dealing more effectively with the burgeoning problems of national and transnational crime.

The Secretary-General's report also described technical co-operation activities, such as interregional advisory services, provided to an increasing number of Governments in response to the growing need for viable crime prevention policies in the face of the widening reach of transnational crime. It outlined the series of preventive measures recommended by an interregional seminar on corruption in government (The Hague, Netherlands, 11-15 December 1989), which had also urged the following: periodic reviews of the adequacy of legislation and sanctions against corruption; swift, fair and equitable judicial processes; strategic planning for investigative bodies; interdisciplinary investigative task forces; enhancement of witness co-operation through financial rewards and witness protection; forfeiture and confiscation of corruptly gained assets; and provisions against money-laundering. Co-operation with the United Nations Fund for Drug Abuse Control and with the Human Rights Advisory Pro-

gramme was also described, as was co-ordination among UN institutes and relevant entities of the UN system.

In accordance with Council resolution 1989/68, a separate programme on crime prevention and criminal justice had been included in the medium-term plan for the period 1992-1997. As approved by the Committee on Crime Prevention and Control, the programme contained three sub-programmes concerned with collaborative action against transnational crime, crime prevention planning and criminal justice management, and crime prevention and criminal justice norms and standards. The strategies and activities under those sub-programmes stressed achievement of concrete targets and help to Governments in translating UN guidelines into practical reality. The main focus was on intensified international co-operation in dealing with crime problems, transcending national frontiers and requiring concerted action.

The Secretary-General noted that the Committee had drawn attention to the severe financial and other constraints under which the programme operated and had suggested the creation of a new, separately funded UN agency or a new Secretariat unit. It had also called for a procedure for selecting priority issues, for designing a programme for each issue, for assembling and deploying the resources needed, and for monitoring and evaluating the results. In addition, it had underlined the importance of an energetic fund-raising campaign for the pledging day scheduled for the Eighth Congress.

GENERAL ASSEMBLY ACTION

On 14 December, the General Assembly adopted resolution 45/108.

Review of the functioning and programme of work of the United Nations in crime prevention and criminal justice

The General Assembly,

Aware of the responsibility assumed by the United Nations in the field of crime prevention and criminal justice in pursuance of Economic and Social Council resolution 155 C (VII) of 13 August 1948 and General Assembly resolution 415(V) of 1 December 1950,

Recalling its resolutions 40/32 of 29 November 1985, 41/107 of 4 December 1986, 42/59 of 30 November 1987, 43/99 of 8 December 1988 and 44/72 of 8 December 1989 and Economic and Social Council resolutions 1986/11 of 21 May 1986, 1987/53 of 28 May 1987, 1988/44 of 27 May 1988 and 1989/68 of 24 May 1989, and taking note of Council resolution 1990/27 of 24 May 1990.

Recognizing the increasingly transnational character and dimensions of crime and also recognizing that the new, organized and sophisticated forms of crime call for concerted international action,

Alarmed by the high human and material costs of crime and aware that its consequences involve a substantial drain on the economies of Member States, and loss and damage to the victims of crime,

Convinced of the urgent need for more effective and responsive international mechanisms to assist countries and facilitate joint strategies in areas of mutual concern,

Noting that the Committee on Crime Prevention and Control, in its resolution 10/1 of 31 August 1988, requested its Chairman to appoint a sub-committee to provide an overview of the magnitude of the problem of crime in its economic, criminological, social and juridical aspects, to assess the most efficient means of stimulating practical international action in support of Member States and, in particular, the role of the United Nations in that regard, and to make recommendations to the Committee, at its eleventh session, concerning the most effective mechanisms for the implementation of the conclusions of the overview, and noting that a report on these matters was prepared by the sub-committee appointed by the Chairman, which was considered, reviewed, revised and approved by the Committee by its resolution 11/3 of 16 February 1990, at its eleventh session,

Noting also that the General Assembly, in its resolution 44/72, invited the Committee on Crime Prevention and Control, at its eleventh session, to give priority attention to the conclusions and recommendations of its sub-committee and to consider appropriate follow-up thereto by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

Taking note with appreciation of the report of the Committee on Crime Prevention and Control entitled "The need for the creation of an effective international crime and justice programme" and noting the endorsement of the report by the Eighth Congress, as well as the deliberations of the Congress thereon,

1. Decides to establish an intergovernmental working group, which, on the basis of the report of the Committee on Crime Prevention and Control entitled "The need for the creation of an effective international crime and justice programme", would produce a report elaborating proposals for an effective crime prevention and criminal justice programme and suggesting how that programme could most appropriately be implemented, and, accordingly, requests the President of the General Assembly, in consultation with the chairmen of the regional groups, to appoint no more than thirty Member States on the basis of the principle of equitable geographical distribution to constitute the membership of the working group;

2. Invites Member States, in consultation with the Secretary-General and the Chairman of the Committee on Crime Prevention and Control, to convene an early ministerial meeting:

(a) To consider the report of the intergovernmental working group in order to decide what the future crime prevention and criminal justice programme should be;

(b) To consider, in this context, the possible need for a convention or other international instrument to develop the content, structure and dynamics of that programme, including mechanisms for setting priori-

ties, securing the implementation of the programme and monitoring the results achieved;

3. Requests the Secretary-General, in preparation for the ministerial meeting, to assess the possible implications of the programme proposed by the intergovernmental working group for the resources and organization of the Secretariat and to report thereon to the ministerial meeting and to the Committee on Crime Prevention and Control;

4. Also requests the Secretary-General to take all practical measures to ensure rapid implementation of General Assembly resolutions 32/59 and 44/72 and Economic and Social Council resolutions 1986/11, 1987/53, 1989/68 and 1990/27, in so far as they relate to the strengthening and upgrading of the status of the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs of the Secretariat, taking into account the demands on the Branch that will be created by the preparations for the meeting of the intergovernmental working group and the ministerial meeting and by the current and expected programme, including the conclusions and recommendations of the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders;

5. Invites Member States to provide active support and assistance for the development of an effective international crime prevention and criminal justice programme and of viable mechanisms for implementing it;

6. Decides that the conclusions and recommendations of the ministerial meeting should be brought to the attention of the General Assembly, under the item entitled "Crime prevention and criminal justice", for appropriate action.

General Assembly resolution 45/108

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/45/756) without vote, 23 November (meeting 51); draft by Eighth Congress (A/CONF.144/28); agenda item 100.

Financial implications: 5th Committee, A/45/845; S-G, A/C.3/45/L.36, A/C.5/45/59.

Meeting numbers. GA 45th session: 3rd Committee 24-27, 36, 51; 5th Committee 42; plenary 68.

International co-operation in the context of development

On 14 December, following its consideration of the draft resolution recommended by the Eighth Congress annexing 29 recommendations for strengthening international co-operation in crime prevention and criminal justice, the General Assembly adopted resolution 45/107.

International co-operation for crime prevention and criminal justice in the context of development
The General Assembly,

Reaffirming the purposes and principles of the United Nations and the commitment of all States to respect the obligations assumed by them, in accordance with the Charter of the United Nations,

Convinced that crime prevention and criminal justice in the context of development should be oriented towards the observance of the principles contained in the Caracas Declaration, the Milan Plan of Action, the

Guiding Principles for Crime Prevention and Criminal Justice in the Context of Development and a New International Economic Order and other relevant resolutions and recommendations of the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

Recalling its resolution 43/99 of 8 December 1988, in which it stressed the need for Member States to continue to make concerted and systematic efforts to strengthen international co-operation in crime prevention and criminal justice, as identified in the Milan Plan of Action, and to facilitate the adoption by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders of viable and constructive action-oriented strategies against crime,

Recalling also its resolution 44/72 of 8 December 1989,

Recalling further Economic and Social Council resolution 1989/68 of 24 May 1989, in which the Council reaffirmed its conviction of the importance of the programme of the United Nations in the field of crime prevention and criminal justice and the necessity of strengthening it in order to make it fully responsive to the needs and expectations of Member States,

Adopts the recommendations on international co-operation for crime prevention and criminal justice in the context of development, as contained in the annex to the present resolution.

ANNEX

Recommendations on international co-operation for
crime prevention and criminal justice
in the context of development

A. Crime prevention and criminal justice in the context of development

1. Governments should reaffirm their commitment to respect the existing international treaties and their adherence to principles expressed in the Charter of the United Nations and in other relevant international instruments. Crime can also be prevented by ensuring that those principles are not sacrificed.

2. Member States should intensify the struggle against international crime by respecting and promoting the rule of law and legality in international relations and, for that purpose, they should complete and further develop international criminal law, fully implement the obligations following from international treaties and instruments in this field (*pacta sunt servanda*), and examine their national legislation in order to ensure that it meets the needs of international criminal law.

3. Governments should accord priority attention to the promulgation and implementation of appropriate laws and regulations to control and combat transnational crime and illegal international transactions, especially by the provision of proper collaborative schemes and trained personnel. Also, national laws should be reviewed in order to ensure a more effective and adequate response to the new forms of criminal activity, not only through the application of criminal penalties, but also through civil or administrative measures.

4. The national, regional and international aspects of growing pollution and the exploitation and destruction of the environment should be recognized and controlled as a matter of urgency, in view of the increasing and alarming devastation, deriving from various

sources. Besides measures of administrative law and liability under civil law, the role of criminal law as an instrument that can help to achieve such control should be kept under review. The desirability of elaborating guiding principles for the prevention of crimes against the environment should be considered.

5. In view of the fact that advanced technology and specialized technical knowledge are employed in criminal activities pursued in international trade and commerce, including computer fraud, by the misuse of banking facilities and the manipulation of tax laws and customs regulations, law enforcement and criminal justice officials should be properly trained and provided with adequate legal and technical means to be able to detect and investigate such offences. The co-ordination and co-operation of other relevant agencies at the national level should be ensured and their capacities further improved. The development and strengthening of direct arrangements of international co-operation between the various agencies of national criminal justice systems should also be pursued.

6. Since even legitimate enterprises, organizations and associations may sometimes be involved in transnational criminal activities affecting national economies, Governments should adopt measures for the control of such activities. They should also collect information from various sources so as to have a solid base for the detection and punishment of enterprises, organizations and associations, their officials, or both, if they are involved in such criminal activities, with a view also to preventing similar conduct in the future.

7. Note should be taken of the fact that many countries lack adequate laws to deal with the emerging manifestations of transnational crime and that the adoption and implementation of appropriate instruments and measures to prevent this type of criminality are urgently needed. In this regard, the exchange of information on existing laws and regulations should be encouraged in order to facilitate the dissemination and adoption of appropriate measures.

8. Because the corrupt activities of public officials can destroy the potential effectiveness of all types of governmental programmes, hinder development, and victimize individuals and groups, it is of crucial importance that all nations should (a) review the adequacy of their criminal laws, including procedural legislation, in order to respond to all forms of corruption and related actions designed to assist or to facilitate corrupt activities, and should have recourse to sanctions that will ensure adequate deterrence; (b) devise administrative and regulatory mechanisms for the prevention of corrupt practices or the abuse of power; (c) adopt procedures for the detection, investigation and conviction of corrupt officials; (d) create legal provisions for the forfeiture of funds and property from corrupt practices; and (e) take appropriate measures against enterprises involved in corruption. The Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs of the Secretariat should co-ordinate the elaboration of materials to assist countries in these efforts, including the development of a manual to combat corruption, and should provide specialized training to judges and prosecutors that would qualify them to deal with the technical as-

pects of corruption, as well as with the experiences derived from specialized courts handling such matters.

9. Noting the alarming threat posed by illicit trafficking in narcotic drugs and psychotropic substances, which is among the worst crimes that humanity is facing, and the action taken by United Nations drug control units and bodies in this field, and concerned that, despite all the efforts made at the national, regional and international levels, this phenomenon persists unabated, it is important that efforts to combat this type of criminality be given a central place in all crime prevention and criminal justice plans and programmes. The work of the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs in this area should be strengthened. Special assistance should be extended to developing countries for the implementation of drug abuse control programmes and the elaboration of collaborative prevention and control strategies.

10. The process of developing comprehensive model codes, especially at the regional and subregional levels, to combat crimes of transnational and international dimensions, should be encouraged. Also, efforts should be made to harmonize national criminal laws, so as to make them fully responsive to the realities and ramifications of such crimes. Practical arrangements, such as extradition, mutual assistance in criminal justice and the sharing and exchange of expertise and information, should be pursued. Adequate attention should be given to effective enforcement mechanisms in order to minimize the consequences of transborder crimes, including their effect on countries not directly involved.

11. Appropriate educational policies should be developed for making the populations of Member States more sensitive to the problem through formal educational systems and general public information programmes, with a view to promoting awareness of the ways and means by which criminal victimization can be avoided, as well as acquainting the public at large with the objectives and processes of the criminal justice system.

12. In recognition of the need for specific preventive measures related to such types of criminality as burglary, violent theft and street crime, an inventory of preventive measures should be prepared by the United Nations on the basis of an in-depth assessment and evaluation of their effectiveness in various cultural, social, economic and political contexts.

13. With respect to the victims of crime and abuse of power, a guide containing an inventory of comprehensive measures for education on the prevention of victimization, and on the protection of, and assistance and compensation to, victims should be prepared. This guide should be applied in accordance with the legal, socio-cultural and economic circumstances of each nation, taking into account the important role of non-governmental organizations in this sphere.

14. In view of its crucial function in crime prevention, the criminal justice system should be developed on the basis of the progressive rationalization and humanization of criminal laws and procedures, sentencing policies and dispositional alternatives, within the overall framework of social justice and societal aspirations.

15. A systematic approach to crime prevention planning should be pursued to provide for the incorporation of crime prevention policies into national development planning, starting from an overall reassessment of substantive criminal and procedural laws whenever appropriate. This approach would include the introduction of the processes of decriminalization, depenalization and diversion, as well as reforms of procedures that would ensure the support of members of the public and review of existing policies with a view to assessing their impact. It would also include appropriate links to be established between the criminal justice system and other development sectors, including education, employment, health, social policy and other related fields.

16. The trial process should be consonant with the cultural realities and social values of society, in order to make it understood and to permit it to operate effectively within the community it serves. Observance of human rights, equality, fairness and consistency should be ensured at all stages of the process.

B. International scientific and technical co-operation

17. In order to increase the effectiveness of international co-operation in crime prevention and criminal justice, concerted efforts should be made towards (a) the ratification and implementation of existing international instruments; (b) the development of bilateral and multilateral instruments; and (c) the preparation and elaboration of model instruments and standards for use at the national, bilateral, multilateral, sub-regional, regional and interregional levels.

18. The formulation of international instruments, standards and norms should include the following specific areas of concern: (a) judicial assistance treaties, in particular between common law and civil law countries, dealing with the means for obtaining evidence conforming to the requirements of the requesting State; (b) development of standardized requests for extradition and mutual assistance; (c) development of the means of providing assistance to victims of crime and abuse of power, with emphasis on the implementation of the Declaration of Basic Principles of justice for Victims of Crime and Abuse of Power, and of providing adequate protection for witnesses; (d) further consideration of issues of transnational jurisdiction in order to assist in the process of responding to requests for extradition and mutual assistance and in the implementation of international instruments; and (e) elaboration of standards for international assistance in respect of bank secrecy, facilitating the seizure and confiscation of proceeds in bank accounts derived from criminal acts. In particular, banks and other financial institutions should be urged to standardize their reporting requirements and documents so that these can be used more rapidly and effectively as evidence. More effective international standards to inhibit the laundering of money and investment connected with criminal activities, such as narcotics trafficking and terrorism, should also be developed.

19. Member States, intergovernmental and non-governmental organizations and international, national and private funding agencies should assist the United Nations in the establishment and operation of a global crime prevention and criminal justice information network. Member States are urged to contrib-

ute to this endeavour by financing equipment and expertise. Consideration should also be given to determining the categories of criminal justice data that can be provided and exchanged on a regular basis.

20. In accordance with the numerous decisions and resolutions of relevant organs of the United Nations, including the quinquennial United Nations congresses on the prevention of crime and the treatment of offenders, measures should be taken to strengthen programmes of international technical and scientific co-operation in the field of crime prevention and criminal justice on a bilateral and multilateral basis, as substantive components of broader development programmes, taking into account the special needs of developing countries and, in particular, the worsening socio-economic situation in many of them, which contributes to the increase of structural inequality and criminality.

21. In order to formulate and develop proper regional and interregional strategies of international technical and scientific co-operation in combating crime and improving the effectiveness of preventive and criminal justice activities, the programmes of technical and scientific co-operation should be directed especially towards (a) reinforcement of the technical capacities of the criminal justice agencies; (b) an upgrading of the human and technical resources in all sectors of the criminal justice system in order to stimulate technical assistance, model and demonstration projects, research activities and training programmes, in close co-operation with the United Nations institutes for the prevention of crime and the treatment of offenders and competent non-governmental organizations; (c) the further development and improvement, at the national, regional, interregional and international levels, of information bases for the collection, analysis and dissemination of data on crime trends, innovative ways and methods of crime prevention and control, and the operation of criminal justice agencies, in order to provide an appropriate basis for policy-formulation and programme implementation; (d) the promotion, through educational programmes and training activities, of the implementation of United Nations norms, guidelines and standards in crime prevention and criminal justice; and (e) the elaboration and implementation of joint strategies and collaborative arrangements to deal with crime problems of mutual concern.

22. The Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs, as the focal point of United Nations activities in this field, the United Nations institutes for the prevention of crime and the treatment of offenders, the co-operating entities like the Arab Security Studies and Training Centre, the interregional advisory services in crime prevention and criminal justice, and other relevant United Nations bodies, as well as intergovernmental and non-governmental organizations enjoying consultative status with the Economic and Social Council, should be strengthened so as to increase the scope of their operations: improve their co-ordination and diversify forms and methods of technical and scientific co-operation.

23. The role of the Committee on Crime Prevention and Control as the principal body dealing with crime prevention and criminal justice matters, which is entrusted, *inter alia*, with the preparations for the United Nations congresses on the prevention of crime

and the treatment of offenders, should be further enhanced so as to enable it to fulfil its important functions.

24. The capacity of the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs, as the only professional and specialized entity within the United Nations system with overall responsibility for its crime prevention and criminal justice programme, should be strengthened in terms of both human and financial resources. Prompt implementation of the General Assembly and Economic and Social Council resolutions related thereto is urgently needed. In particular, priority attention should be given to the implementation of paragraphs 4 and 5 of General Assembly resolution 42/59 of 30 November 1987, in which the Assembly approved the recommendations contained in Economic and Social Council resolutions 11986/11 and 11987/53, concerning the review of the functioning and programme of work of the United Nations in the field of crime prevention and criminal justice, and requested the Secretary-General, *inter alia*, to take measures to ensure that the programme of work is supported by adequate resources; and paragraph 3 (a) of Economic and Social Council resolution 1987/53, in which the Council requested the Secretary-General to develop the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs as a specialized body and facilitating agent in the field of crime prevention and criminal justice. Attention should also be given to other relevant resolutions of the General Assembly and the Economic and Social Council, as well as to the recommendations of the regional preparatory meetings for the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders and of the Committee on Crime Prevention and Control.

25. The United Nations institutes for the prevention of crime and the treatment of offenders should further develop their research, training and technical assistance capacities, and widen their collaborative networks through more extensive reliance on non-governmental organizations and national research and educational institutions, in order to meet the growing requests from developing countries for technical and scientific assistance. The Governments concerned, relevant regional bodies and organizations and United Nations entities should actively assist the United Nations institutes for the prevention of crime and the treatment of offenders, and, in particular, should assist the African Institute for the Prevention of Crime and the Treatment of Offenders in consolidating its status and further promoting its activities.

26. Governments should be invited to fund regional advisory services in their regions, directly or through the United Nations Development Programme, so as to develop further and complement existing structures and possibilities in this field. The regional commissions should be encouraged to do likewise and should be supported in their efforts to that end.

27. Special attention should be paid to strengthening the collaborative ties in the field of crime prevention and criminal justice between the Centre for Social Development and Humanitarian Affairs and the Department of Technical Co-operation for Development

of the Secretariat, the United Nations Development Programme, the World Bank and other relevant entities, with a view to ensuring adequate resources for technical co-operation activities in crime prevention and criminal justice. Interested Governments should give priority to the inclusion of crime prevention and criminal justice projects in the national and regional programmes proposed for the support of the United Nations Development Programme.

28. In order to fully implement the mandates emerging from the crime prevention and criminal justice programme and to provide additional technical and scientific expertise and resources for matters of international co-operation in this field, broader involvement of, and assistance by, non-governmental organizations are required.

29. Governments and other funding agencies should contribute to the United Nations Trust Fund for Social Defence in order to enable the United Nations to implement, in an adequate and effective manner, programmes of technical and scientific co-operation in this field.

General Assembly resolution 45/107

14 December 1990 Meeting 68 Adopted without vote
Approved by Third Committee (A/45/756) without vote, 23 November (meeting 51); draft by Eighth Congress (A/CONF.144/28); agenda item 100.

Financial implications: 5th Committee, A/45/845; S-G, A/C.3/45/L.36, A/C.5/45/59.

Meeting numbers. GA 45th session: 3rd Committee 24-27, 36, 47, 51; 5th Committee 42; plenary 68.

UN standards and norms

In an April report [E/1990/36], the Secretary-General stated that, in accordance with Economic and Social Council resolution 1989/63 [YUN 1989, p. 634], a working group met (1-2 February) prior to the 1990 session of the Committee on Crime Prevention and Control to examine ways of effectively implementing the internationally adopted UN standards and norms in criminal justice and to offer guidelines and prototypes for national and international application. The group noted certain obstacles to implementation as revealed by UN surveys, among them the low priority attached to implementation, shortage of funds, inadequate human and professional resources, lack of co-ordinated action and political will, and public apathy.

The working group made proposals to assist Governments in their implementation efforts and recommended that Governments provide adequate support to UN crime prevention and criminal justice institutes for national follow-up action. It suggested that the Committee prepare a comprehensive plan assessing the various standards and mutual assistance treaties according to priorities, taking available resources into account. It considered the possibility of merging or clustering certain surveys according to their objectives. In that connection, the group distinguished four main types of standards: those deal-

ing with human rights issues, those promoting the integrity of criminal justice administration, those which were essentially 'administrative, and the more general documents. The group accorded the highest priority to those dealing with human rights issues and to the general documents, and proposed a "programmatic implementation plan". It also felt that an implementation body of Committee members or other acknowledged experts might be formed to make first-hand inquiries within countries. Regarding standards concerned with promoting the integrity of criminal justice systems, the group suggested that the UN institutes could play a leading role in personnel training, in providing information and in encouraging greater accountability, reporting periodically on those activities. A model training syllabus and in-service training were also suggested.

The working group stressed the role of NGOs in propagating and helping to apply UN standards and norms, as well as the role of the United Nations Criminal Justice Information Network. The group urged the prompt publication of the proposed compendium of all UN standards relating to crime prevention and criminal justice and envisaged a voluntary fund for the implementation of UN standards and norms.

The working group made specific recommendations, which were endorsed by the Committee in a draft resolution submitted for adoption by the Council.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 24 May, the Economic and Social Council adopted resolution 1990/21.

Implementation of United Nations standards and norms in crime prevention and criminal justice

The Economic and Social Council,

Bearing in mind 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, adopted by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

Bearing in mind also the Declaration of Basic Principles of justice for Victims of Crime and Abuse of 'Power, the Safeguards guaranteeing protection of the rights of those facing the death penalty, the Code of Conduct for Law Enforcement Officials, the Basic Principles on the Independence of the Judiciary, the Standard Minimum Rules for the Treatment of Prisoners, the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules), the Principles on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions, and the Model Agreement on the Transfer of Foreign Prisoners,

Bearing in mind further the Procedures for the effective implementation of the Standard Minimum Rules

for the Treatment of Prisoners, the Procedures for the effective implementation of the Basic Principles on the Independence of the Judiciary and the Guidelines for the effective implementation of the Code of Conduct for Law Enforcement Officials,

Noting the difficulties that countries have found in supplying complete and accurate replies to the questionnaires designed to measure the extent of compliance with those standards and procedures,

Acknowledging the important role the United Nations has played, and continues to play, in the development of those standards and procedures through its quinquennial congresses on the prevention of crime and the treatment of offenders and the Committee on Crime Prevention and Control,

Recognizing the valuable contribution of the United Nations to those endeavours through its human rights activities, based on the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocol thereto, and the Second Optional Protocol thereto, aiming at the abolition of the death penalty, the Convention on the Rights of the Child, the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment and other relevant instruments,

Recalling General Assembly resolutions 40/146 of 13 December 1985, 41/149 of 4 December 1986, 42/143 of 7 December 1987 and 44/162 of 15 December 1989 on human rights in the administration of justice,

Recalling also Economic and Social Council resolutions 1987/53 of 28 May 1987 and 1989/68 of 24 May 1989 on the review of the functioning and programme of work of the United Nations in crime prevention and criminal justice,

Recalling further Economic and Social Council resolution 1989/63 of 24 May 1989 on the implementation of United Nations standards and norms in crime prevention and criminal justice,

Welcoming the steps taken by the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs and by the Centre for Human Rights, of the Secretariat, to ensure even closer co-operation, particularly in the preparations for the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

Commending, in particular, the fact that focal points have been further developed within the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs and the Centre for Human Rights to monitor the human rights aspects of the administration of justice in various programmes and to provide, as appropriate, advice on co-ordination and other relevant issues,

Convinced of the need for further co-operation and concerted action, as reaffirmed by the Commission on Human Rights in resolutions 1989/24 of 6 March 1989, on human rights in the administration of justice, 1989/32 of 6 March 1989, on the independence and impartiality of the judiciary, jurors and assessors and the independence of lawyers, and 1989/64 of 8 March 1989 on summary or arbitrary executions,

1. calls upon all Member States:

(a) To adopt and implement at the national level the United Nations standards in crime prevention and

criminal justice, in accordance with their constitutional processes and domestic practices;

(b) To ensure that the standards are widely publicized in at least the main or official language or languages of the country;

(c) To guarantee that justice personnel, members of the executive branch and the legislature and the public in general are informed in the most appropriate manner of the content and importance of the standards and that the standards are made available to them;

(d) To design ways and means of enhancing the observance of the standards, including the elaboration of realistic and effective implementation procedures, the use of the standards in the curricula of universities and other institutions, the organization of seminars and training courses, as well as of other meetings at the professional and non-professional levels, the more active involvement of the community and the increased support of the mass media;

(e) To promote studies on measures for the effective implementation of the standards, with emphasis on new developments in that area;

(f) To provide the needed support to the United Nations regional and interregional institutes for crime prevention and criminal justice and the Arab Security Studies and Training Centre, as well as to other entities of the United Nations system concerned with the implementation of the standards;

(g) To increase, as far as possible, the level of support for technical co-operation and advisory services, either directly or through international funding agencies, so as to promote the provision of technical co-operation to Governments requesting it;

2. Urges the Committee on Crime Prevention and Control to continue reviewing the standards and following up their implementation, to make recommendations on their future application and to identify existing obstacles to, or shortcomings in, their implementation, inter alia, through contacts with the Governments of the countries concerned, with a view to suggesting appropriate remedies;

3. Authorizes the Chairman of the Committee on Crime Prevention and Control to designate members of the Committee, with due regard to appropriate regional representation, to assist the Committee in the periods between its sessions in the implementation of specific standards, in close co-operation with the United Nations regional and interregional institutes for crime prevention and criminal justice, the Arab Security Studies and Training Centre and the other entities and organizations concerned, without financial implications for the United Nations, and to inform the Committee and its pre-sessional working groups of the results of those endeavours;

4. Invites Member States to allocate extrabudgetary funds to enable the designated members of the Committee on Crime Prevention and Control to draw on their best available professional and academic sources of information, to consult with non-governmental organizations and to hold ad hoc meetings as required;

5. Requests the Secretary-General to provide the designated members of the Committee on Crime Prevention and Control with all the assistance necessary for the successful completion of their tasks;

6. Calls upon the Committee on Crime Prevention and Control, at its twelfth session, to make specific recommendations to the Economic and Social Council on further action required for the effective implementation of existing standards, on the basis of the proposals made by the pre-sessional working group established in accordance with Council resolution 1989/63, paragraph 6, taking into account, in particular, the following issues:

(a) Measures to increase the level of support for programmes of technical co-operation and advisory services in crime prevention and criminal justice to permit more effective implementation, including special projects designed and carried out at the country level and more active involvement of potential funding agencies;

(b) The role of the United Nations, in particular of the Committee on Crime Prevention and Control, in promoting the implementation of existing standards, including modalities for strengthening existing review procedures, and more active inter-sessional involvement of Committee members and other experts;

(c) The relationship between the effectiveness of implementation and the work-load of the Committee and the Secretariat;

(d) The growing burden imposed on many States by the expansion of reporting obligations, and the need for technical assistance;

(e) The problem of inadequate reporting or excessive delays;

(f) The question of additional or alternative sources of information;

(g) The capacity of the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs of the Secretariat to provide the Committee with the administrative and technical support required, in view of inadequate staffing and other financial constraints;

7. Authorizes the Committee on Crime Prevention and Control to continue the practice of convening a pre-sessional working group for two days before each session;

8. Requests the Secretary-General to provide the Committee on Crime Prevention and Control and its pre-sessional working group with all the assistance necessary for the successful completion of their tasks;

9. Requests the Secretary-General to ensure, through the Department of Public Information of the Secretariat, the widest possible dissemination of United Nations standards in crime prevention and criminal justice and the periodic reports on their implementation, in as many languages as possible, and to make them available to all States and to the intergovernmental and non-governmental organizations concerned,

10. Emphasizes the significant role of the United Nations regional and interregional institutes and regional commissions, the Arab Security Studies and Training Centre, the regional and interregional advisers in crime prevention and criminal justice, the specialized agencies and other organizations of the United Nations system, intergovernmental organizations and non-governmental organizations, including professional associations concerned with promoting United Nations standards in crime prevention and criminal

justice, and invites them to continue and intensify their active involvement;

11. Reaffirms the importance of developing diversified funding strategies, including recourse to voluntary and mixed multilateral and bilateral contributions for specific projects, and of strengthening the involvement of United Nations development agencies, including the United Nations Development Programme and the World Bank;

12. Invites the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders to consider the following issues:

(a) The means by which to accord adequate priority to the implementation of existing standards;

(b) The possibility of consolidating reporting arrangements.

Economic and Social Council resolution 1990/21
24 May 1990 Meeting 13 Adopted without vote
Approved by Second Committee (E/1990/69) without vote, 11 May (meeting 11); draft by Committee on Crime Prevention and Control (E/1990/31); agenda item 5.

UN surveys of criminal justice

On 24 May, the Economic and Social Council adopted resolution 1990/18.

United Nations surveys of criminal justice

The Economic and Social Council,

Convinced of the important role of criminal justice statistics in the informed management of all criminal justice operations and of the need for comprehensive, accurate and up-to-date criminal justice data bases at the national and international levels,

Recognizing the need to continue the work on United Nations criminal justice statistics by means of periodic surveys of crime trends, the operations of criminal justice systems and crime prevention strategies and to make those surveys as uncomplicated as possible, and recognizing the major contribution that the analysis of such surveys can make to the formulation and development of criminal justice programmes,

Recognizing also that the ongoing work on computerization of matters concerning crime and justice by Member States and the United Nations will enhance the potential of Member States to respond to such surveys,

Bearing in mind its resolution 1984/48 of 25 May 1984, and resolution 9 adopted by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, in which the Secretary-General was requested to allocate existing resources to allow for the enhancement of efforts to establish and develop national statistical data bases on crime and the operations of the criminal justice systems and to strengthen the work of the United Nations regional institutes in that field,

Believing that future surveys have to be simplified and undertaken more frequently and that the replies to them can be made more accurate,

1. Recommends that the Fourth United Nations Survey of Crime Trends, Operations of Criminal Justice Systems and Crime Prevention Strategies should be simplified, that it should cover the period 1987-1990 and that subsequent surveys should be carried out at two-year and ultimately one-year intervals;

2. Calls upon Member States to endeavour to provide more complete responses to the Fourth United Nations Survey;

3. Invites the United Nations regional and inter-regional institutes, in co-operation with the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs and the Statistical Office of the Secretariat, to review the preparation of the survey questionnaire and the analysis and publication of the results;

4. Invites Member States, through the United Nations Trust Fund for Social Defence or in other ways, to provide financial assistance to countries for the creation and maintenance of criminal justice data bases, at the national and international levels, and to provide the necessary expertise or appropriate international analysis and policy recommendations;

5. Requests the Secretary-General, in his progress report on United Nations activities in crime prevention and criminal justice, to be submitted to the Committee on Crime Prevention and Control at its twelfth session, to make proposals for improving the number and quality of responses to the Fourth United Nations Survey and for publishing the results of such surveys in the regular reports on the state of crime and justice in the world;

6. Also requests the Secretary-General to convene a meeting, during the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, to consider the revision of the survey questionnaire, and invites Governments to include in their national delegations persons suited to that task;

7. Further requests the Secretary-General, in particular through the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs and the Statistical Office, and in co-operation with the Department of Technical Co-operation for Development of the Secretariat, to provide assistance to the regional institutes so that training programmes may be organized for criminal justice statisticians and others involved in the preparation of the replies to the surveys with a view to increasing the rate of response;

8. Decides that the Committee on Crime Prevention and Control should review the results of the periodic surveys with a view to including them in regular United Nations technical publications on the state of crime and justice in the world.

Economic and Social Council resolution 1990/18
24 May 1990 Meeting 13 Adopted without vote
Approved by Second Committee (E/1990/69) without vote, 11 May (meeting 11); draft by Committee on Crime Prevention and Control (E/1990/31); agenda item 5.

Crime prevention education, training and public awareness

On 24 May, the Economic and Social Council adopted resolution 1990/24.

Education, training and public awareness in the field of crime prevention

The Economic and Social Council,

Recalling that in the Milan Plan of Action, adopted by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, the

Secretary-General was requested to review, in consultation with the Committee on Crime Prevention and Control, the functioning and programme of work of the United Nations regional and interregional institutes for crime prevention and criminal justice, in order to establish priorities and to ensure the continuing relevance and responsiveness of the United Nations to emerging needs,

Convinced that the continuous review and establishment of priorities should be, first of all, related to the ongoing training of criminal justice staff, sensitizing them to contemporary priorities and providing relevant in-service instruction,

Convinced also that, in order to be fully effective, standard-setting activities should include measures for their practical application for professionals in the field,

Recognizing the need for priority to be accorded to more effective crime prevention,

Reaffirming the leadership role of the United Nations in the field of crime prevention and criminal justice,

1. Recommends the establishment of a comprehensive programme of work so that the United Nations may deal in a practical and operational way, in the context of its policy, standard-setting and clearing-house functions and its central co-ordination role, with the contemporary problems of the international community in the field of crime prevention and criminal justice; the programme should include:

(a) Design of programmes for curriculum development and preparation of training material and manuals;

(b) Promotion of collaborative academic work and publications;

(c) Provision of technical advisory services to Member States and organizations, at their request;

(d) Development of data bases on different aspects of education, training and public awareness;

(e) Production of audio-visual material and other training aids;

(f) Promotion of international co-operation in respect of training and educational programmes, including the provision of scholarships, fellowships and study tours;

(g) Close collaboration with research centres and academic institutions, as well as with the private sector;

2. Requests the Secretary-General to take the necessary steps to put those recommendations into effect.

Economic and Social Council resolution 1990/24

24 May 1990 Meeting 13 Adopted without vote

Approved by Second Committee (E/1990/69) without vote. 11 May (meeting 11); draft by Committee on Crime Prevention and Control (E/1990/31); agenda item 5.

Criminal justice and prison education

Criminal justice education

On 14 December, the General Assembly adopted resolution 45/122.

Criminal justice education

The General Assembly,

Aware that one of the main objectives of the United Nations in the field of crime prevention and criminal justice is the continued promotion of a more effective

administration of justice, the strengthening of international co-operation in the fight against transnational crime, the observance of human rights and the pursuance of the highest standards of fairness, efficiency, humanity and professional conduct,

Recalling in this context its resolution 44/72 of 8 December 1989 in which it expressed the hope that the Eighth United Nations Congress on the Prevention of Crime and the Treatment of offenders would make a major contribution to the solution of problems related to crime prevention and criminal justice,

Noting the views expressed at previous congresses concerning the need for collaboration between criminal justice agencies and educational authorities in the development of crime prevention programmes,

Recognizing that existing approaches to crime prevention and control have not always proved effective,

Calling attention to its resolution 42/104 of 7 December 1987, by which it proclaimed the year 1990 as International Literacy Year, the aim of which is the eradication of illiteracy in the world, and its resolution 44/127 of 15 December 1989,

Bearing in mind its resolution 44/61 of 8 December 1989 on the development of public information activities in the field of human rights,

Convinced that the development of public information activities in the field of criminal justice should include the creation and implementation of mechanisms to enable Member States, intergovernmental and non-governmental organizations and professional criminal justice associations to be familiar with ongoing criminal justice and crime prevention activities in the work of the United Nations,

Mindful that the Eighth Congress, in its resolution 5 of 5 September 1990 on the consolidation of the role of national correspondents in the crime prevention and criminal justice field, resolution 14 of 6 September 1990 on social aspects of crime prevention and criminal justice in the context of development, resolution 19 of 7 September 1990 on management of criminal justice and development of sentencing policies, and resolution 4 of 5 September 1990 on international co-operation and mutual assistance through training programmes and exchange of expertise, as well as in its resolution on the computerization of criminal justice, recommended to the General Assembly for adoption, made several recommendations for strengthening education activities in the criminal justice field, which included better dissemination of information on those activities among interested Member States and other parties,

mindful also that education has a potential role to play in ameliorating the conditions that give rise to crime and to the consequences of criminality,

Determined that education should play an important role in crime prevention and criminal justice through such means as education for the general awareness of the public, education of the young for crime prevention, education aimed at the total personal development of prisoners and other offenders and continuing education of the criminal justice personnel,

Aware that comprehensive approaches are required for a lasting and systemic impact on criminal justice education with a view to attaining higher standards of fairness, efficiency and professional conduct of criminal justice personnel,

1. Endorses the initiatives made by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders in the above-mentioned resolutions, which aim at strengthening national and international efforts in criminal justice education, including the enhancement of the role of criminal justice education in the activities of Member States, intergovernmental and non-governmental organizations and national correspondents in the field of crime prevention and control;

2. Invites Member States to review existing education practices in respect of both offenders and personnel in crime prevention and criminal justice;

3. Also invites Member States to involve educational experts, as appropriate, in crime prevention and criminal justice and to encourage related educational research and publications;

4. Further invites Member States to advise criminal justice staff periodically through their professional associations, journals or other publications and records, on United Nations developments relevant to their area of work;

5. invites all Member States to include in their educational curricula materials relevant to a comprehensive understanding of criminal justice and crime prevention issues, and encourages all those responsible for criminal law and criminal justice reforms, training in law and its enforcement, the armed forces, medicine, diplomacy and other relevant fields to include appropriate criminal justice and crime prevention components in their programmes;

6. Also invites Member States to encourage collaboration between criminal justice agencies and educational authorities in the development of crime prevention programmes and to encourage educational authorities to give increased attention to ethical and socialization programmes in their curricula and to other relevant measures referred to in the inventory of comprehensive crime prevention measures submitted to the Eighth Congress;

7. Requests the Secretary-General to explore the possibility of increased use of education in crime prevention and criminal justice with a view to preparing a study on the relationship between crime, education and development and of presenting the first results in a progress report to be submitted to the Committee on Crime Prevention and Control at its twelfth session;

8. Also requests the Secretary-General, through the Department of Public Information of the Secretariat in co-operation with other offices and national correspondents in the field of crime prevention and control, to continue to develop and maintain a list of criminal justice journals and relevant public media programmes, with a view to the dissemination of information on United Nations activities in the field of crime prevention and criminal justice for educational purposes;

9. Further requests the Secretary-General to bring to the attention of relevant national criminal justice and educational authorities the United Nations standards, norms and other selected recommendations with a view to ensuring their more widespread and systematic dissemination in relevant training and educational programmes;

10. Requests the Secretary-General to develop technical co-operation programmes, including interregional advisory services, with a view to enhancing the role of education in the operation of crime prevention and criminal justice, taking into account the interdisciplinary nature of such co-operation programmes;

11. Recommends that the Secretary-General should establish, subject to the availability of extrabudgetary funds, electronic data bases within the United Nations Criminal Justice Information Network, which should include information on the network of national correspondents in the field of crime prevention and criminal justice and information on educational and training programmes in the criminal justice field, with a view to disseminating information to the international criminal justice community more effectively;

12. Invites the relevant intergovernmental and non-governmental organizations to contribute substantially, logistically and financially to the development of educational programmes within the United Nations crime prevention and criminal justice programme and to the establishing of the above-mentioned data bases;

13. Urges the United Nations institutes for the prevention of crime and the treatment of offenders to include educational issues in their research and training programmes;

14. Requests the Committee on Crime Prevention and Control, as the preparatory body for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, to keep the matter under review;

15. Recommends that the Committee on Crime Prevention and Control and preparatory meetings to the Ninth Congress further consider the role of education with a view to facilitating educational approaches in crime prevention and criminal justice.

General Assembly resolution 45/122

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/45/756) without vote. 23 November (meeting 51); 17-nation draft (A/C.3/45/L.30); agenda item 100. Meeting numbers. GA 45th session: 3rd Committee 24-27, 36, 51; plenary 68.

Prison education

On 24 May, the Economic and Social Council adopted resolution 1990/20.

Prison education

The Economic and Social Council,

Affirming the right of everyone to education, as enshrined in article 26 of the Universal Declaration of Human Rights and in articles 13 to 15 of the International Covenant on Economic, Social and Cultural Rights,

Recalling rule 77 of the Standard Minimum Rules for the Treatment of Prisoners, which states, *inter alia*, that provision shall be made for the further education of all prisoners capable of profiting thereby, that the education of illiterates and young prisoners shall be compulsory and that the education of prisoners shall be integrated with the educational system of the country so far as practicable,

Recalling also rule 22.1 of the United Nations Standard Minimum Rules for the Administration of Juvenile

Justice (The Beijing Rules), which states that 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, and rule 26, which stresses the role of education and vocational training for all juveniles in custody,

Bearing in mind the long-standing concern of the United Nations about the humanization of criminal justice and the protection of human rights and about the importance of education in the development of the individual and the community,

Bearing in mind also that human dignity is an inherent, inviolable quality of every human being and a pre-condition for education aiming at the development of the whole person,

Bearing in mind further that 1990, the year in which the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders is to be held, is also International Literacy Year, the objectives of which are directly relevant to the individual needs of prisoners,

Noting with appreciation the significant efforts made by the United Nations, in preparing for the Eighth Congress, to give more recognition to prison education,

1. Recommends that Member States, appropriate institutions, educational counselling services and other organizations should promote prison education, *inter alia* by:

(a) Providing penal institutions with educators and accompanying services and raising the educational level of prison personnel;

(b) Developing professional selection procedures and staff training and supplying the necessary resources and equipment;

(c) Encouraging the provision and expansion of educational programmes for offenders in and outside prisons;

(d) Developing education suitable to the needs and abilities of prisoners and in conformity with the demands of society;

2. Also recommends that Member States should:

(a) Provide various types of education that would contribute significantly to crime prevention, resocialization of prisoners and reduction of recidivism, such as literacy education, vocational training, continuing education for updating knowledge, higher education and other programmes that promote the human development of prisoners;

(b) Consider the increased use of alternatives to imprisonment and measures for the social resettlement of prisoners with a view to facilitating their education and reintegration into society;

3. Further recommends that Member States, in developing educational policies, should take into account the following principles:

(a) Education in prison should aim at developing the whole person, bearing in mind the prisoner's social, economic and cultural background;

(b) All prisoners should have access to education, including literacy programmes, basic education, vocational training, creative, religious and cultural activities, physical education and sports, social education, higher education and library facilities;

(c) Every effort should be made to encourage prisoners to participate actively in all aspects of education;

(d) All those involved in prison administration and management should facilitate and support education as much as possible;

(e) Education should be an essential element in the prison regime; disincentives to prisoners who participate in approved formal educational programmes should be avoided;

(f) Vocational education should aim at the greater development of the individual and be sensitive to trends in the labour market;

(g) Creative and cultural activities should be given a significant role since they have a special potential for enabling prisoners to develop and express themselves;

(h) Wherever possible, prisoners should be allowed to participate in education outside the prison;

(i) Where education has to take place within the prison, the outside community should be involved as fully as possible;

(j) The necessary funds, equipment and teaching staff should be made available to enable prisoners to receive appropriate education;

4. Urges the United Nations Educational, Scientific and Cultural Organization and its International Bureau of Education, in co-operation with the regional commissions, the regional and interregional institutes for crime prevention and criminal justice, other specialized agencies and other entities within the United Nations system, other intergovernmental organizations concerned and non-governmental organizations in consultative status with the Economic and Social Council, to become actively involved in this process;

5. Requests the Secretary-General, subject to the availability of extrabudgetary funds:

(a) To develop a set of guidelines and a manual on prison education that would provide the basis necessary for the further development of prison education and would facilitate the exchange of expertise and experience on this aspect of penitentiary practice among Member States;

(b) To convene an international expert meeting on prison education, with a view to formulating action-oriented strategies in this area, with the co-operation of the regional and interregional institutes for crime prevention and criminal justice, the specialized agencies, other intergovernmental organizations concerned and non-governmental organizations in consultative status with the Economic and Social Council;

6. Also requests the Secretary-General to inform the Committee on Crime Prevention and Control, at its twelfth session, on the results of his endeavours in this area;

7. Invites the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders and the Committee on Crime Prevention and Control, at its twelfth session, to consider the question of prison education.

Economic and Social Council resolution 1990/20

24 May 1990 Meeting 13 Adopted without vote

Approved by Second Committee (A/1990/69) without vote, 11 May (meeting 11); draft by Committee on Crime Prevention and Control (E/1990/31); agenda item 5.

Crime prevention institutes

African Institute for the Prevention of Crime and the Treatment of Offenders

The Secretary-General indicated in an April report [E/1990/36] that the statute of the UN African Institute for the Prevention of Crime and the Treatment of Offenders, adopted in 1988, had been signed by 26 countries, including Uganda, the host country. The Institute was to be financed through contributions from African States, based on a scale of assessments determined by the Organization of African Unity (OAU), with initial support of \$2 million from UNDP for 1990-1993. In February 1990, the OAU Council of Ministers urged those of its members which had not done so to sign the statute and to make contributions in cash and in kind.

The Institute's Governing Board had been constituted in 1989 by the Conference of Ministers of the Economic Commission for Africa and its Director and Deputy Director had been appointed. The Institute was scheduled to launch its programme of activities from its permanent location in Kampala in July 1990. A comprehensive programme of training, research, information, advisory services and collaborative action had been envisaged to help the States of the region to deal effectively with crime and justice problems in the context of development.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 24 May, the Economic and Social Council adopted resolution 1990/19.

Technical co-operation in the field of crime prevention and criminal justice

The Economic and Social Council,

Considering that one of the purposes of the United Nations, as proclaimed in the Charter, is to achieve international co-operation in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Convinced that, within the framework of development, crime prevention and criminal justice should be guided by respect for the principles proclaimed in the Caracas Declaration and the Milan Plan of Action, the Guiding Principles for Crime Prevention and Criminal Justice in the Context of Development and a New International Economic Order, and other pertinent instruments adopted by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

Convinced also that concerted efforts in all areas will lead to the practical application of these principles, with full respect for human rights and fundamental freedoms,

Considering that the deteriorating socio-economic situation in some countries demands the aid of the international community, in all areas, within the frame-

work of freely concluded bilateral or multilateral conventions,

Emphasizing the usefulness of regional and interregional co-operation in crime prevention and criminal justice, as fostered by the United Nations regional and interregional institutes and other such organizations that work closely with the United Nations,

Noting with satisfaction the statutory establishment of the African Institute for the Prevention of Crime and the Treatment of Offenders, and reaffirming the vital role the Institute is called upon to play in assisting the African region in the formulation and implementation of appropriate crime prevention and criminal justice policies and programmes,

Acknowledging the economic constraints on the States members of the African region to meet their financial obligations to the Institute to enable it to start operations and to implement its mandate,

Aware of the conditions attached to funding by the United Nations Development Programme, which would limit the staffing, administrative and operational capabilities of the Institute,

Convinced that the viability of the Institute requires adequate funding on a predictable, assured and continuous basis,

1. Recommends that the international community, working through bilateral or multilateral arrangements, provide Member States, at their request, with necessary assistance, in order to contribute to the establishment of the infrastructure required for crime prevention and criminal justice;

2. Invites Member States to increase their co-operation in the field of crime prevention and criminal justice by expanding their operational activities in this area;

3. Urges the United Nations Development Programme to provide adequate funding for the African Institute for the Prevention of Crime and the Treatment of Offenders on a predictable, assured and continuous basis, for a minimum of six years, subject to biennial evaluation of performance of the Institute by its Board and the Committee on Crime Prevention and Control;

4. Urges Governments to provide supplementary financial and technical support so as to enable the United Nations to help developing countries in their efforts to identify, analyse, follow up and evaluate crime trends, to formulate crime prevention and control strategies that are effective and in harmony with their national development plans, priorities and objectives, and to implement criminal justice policies with a view to ensuring respect for United Nations principles and standards in this area;

5. Invites Member States to include crime prevention and criminal justice policies in their planning process, particularly when formulating national development plans, so as to reduce the human, social and economic costs associated with criminality and delinquency, and to allocate sufficient funds to the activities of the criminal justice system, paying appropriate attention to research and training;

6. Urges the World Bank, the United Nations Development Programme, the Department of Technical Co-operation for Development of the United Nations Secretariat and other financial organizations to continue to provide financial support and assistance

within their programme of technical co-operation activities;

7. Requests the Secretary-General to inform the Committee on Crime Prevention and Control at its twelfth session of the measures taken by the Member States to achieve the objectives of the present resolution.

Economic and Social Council resolution 1990/19
24 May 1990 Meeting 13 Adopted without vote
Approved by Second Committee (E/1990/69) without vote, 11 May (meeting 11); draft by Committee on Crime Prevention and Control (E/1990/31); agenda item 5.

GENERAL ASSEMBLY ACTION

By decision 45/428 of 14 December, the General Assembly requested the Secretary-General and UNDP to explore, as a matter of urgency, the possibilities for full funding of the African Institute for the Prevention of Crime and the Treatment of Offenders through voluntary contributions. It requested the Secretary-General to prepare a report to the Assembly at its forty-sixth (1991) session on the situation of the Institute and all other autonomous UN institutes, and to include, if appropriate, proposals for a balance between voluntary contributions and financing through the regular budget.

UN Interregional Crime and Justice Research Institute

On 24 May, the Economic and Social Council, by decision 1990/217, endorsed for membership in the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute the following candidates who had been selected by the Committee on Crime Prevention and Control at its eleventh session: Tolani Asuni (Nigeria), Pierre-Henri Bolle (Switzerland), Dusan Cotic (Yugoslavia), Regis de Gouttes (France), Moustafa El-Augi (Lebanon), Jose A. Rios Alves da Cruz (Brazil) and Shusil Swarup Varma (India).

Other criminal justice matters

Capital punishment

Fourth quinquennial report

Report of Secretary-General (March). In March, the Secretary-General submitted the fourth quinquennial report [E/1990/38 & ^{Corr.1}] on capital punishment, prepared mainly on the basis of information received from 43 Member States for the period 1984-1988, in response to a UN survey on the subject. The report stated that, during the period covered, nine countries had abolished the death penalty for all offences. Retentionist States in North Africa and the Middle

East had made policy changes to restrict the use of capital punishment and/or reduce the number of capital offences. The United States had reported the highest number of judicial and statutory changes, causing the mandatory death penalty statute to be struck down in some States and reinstated in others, the method of execution to be changed and capital offences to be redefined.

The report noted that the number of replies received did not provide sufficient data for a general analysis of the global use of capital punishment. Since the vast majority of retentionist States did not reply, that was particularly true for the actual number of death sentences and executions.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 24 May, the Economic and Social Council adopted resolution 1990/29.

Capital punishment

The Economic and Social Council,

Recalling its resolutions 1745(LIV) of 16 May 1973, 1930(LVIII) of 6 May 1975, 1984/50 of 25 May 1984 and 1985/33 of 29 May 1985,

Recalling General Assembly resolutions 2857(XXVI) of 20 December 1971, 32/61 of 8 December 1977 and 39/118 of 14 December 1984,

Having examined the fourth quinquennial report of the Secretary-General on capital punishment, and having found certain imprecisions and errors in it, as recognized by the representative of the Secretary-General,

Aware that only forty-three Governments responded to the questionnaire sent by the Secretary-General requesting information for the preparation of the fourth quinquennial report,

1. Invites Member States to provide the Secretary-General with the information required for the preparation of the fifth quinquennial report on capital punishment, in 1995;

2. Takes note of the fact that during the period covered by the report of the Secretary-General some countries have abolished capital punishment, others have adopted a policy of reducing the number of capital offences or have reported not imposing death sentences on offenders, while others have retained capital punishment;

3. Requests the Committee on Crime Prevention and Control to keep the question of capital punishment under review;

4. Requests the Secretary-General to submit to the Council, for consideration at its second regular session of 1990, a revised version of the fourth quinquennial report;

5. Also requests the Secretary-General, in preparing the fifth quinquennial report, to draw on all available data, including current criminological research, and to invite the comments of specialized agencies and inter-governmental and non-governmental organizations on this question.

Economic and Social Council resolution 1990/29
 24 May 1990 Meeting 13 Adopted without vote
 Approved by Second Committee (E/1990/69/Add.1) without vote. 22 May
 (meeting 18); d-nation draft (E/1990/C.2/L.3/Rev.1), orally revised;
 agenda item 5.
 Sponsors: Denmark, Finland, Netherlands, New Zealand, Romania, Swe-
 den.

Report of Secretary-General (June). In keeping with the Council's request above, the Secretary-General in June, submitted a revised version of the fourth report [E/1990/38/Rev.1] & Rev.1/Corr.1], based on information received from 55 Governments: 5 from North Africa and the Middle East; 2 from Africa south of the Sahara; 9 from Asia and the Pacific; 11 from Latin America and the Caribbean; 6 from Eastern Europe; and 22 from Western European and other States. Of those States, 26 were totally abolitionist; 6 were abolitionist for ordinary crimes only; and 23 retained capital punishment. Within the retentionist group, 5 might be considered abolitionist de facto, since no executions had taken place for a considerable time.

An analysis of the responding States by region showed that the 5 countries from North Africa and the Middle East retained capital punishment. In Asia and the Pacific, 8 retained capital punishment (although Brunei Darussalam and Maldives could be considered abolitionist de facto), while the Philippines and Tuvalu had abolished the death penalty. All the responding States from Latin America and the Caribbean had abolished the death penalty (Mexico and Peru for ordinary crimes only, however). Of the Western European and other States, 5 retained capital punishment (although 3 could be considered abolitionist de facto), 4 were abolitionist for ordinary crimes only and the remaining 13 had abolished the death penalty without exception. In Eastern Europe, 5 countries retained capital punishment, while the German Democratic Republic abolished the death penalty for all crimes in 1987.

Of the 23 retentionist States, 3 did not disclose any statistical data and 1 provided data only on sentences. Of 20 States for which data on sentences were available, no death sentence had been imposed in Maldives, and no execution had been carried out in Belgium, Brunei Darussalam, Greece, Ireland, Maldives, the Philippines and Qatar. The countries altogether reported 2,429 capital sentences and 314 executions. Of those, 1,513 death sentences were imposed and 93 executions were carried out in the United States. Turkey reported 222 death sentences and Thailand 190. Executions also took place in Poland, Thailand and Tunisia (38 each).

The report stated that, as it was based mainly on replies received from less than one third of the

UN membership, its findings could not be regarded as reflecting world-wide trends in capital punishment. Moreover, information was not available from the majority of the retentionist States, especially those resorting most frequently to the death penalty. That 11 countries had abolished capital punishment since 1984, however, constituted a significant trend towards abolition, especially as that number was spread out among all regions. The report concluded that, while all respondents had indicated that the 1984 safeguards guaranteeing protection of the rights of those facing the death penalty [YUN 1984, p. 710] had been communicated to judges, lawyers, police, prison officers and the accused, international experience demonstrated that more needed to be done to ensure that the formalities of the law and procedure were translated into the realities of enforced rights. It also concluded that countries with discretionary capital punishment employed various mechanisms designed to limit executions to the few most serious cases, raising the issue of whether the law and procedures resulted in equitable or in arbitrary and discriminatory enforcement. The findings of many criminological studies of judicial decisions had supported the conclusion that no legal formula could be devised that would eliminate unacceptable arbitrariness and discrimination in the use of the death penalty, thus pointing to the necessity of monitoring the use of death penalty statutes.

In an addendum [E/1990/38/Rev.1/Add.1] to the revised report, also issued in June, the Secretary-General stated that five additional replies had been received, bringing the total number of responding countries to 60.

Annexed to the Secretary-General's March and revised June reports were lists of abolitionist and retentionist countries; information on types of capital offences in retentionist countries; and supplementary information on the status of capital punishment in a variety of circumstances.

Communications. By letters dated 18 July [E/1990/105] and 6 August [E/1990/119], Cuba and Antigua and Barbuda, respectively, referred to the list of retentionist countries where the death penalty was used for ordinary crimes, as annexed to the revised report, and requested that they be removed from that list since their penal codes did not contemplate the death penalty for ordinary crimes.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 24 July, the Economic and Social Council adopted resolution 1990/51.

Capital punishment

The Economic and Social Council,

Recalling General Assembly resolutions 2857(XXVI) of 20 December 1971, 32/61 of 8 December 1977, 39/118 of 14 December 1984 and 44/128 of 15 December 1989,

Recalling its own resolutions 1745(LIV) of 16 May 1973, 1930(LVIII) of 6 May 1975 and 1984/50 of 25 May 1989;

Recalling also its resolutions 1989/64 of 24 May 1989, on the implementation of the safeguards guaranteeing protection of the rights of those facing the death penalty, and 1989/69 of 24 May 1989,

Having examined the revised version of the fourth quinquennial report of the Secretary-General on capital punishment, which was submitted to it pursuant to its resolution 1990/29 of 24 May 1990,

Aware that only sixty Governments responded to the questionnaire sent by the Secretary-General requesting information for the preparation of the fourth quinquennial report,

1. Invites Member States to respond to the questionnaire to be sent by the Secretary-General in preparation of the fifth quinquennial report on capital punishment, in 1995, providing the information requested;

2. Notes that, in the period under review in the report of the Secretary-General, an increasing number of countries have abolished capital punishment and other countries have adopted a policy of reducing the number of capital offences or have reported not imposing death sentences on offenders, while others have retained capital punishment;

3. Requests the Committee on Crime Prevention and Control to keep the question of capital punishment under review;

4. Requests the Secretary-General, in preparing the fifth quinquennial report, to draw on all available data, including current criminological research, and to invite the comments of specialized agencies, intergovernmental organizations and non-governmental organizations in consultative status with the Economic and Social Council on this question;

5. Requests the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders to examine thoroughly the question of capital punishment under item 7 of its provisional agenda entitled "United Nations norms and guidelines in crime prevention and criminal justice: implementation and priorities for further standard-setting";

6. Recommends that the quinquennial reports of the Secretary-General on capital punishment, starting with the report to be submitted to the Economic and Social Council in 1995, should henceforth also cover the implementation of the safeguards guaranteeing protection of the rights of those facing the death penalty.

Economic and Social Council resolution 1990/51
24 July 1990 Meeting 34 26-1-14
13-nation draft (E/1990/L.46/Rev.1), orally amended by Cuba (adopted by vote, 19-12-7); agenda item 1.
Meeting numbers. ESC 31, 33, 34.

Victims of crime and abuse of power

As requested by Economic and Social Council resolution 1986/10 [YUN 1986, p. 615], the

Secretary-General submitted for consideration by the Committee on Crime Prevention and Control, at its February 1990 session, a December 1989 report [E/AC.57/1990/3] on progress in implementing the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, adopted by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders and by General Assembly resolution 40/34 [YUN 1985, p. 742]. The report gave an account of national and international action undertaken since his last two-yearly report [YUN 1988, p. 610], in co-operation with UN crime prevention and criminal justice institutes and other entities, to give effect to the Declaration's provisions on: access to justice and means of recourse through international and regional mechanisms and NGOs; restitution and compensation to crime victims, and services and assistance for them; research to assist in policy-making and training in victim assistance; and strategies for the prevention or curtailment of victimization.

The report stated that the new collaborative initiatives and recent developments in improving the position of crime victims were encouraging but reflected the need for more concerted national and international action to prevent and reduce victimization. It suggested an agenda for action, including UN preventive monitoring and emergency response systems, which had yet to be instituted in cases of human crises and abuses. By transferring knowledge gained in crisis intervention, mediation and other forms of conflict resolution, progress could be made in defusing tensions and stopping incipient victimization. The practice of some UN institutes of employing informal means of social control and conflict resolution as an adjunct or alternative to criminal justice could be expanded for application in relevant situations. Action-oriented research was needed to identify practices involving abuses of power that remained to be proscribed and the groups most vulnerable to those practices. Guidelines formulated from a comparative law perspective would facilitate national legislative reviews to bring existing provisions in line with changing socio-economic reality and with the degree of harm inflicted by certain kinds of conduct. The needs of certain groups should be more fully explored, such as the victims of terrorism, organized crime and communities victimized by ecological and industrial crime endangering lives, the environment and national economies. An international convention should be elaborated to help countries to assist victims, with international aid provided for the identification and handling of cases. The United Nations had a spe-

cial responsibility with regard to people's right to international protection and could provide the framework for concerted action, using the UN system, other international and regional entities, professional associations, scientific institutions and broad-based support.

Following its review of the report, the Committee approved a draft resolution on the subject for Council adoption. The Committee also considered a draft guide for criminal justice practitioners and others engaged in similar activities, prepared with the assistance of the UN-affiliated Helsinki Institute for Crime Prevention and Control. The completed Guide for Practitioners on the Basic Principles of Justice for Victims of Crime and Abuse of Power [A/CONF.144/20] was subsequently submitted to the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 24 May, the Economic and Social Council adopted resolution 1990/22.

Victims of crime and abuse of power

The Economic and Social Council,

Bearing in mind General Assembly resolution 40/34 of 29 November 1985, by which the Assembly adopted the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, which is contained in the annex to the resolution and which had been approved by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

Recalling that in the same resolution the General Assembly called upon Member States and other entities to take the necessary steps to give effect to the provisions contained in the Declaration and to curtail victimization,

Taking into account Economic and Social Council resolution 1989/57 of 24 May 1989 on the implementation of the Declaration,

Bearing in mind the recommendations of the preparatory meetings for the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

Having considered the Guide for Practitioners on the Basic Principles of Justice for Victims of Crime and Abuse of Power,

Recognizing the need for continuing efforts to give effect to the Declaration, and to adapt it to meet the full range of needs and the circumstances of different countries,

Recognizing, in particular, the need to look beyond national measures in some instances, especially where victims of transnational crimes and abuse of power are concerned,

1. Takes note of the report of the Secretary-General on the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power;

2. Requests the Secretary-General, together with all the entities of the United Nations system and other appropriate organizations, to undertake and co-ordinate the necessary action, with a humanitarian objective, to

prevent and curtail severe victimization where national means of recourse are insufficient, and:

(a) To monitor the situation;

(b) To develop and institute means of conflict resolution and mediation;

(c) To promote access to justice and redress for victims;

(d) To assist in providing material, medical and psycho-social assistance to victims and their families;

3. Invites the United Nations regional and interregional institutes to provide mechanisms for the development and international co-ordination of services for victims, and to promote the collection, collation and exchange of information and ideas in order to improve standards for the treatment of victims;

4. Requests the Secretary-General to continue to devote attention to policy and research on the situation of victims of crime and abuse of power and to the effective implementation of General Assembly resolution 40/34;

5. Recommends that Member States and the United Nations regional and interregional institutes take the necessary steps to provide professional and other persons dealing with victims with suitable training in issues concerning victims, taking into account the model training curriculum developed for this purpose;

6. Invites the United Nations funding agencies, especially the United Nations Development Programme and the Department of Technical Co-operation for Development of the Secretariat, to support technical co-operation programmes for the establishment of services for victims;

7. Requests the Secretary-General to further develop international means of recourse and redress for victims where national channels may be insufficient and to report to the Committee on Crime Prevention and Control, at its twelfth session, on the development of such means;

8. Requests the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities to take into account, in his study of compensation to victims of gross violations of human rights, the relevant work and recommendations of the Committee on Crime Prevention and Control;

9. Invites the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders to recommend wide distribution of the Guide for Practitioners on the Basic Principles of Justice for Victims of Crime and Abuse of Power and the measures for implementation of the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, submitted by a committee of experts that met at the International Institute of Higher Studies in Criminal Sciences, Syracuse, Italy, in May 1986.

Economic and Social Council resolution 1990/22

24 May 1990 Meeting 13 Adopted without vote

Approved by Second Committee (E/1990/69) without vote, 11 May (meeting 11); draft by Committee on Crime Prevention and Control (E/1990/31); agenda item 5.

Organized crime

Following its consideration of two resolutions adopted by the Eighth Congress, one on organized crime, and another on its prevention and

control annexing guidelines to that end (see above, under "Congress instruments and resolutions"), the General Assembly, on 14 December, adopted resolution 45/123.

International co-operation in combating organized crime

The General Assembly,

Recalling the responsibility assumed by the United Nations in the field of crime prevention and criminal justice,

Concerned that organized crime has increased in many parts of the world and has become more transnational in character, leading, in particular, to the spread of such negative phenomena as violence, terrorism, corruption and illegal trade in narcotic drugs and, in general, undermining the development process, impairing the quality of life and threatening human rights and fundamental freedoms,

Recalling Economic and Social Council resolution 1989/70 of 24 May 1989 and General Assembly resolution 44/71 of 8 December 1989,

Taking note of resolution 15 entitled "Organized crime" and resolution 24 entitled "Prevention and control of organized crime", adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Havana from 27 August to 7 September 1990,

Recalling its resolution S-17/2 of 23 February 1990.

Convinced of the need to strengthen international co-operation in combating organized crime,

Noting with appreciation that the Eighth Congress explored the possibilities and ways of strengthening further international co-operation in combating organized crime and adopted the Guidelines for the prevention and control of organized crime, as contained in the annex to its resolution 24, as well as model treaties relating to it,

1. Urges Member States to give favourable consideration to the implementation of the Guidelines for the prevention and control of organized crime at both national and international levels;

2. Invites Member States to make available to the Secretary-General, on request, the provisions of their legislation relating to money laundering, the tracing, monitoring and forfeiture of the proceeds of crime and the monitoring of large-scale cash transactions and other measures so that they may be made available to Member States desiring to enact or further develop legislation in these fields;

3. Requests the Committee on Crime Prevention and Control to consider ways of strengthening international co-operation in combating organized crime, taking due account of the opinions of Governments, international organizations and non-governmental organizations, as well as opinions expressed at and decisions taken by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, and to submit its views, through the Economic and Social Council, to the General Assembly at its forty-seventh session;

4. Requests the Secretary-General to include activities of the United Nations crime prevention and criminal justice programme, related to organized crime, in the United Nations System-Wide Action Plan on Drug Abuse Control;

5. Calls upon Member States, international organizations and interested non-governmental organizations to co-operate with the United Nations in organizing the International Seminar on Organized Crime Control, to be held in Moscow in October 1991.

General Assembly resolution 45/123

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/45/756) without vote, 23 November (meeting 51); 22-nation draft (A/C.3/45/L.33); agenda item 100.

Meeting numbers. GA 45th session: 3rd Committee 24-27.36,51; plenary 68.

Domestic violence

Pursuant to Economic and Social Council resolution 1989/67 [YUN 1989, p., 624], the Secretary-General submitted for the consideration of the Eighth Congress a July report [A/CONF.144/17], giving an overview of the problem of domestic violence and the responses to it, based on the findings of research undertaken by scholars, law reform bodies and commissions of inquiry, and on official and other survey statistics. The report highlighted the nature, extent and dynamics of domestic violence, including within the larger societal context, and its effects, not only on the parties, but also on the entire family constellation and on future families. Response measures and other interventions designed to mitigate and help prevent or control the problem included those executed through the criminal justice system, specific services instituted to protect and assist the victims and to treat the offenders, such as emergency facilities (emergency telephone lines, hot-lines for child abuse cases, shelters for battered women), respite care, medical and mental health care, counselling and therapeutic programmes.

The report outlined a series of national and local measures pertaining to the criminal justice system and other legal means; treatment interventions and service delivery; training, education and attitude change; and information and research on all aspects of family violence. International measures were also outlined, including cross-cultural research studies on the various facets of domestic violence; comparative victimization surveys; seminars for criminal policy makers, as well as for educators, media representatives, social psychologists, the clergy and victim advocates; training for criminal justice personnel and other relevant staff; technical co-operation and assistance in applying the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power [YUN 1985, p. 742]; development of model legislation to promote redress for and assistance to crime victims; information collection and dissemination and scientific exchanges in that field; mobilization of governmental and non-governmental support and of seed money;

and promotion of collaborative initiatives by the UN system to ensure integrated action and effective follow-up of the decisions of the UN policy-making bodies and other international recommendations, especially those of the Eighth Congress.

GENERAL ASSEMBLY ACTION

The General Assembly, on 14 December, adopted resolution 45/114.

Domestic violence

The General Assembly,

Reaffirming its resolution 40/36 of 29 November 1985 on domestic violence and resolution 6 of the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, concerning the fair treatment of women by the criminal justice system,

Taking into account the recommendations made at the Expert Group Meeting on Violence in the Family with Special Emphasis on its Effects on Women, held at Vienna from 8 to 12 December 1986.

Also taking into account 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, the resolution on domestic violence against women submitted to the Second Committee of the Conference and the recommendations and conclusions arising from the first review and appraisal of the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women to the Year 2000,

Commending the efforts of the United Nations, inter alia, through the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child, to guarantee the human rights of women and children,

Recognizing the need for further work to be undertaken with respect to violence against all members of the family unit,

Welcoming the report of the Secretary-General on domestic violence,

Recalling that, in its resolution 44/82 of 8 December 1989, it proclaimed 1994 the International Year of the Family,

Bearing in mind the serious lack of information and research on domestic violence globally and the need for exchange of information on ways of dealing with this problem,

Recognizing the concern of Member States about domestic violence as an urgent problem deserving focused attention and concerted action,

Aware that domestic violence is a critical problem that has serious physical and psychological effects on individual family members and jeopardizes the health and survival of the family unit,

Recognizing that domestic violence may take many forms, both physical and psychological,

Convinced of the necessity of improving the situation of the victims of domestic violence,

Recognizing the need to focus on all victims of domestic violence and to consider common policies and specialized approaches regarding women, children,

the elderly and those especially vulnerable because of disability,

Noting that exposure to domestic violence, especially during childhood, may produce long-term effects on attitudes and behaviour, such as increased tolerance to violence in society as a whole,

Aware of the fact that many offenders, including those convicted of offences relating to domestic violence, and many victims were themselves abused as children,

Recognizing the fact that domestic violence is often a recurring phenomenon and that an effective early response, as part of a crime prevention policy, may prevent the occurrence of future incidents,

Convinced that the problem of domestic violence is prevalent and affects all segments of society regardless of class, income, culture, gender, age or religion,

Conscious that the complex problem of domestic violence is viewed differently in various cultures of different countries and that at the international level it must be addressed with sensitivity to the cultural context in each country,

1. Urges Member States to begin or continue to explore, develop and implement multidisciplinary policies, measures and strategies, within and outside of the criminal justice system, with respect to domestic violence in all its facets, including legal, law enforcement, judicial, societal, educational, psychological, economic, health-related and correctional aspects and, in particular:

(a) To take all possible steps to prevent domestic violence;

(b) To ensure fair treatment of and effective assistance to the victims of domestic violence;

(c) To increase awareness and sensitivity concerning domestic violence, in particular by fostering the education of criminal justice and other professionals in regard to this issue;

(d) To provide appropriate treatment for the offenders;

2. Recommends that Member States ensure that their systems of criminal justice and the competent bodies for juveniles and their families provide an effective and equitable response to domestic violence and that they take appropriate steps towards achieving this goal;

3. Urges Member States to exchange information, experience and research findings between governmental and non-governmental organizations regarding domestic violence, and, in this regard, recommends the use of the United Nations Criminal Justice Information Network and other available means to facilitate the exchange of information concerning domestic violence and the means of curtailing it;

4. Invites Member States, the Secretary-General and concerned intergovernmental and non-governmental organizations to include the problem of domestic violence in the preparations for and observance of the International Year of the Family within the crime prevention and criminal justice area;

5. Requests the Secretary-General to convene a working group of experts, within existing or with extrabudgetary resources, to formulate guidelines or a manual for 'practitioners concerning the problem of domestic violence for consideration at the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders and its regional pre-

paratory meetings, taking into account the conclusions of the report of the Secretary-General on domestic violence;

6. Requests the Committee on Crime Prevention and Control to consider placing the topic of domestic violence on the agenda of the Ninth Congress, as a matter of priority.

General Assembly resolution 45/114

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/45/756) without vote. 23 November (meeting 51); draft by Eighth Congress (A/CONF.144/28); agenda item 100

Financial implications. S-G, A/C.3/45/L.36.

Meeting numbers. GA 45th session: 3rd Committee 24-27,36,51; plenary 68.

Juvenile crime

In December, the General Assembly had for its consideration three draft resolutions relating to juvenile crime which had been recommended by the Eighth Congress. The first annexed draft UN guidelines for the prevention of juvenile delinquency, to be designated the Riyadh Guidelines, the second annexed draft UN rules for the protection of juveniles deprived of their liberty, and the third concerned the instrumental use of children in criminal activities.

UN Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines)

On 14 December, the General Assembly adopted resolution 45/112.

United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines)

The General Assembly,

Bearing in mind the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, as well as other international instruments pertaining to the rights and well-being of young persons, including relevant standards established by the International Labour Organisation,

Bearing in mind also the Declaration of the Rights of the Child, the Convention on the Rights of the Child and the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules),

Recalling General Assembly resolution 40/33 of 29 November 1985, by which the Assembly adopted the Beijing Rules recommended by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

Recalling that the General Assembly, in its resolution 40/35 of 29 November 1985, called for the development of standards for the prevention of juvenile delinquency which would assist Member States in formulating and implementing specialized programmes and policies, emphasizing assistance, care and community involvement, and called upon the Economic and Social Council to report to the Eighth United Nations Congress on the Prevention of Crime and the Treatment of

Offenders on the progress achieved with respect to these standards, for review and action,

Recalling also that the Economic and Social Council, in section II of its resolution 1986/10 of 21 May 1986, requested the Eighth Congress to consider the draft standards for the prevention of juvenile delinquency, with a view to their adoption,

Recognizing the need to develop national, regional and international approaches and strategies for the prevention of juvenile delinquency,

Affirming that every child has basic human rights, including, in particular, access to free education,

Mindful of the large number of young persons who may or may not be in conflict with the law but who are abandoned, neglected, abused, exposed to drug abuse, and are in marginal circumstances and in general at social risk,

Taking into account the benefits of progressive policies for the prevention of delinquency and for the welfare of the community,

1. Notes with satisfaction the substantive work accomplished by the Committee on Crime Prevention and Control and the Secretary-General in the formulation of the guidelines for the prevention of juvenile delinquency;

2. Expresses appreciation for the valuable collaboration of the Arab-security Studies and Training Centre at Riyadh in hosting the International Meeting of Experts the Development of the United Nations Draft Guidelines for the Prevention of Juvenile Delinquency, held at Riyadh from 28 February to 1 March 1988, in co-operation with the United Nations Office¹ at Vienna;

3. Adopts the United Nations Guidelines for the Prevention of Juvenile Delinquency contained in the annex to the present resolution, to be designated "the Riyadh Guidelines";

4. Calls upon Member States, in their comprehensive crime prevention plans, to apply the Riyadh Guidelines in national law, policy and practice and to bring them to the attention of relevant authorities, including policy makers, juvenile justice personnel, educators, the mass media, practitioners and scholars;

5. Requests the Secretary-General and invites Member States to ensure the widest possible dissemination of the text of the Riyadh Guidelines in all of the official languages of the United Nations;

6. Requests the Secretary-General and invites all relevant United Nations offices and interested institutions, in particular the United Nations Children's Fund, as well as individual experts, to make a concerted effort to promote the application of the Riyadh Guidelines;

7. Also requests the Secretary-General to intensify research on particular situations of social risk and on the exploitation of children, including the use of children as instruments of criminality, with a view to developing comprehensive countermeasures and to report thereon to the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders;

8. Further requests the Secretary-General to issue a composite manual on juvenile justice standards, containing the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules), the United Nations Guidelines on the Prevention of Juvenile Delinquency (The Riyadh Guidelines)

and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty, and a set of full commentaries on their provisions;

9. 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;

10. Invites the Sub-Commission on Prevention of Discrimination and Protection of Minorities of the Commission on Human Rights to consider this new international instrument with a view to promoting the application of its provisions;

11. Invites Member States to support strongly the organization of technical and scientific workshops and pilot and demonstration projects on practical issues and policy matters relating to the application of the provisions of the Riyadh Guidelines and to the establishment of concrete measures for community-based services designed to respond to the special needs, problems and concerns of young persons, and requests the Secretary-General to co-ordinate efforts in this respect;

12. Also invites Member States to inform the Secretary-General on the implementation of the Riyadh Guidelines and to report regularly to the Committee on Crime Prevention and Control on the results achieved;

13. Recommends that the Committee on Crime Prevention and Control request the Ninth Congress to review the progress made in the promotion and application of the Riyadh Guidelines and the recommendations contained in the present resolution, under a separate agenda item on juvenile justice, and keep the matter under constant review.

ANNEX

United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines)

I. Fundamental principles

1. The prevention of juvenile delinquency is an essential part of crime prevention in society. By engaging in lawful, socially useful activities and adopting a humanistic orientation towards society and outlook on life, young persons can develop non-criminogenic attitudes.

2. The successful prevention of juvenile delinquency requires efforts on the part of the entire society to ensure the harmonious development of adolescents, with respect for and promotion of their personality from early childhood.

3. For the purposes of the interpretation of the present Guidelines, a child-centred orientation should be pursued. Young persons should have an active role and partnership within society and should not be considered as mere objects of socialization or control.

4. In the implementation of the present Guidelines, in accordance with national legal systems, the well-being of young persons from their early childhood should be the focus of any preventive programme.

5. The need for and importance of progressive delinquency prevention policies and the systematic study and the elaboration of measures should be recognized. These should avoid criminalizing and penalizing a child for behaviour that does not cause serious damage to the development of the child or harm to others. Such policies and measures should involve:

(a) The provision of opportunities, in particular educational opportunities, to meet the varying needs

of young persons and to serve as a supportive framework for safeguarding the personal development of all young persons, particularly those who are demonstrably endangered or at social risk and are in need of special care and protection;

(b) Specialized philosophies and approaches for delinquency prevention, on the basis of laws, processes, institutions, facilities and a service delivery network aimed at reducing the motivation, need and opportunity for, or conditions giving rise to, the commission of infractions;

(c) Official intervention to be pursued primarily in the overall interest of the young person and guided by fairness and equity;

(d) Safeguarding the well-being, development, rights and interests of all young persons;

(e) Consideration that youthful behaviour or conduct that does not conform to overall social norms and values is often part of the maturation and growth process and tends to disappear spontaneously in most individuals with the transition to adulthood;

(f) Awareness that, in the predominant opinion of experts, labelling a young person as "deviant", "delinquent" or "pre-delinquent" often contributes to the development of a consistent pattern of undesirable behaviour by young persons.

6. Community-based services and programmes should be developed for the prevention of juvenile delinquency, particularly where no agencies have yet been established. Formal agencies of social control should only be utilized as a means of last resort.

II. Scope of the guidelines

7 The present Guidelines should be interpreted and implemented within the broad framework of the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Declaration of the Rights of the Child and the Convention on the Rights of the Child, and in the context of the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules), as well as other instruments and norms relating to the rights, interests and well-being of all children and young persons.

8. The present Guidelines should also be implemented in the context of the economic, social and cultural conditions prevailing in each Member State.

III. General prevention

9. Comprehensive prevention plans should be instituted at every level of government and include the following:

(a) In-depth analyses of the problem and inventories of programmes, services, facilities and resources available;

(b) Well-defined responsibilities for the qualified agencies, institutions and personnel involved in preventive efforts;

(c) Mechanisms for the appropriate co-ordination of prevention efforts between governmental and non-governmental agencies;

(d) Policies, programmes and strategies based on prognostic studies to be continuously monitored and carefully evaluated in the course of implementation;

(e) Methods for effectively reducing the opportunity to commit delinquent acts;

(f) Community involvement through a wide range of services and programmes;

(g) Close interdisciplinary co-operation between national, state, provincial and local governments, with the involvement of the private sector, representative citizens of the community to be served, and labour, child-care, health education, social, law enforcement and judicial agencies in taking concerted action to prevent juvenile delinquency and youth crime;

(h) Youth participation in delinquency prevention policies and processes, including recourse to community resources, youth self-help, and victim compensation and assistance programmes;

(i) Specialized personnel at all levels.

IV. Socialization processes

10. Emphasis should be placed on preventive policies facilitating the successful socialization and integration of all children and young persons, in particular through the family, the community, peer groups, schools, vocational training and the world of work, as well as through voluntary organizations. Due respect should be given to the proper personal development of children and young persons, and they should be accepted as full and equal partners in socialization and integration processes.

A. Family

11. Every society should place a high priority on the needs and well-being of the family and of all its members.

12. Since the family is the central unit responsible for the primary socialization of children, governmental and social efforts to preserve the integrity of the family, including the extended family, should be pursued. The society has a responsibility to assist the family in providing care and protection and in ensuring the physical and mental well-being of children. Adequate arrangements including day-care should be provided.

13. Governments should establish policies that are conducive to the bringing up of children in stable and settled family environments. Families in need of assistance in the resolution of conditions of instability or conflict should be provided with requisite services.

14. Where a stable and settled family environment is lacking and when community efforts to assist parents in this regard have failed and the extended family cannot fulfil this role, alternative placements, including foster care and adoption, should be considered. Such placements should replicate, to the extent possible, a stable and settled family environment, while, at the same time, establishing a sense of permanency for children, thus avoiding problems associated with "foster drift".

15. Special attention should be given to children of families affected by problems brought about by rapid and uneven economic, social and cultural change, in particular the children of indigenous, migrant and refugee families. As such changes may disrupt the social capacity of the family to secure the traditional rearing and nurturing of children, often as a result of role and culture conflict, innovative and socially constructive modalities for the socialization of children have to be designed.

16. Measures should be taken and programmes developed to provide families with the opportunity to learn about parental roles and obligations as regards

child development and child care, promoting positive parent-child relationships, sensitizing parents to the problems of children and young persons and encouraging their involvement in family and community-based activities.

17. Governments should take measures to promote family cohesion and harmony and to discourage the separation of children from their parents, unless circumstances affecting the welfare and future of the child leave no viable alternative.

18. It is important to emphasize the socialization function of the family and extended family; it is also equally important to recognize the future role, responsibilities, participation and partnership of young persons in society.

19. In ensuring the right of the child to proper socialization, Governments and other agencies should rely on existing social and legal agencies, but, whenever traditional institutions and customs are no longer effective, they should also provide and allow for innovative measures.

B. Education

20. Governments are under an obligation to make public education accessible to all young persons.

21. Education systems should, in addition to their academic and vocational training activities, devote particular attention to the following:

(a) Teaching of basic values and developing respect for the child's own cultural identity and patterns, for the social values of the country in which the child is living, for civilizations different from the child's own and for human rights and fundamental freedoms;

(b) Promotion and development of the personality, talents and mental and physical abilities of young people to their fullest potential;

(c) Involvement of young persons as active and effective participants in, rather than mere objects of, the educational process;

(d) Undertaking activities that foster a sense of identity with and of belonging to the school and the community;

(e) Encouragement of young persons to understand and respect diverse views and opinions, as well as cultural and other differences;

(f) Provision of information and guidance regarding vocational training, employment opportunities and career development;

(g) Provision of positive emotional support to young persons and the avoidance of psychological maltreatment;

(h) Avoidance of harsh disciplinary measures, particularly corporal punishment.

22. Educational systems should seek to work together with parents, community organizations and agencies concerned with the activities of young persons.

23. Young persons and their families should be informed about the law and their rights and responsibilities under the law, as well as the universal value system, including United Nations instruments.

24. Educational systems should extend particular care and attention to young persons who are at social risk. Specialized prevention programmes and educational materials, curricula, approaches and tools should be developed and fully utilized.

25. Special attention should be given to comprehensive policies and strategies for the prevention of alcohol, drug and other substance abuse by young persons. Teachers and other professionals should be equipped and trained to prevent and deal with these problems. Information on the use and abuse of drugs, including alcohol, should be made available to the student body.

26. Schools should serve as resource and referral centres for the provision of medical, counselling and other services to young persons, particularly those with special needs and suffering from abuse, neglect, victimization and exploitation.

27. Through a variety of educational programmes, teachers and other adults and the student body should be sensitized to the problems, needs and perceptions of young persons, particularly those belonging to underprivileged, disadvantaged, ethnic or other minority and low-income groups.

28. School systems should attempt to meet and promote the highest professional and educational standards with respect to curricula, teaching and learning methods and approaches, and the recruitment and training of qualified teachers. Regular monitoring and assessment of performance by the appropriate professional organizations and authorities should be ensured.

29. School systems should plan, develop and implement extra-curricular activities of interest to young persons, in co-operation with community groups.

30. Special assistance should be given to children and young persons who find it difficult to comply with attendance codes, and to "drop-outs".

31. Schools should promote policies and rules that are fair and just; students should be represented in bodies formulating school policy, including policy on discipline, and decision-making.

C. Community

32. Community-based services and programmes which respond to the special needs, problems, interests and concerns of young persons and which offer appropriate counselling and guidance to young persons and their families should be developed, or strengthened where they exist.

33. Communities should provide, or strengthen where they exist, a wide range of community-based support measures for young persons, including community development centres, recreational facilities and services to respond to the special problems of children who are at social risk. In providing these helping measures, respect for individual rights should be ensured.

34. Special facilities should be set up to provide adequate shelter for young persons who are no longer able to live at home or who do not have homes to live in.

35. A range of services and helping measures should be provided to deal with the difficulties experienced by young persons in the transition to adulthood. Such services should include special programmes for young drug abusers which emphasize care, counselling, assistance and therapy-oriented interventions.

36. Voluntary organizations providing services for young persons should be given financial and other support by Governments and other institutions.

37. Youth organizations should be created or strengthened at the local level and given full participatory status in the management of community affairs. These organizations should encourage youth to organize collective and voluntary projects, particularly projects aimed at helping young persons in need of assistance.

38. Government agencies should take special responsibility and provide necessary services for homeless or street children; information about local facilities, accommodation, employment and other forms and sources of help should be made readily available to young persons.

39. A wide range of recreational facilities and services of particular interest to young persons should be established and made easily accessible to them.

D. Mass media

40. The mass media should be encouraged to ensure that young persons have access to information and material from a diversity of national and international sources.

41. The mass media should be encouraged to portray the positive contribution of young persons to society.

42. The mass media should be encouraged to disseminate information on the existence of services, facilities and opportunities for young persons in society.

43. The mass media generally, and the television and film media in particular, should be encouraged to minimize the level of pornography, drugs and violence portrayed and to display violence and exploitation disfavouredly, as well as to avoid demeaning and degrading presentations, especially of children, women and interpersonal relations, and to promote egalitarian principles and roles.

44. The mass media should be aware of its extensive social role and responsibility, as well as its influence, in communications relating to youthful drug and alcohol abuse. It should use its power for drug abuse prevention by relaying consistent messages through a balanced approach. Effective drug awareness campaigns at all levels should be promoted.

V. Social policy

45. Government agencies should give high priority to plans and programmes for young persons and should provide sufficient funds and other resources for the effective delivery of services, facilities and staff for adequate medical and mental health care, nutrition, housing and other relevant services, including drug and alcohol abuse prevention and treatment, ensuring that such resources reach and actually benefit young persons.

46. The institutionalization of young persons should be a measure of last resort and for the minimum necessary period, and the best interests of the young person should be of paramount importance. Criteria authorizing formal intervention of this type should be strictly defined and limited to the following situations: (a) where the child or young person has suffered harm that has been inflicted by the parents or guardians; (b) where the child or young person has been sexually, physically or emotionally abused by the parents or guardians; (c) where the child or young person has been neglected, abandoned or exploited by the parents or guardians; (d) where the child or young per-

son is threatened by physical or moral danger due to the behaviour of the parents or guardians; and (e) where a serious physical or psychological danger to the child or young person has manifested itself in his or her own behaviour and neither the parents, the guardians, the juvenile himself or herself nor non-residential community services can meet the danger by means other than institutionalization.

47. Government agencies should provide young persons with the opportunity of continuing in full-time education, funded by the State where parents or guardians are unable to support the young persons, and of receiving work experience.

48. Programmes to prevent delinquency should be planned and developed on the basis of reliable, scientific research findings, and periodically monitored, evaluated and adjusted accordingly.

49. Scientific information should be disseminated to the professional community and to the public at large about the sort of behaviour or situation which indicates or may result in physical and psychological victimization, harm and abuse, as well as exploitation, of young persons.

50. Generally, participation in plans and programmes should be voluntary. Young persons themselves should be involved in their formulation, development and implementation.

51. Governments should begin or continue to explore, develop and implement policies, measures and strategies within and outside the criminal justice system to prevent domestic violence against and affecting young persons and to ensure fair treatment to these victims of domestic violence.

VI. Legislation and juvenile justice administration

52. Governments should enact and enforce specific laws and procedures to promote and protect the rights and well-being of all young persons.

53. Legislation preventing the victimization, abuse, exploitation and the use for criminal activities of children and young persons should be enacted and enforced.

54. No child or young person should be subjected to harsh or degrading correction or punishment measures at home, in schools or in any other institutions.

55. Legislation and enforcement aimed at restricting and controlling accessibility of weapons of any sort to children and young persons should be pursued.

56. In order to prevent further stigmatization, victimization and criminalization of young persons, legislation should be enacted to ensure that any conduct not considered an offence or not penalized if committed by an adult is not considered an offence and not penalized if committed by a young person.

57. Consideration should be given to the establishment of an office of ombudsman or similar independent organ, which would ensure that the status, rights and interests of young persons are upheld and that proper referral to available services is made. The ombudsman or other organ designated would also supervise the implementation of the Riyadh Guidelines, the Beijing Rules and the Rules for the Protection of Juveniles Deprived of their Liberty. The ombudsman or other organ would, at regular intervals, publish a report on the progress made and on the difficulties en-

countered in the implementation of the instrument. Child advocacy services should also be established.

58. Law enforcement and other relevant personnel, of both sexes, should be trained to respond to the special needs of young persons and should be familiar with and use, to the maximum extent possible, programmes and referral possibilities for the diversion of young persons from the justice system.

59. Legislation should be enacted and strictly enforced to protect children and young persons from drug abuse and drug traffickers.

VII. Research, policy development and co-ordination

60. Efforts should be made and appropriate mechanisms established to promote, on both a multidisciplinary and an intradisciplinary basis, interaction and co-ordination between economic, social, educational and health agencies and services, the justice system, youth, community and development agencies and other relevant institutions.

61. The exchange of information, experience and expertise gained through projects, programmes, practices and initiatives relating to youth crime, delinquency prevention and juvenile justice should be intensified at the national, regional and international levels.

62. Regional and international co-operation on matters of youth crime, delinquency prevention and juvenile justice involving practitioners experts and decision makers should be further developed and strengthened.

63. Technical and scientific co-operation on practical and policy-related matters, particularly in training, pilot and demonstration projects, and on specific issues concerning the prevention of youth crime and juvenile delinquency should be strongly supported by all Governments, the United Nations system and other concerned organizations.

64. Collaboration should be encouraged in undertaking scientific research with respect to effective modalities for youth crime and juvenile delinquency prevention and the findings of such research should be widely disseminated and evaluated.

65. Appropriate United Nations bodies, institutes, agencies and offices should pursue close collaboration and co-ordination on various questions related to children, juvenile justice and youth crime and juvenile delinquency prevention.

66. On the basis of the present Guidelines, the United Nations Secretariat, in co-operation with interested institutions, should play an active role in the conduct of research, scientific collaboration, the formulation of policy options and the review and monitoring of their implementation, and should serve as a source of reliable information on effective modalities for delinquency prevention.

General Assembly resolution 45/112

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/45/756) without vote, 23 November (meeting 51); draft by Eighth Congress (A/CONF.144/28); agenda item 100.

Financial implications: 5th Committee, A/45/845; S-G, A/C.3/45/L.36, A/C.5/45/59.

Meeting numbers. GA 45th session: 3rd Committee 24-27, 36, 51; 5th Committee 42; plenary 68.

UN Rules for the Protection of Juveniles Deprived of their Liberty

On 14 December, the General Assembly adopted resolution 45/113.

United Nations Rules for the Protection of Juveniles Deprived of their Liberty

The General Assembly,

Bearing in mind the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Convention on the Rights of the Child, as well as other international instruments relating to the protection of the rights and well-being of young persons,

Bearing in mind also the Standard Minimum Rules for the Treatment of Prisoners adopted by the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

Bearing in mind further the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, approved by the General Assembly by its resolution 43/173 of 9 December 1988 and contained in the annex thereto,

Recalling the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules),

Recalling also resolution 21 of the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, in which the Congress called for the development of rules for the protection of juveniles deprived of their liberty,

Recalling further that the Economic and Social Council, in section II of its resolution 1986/10 of 21 May 1986, requested the Secretary-General to report on progress achieved in the development of the rules to the Committee on Crime Prevention and Control at its tenth session and requested the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders to consider the proposed rules with a view to their adoption,

Alarmed at the conditions and circumstances under which juveniles are being deprived of their liberty world wide,

Aware that juveniles deprived of their liberty are highly vulnerable to abuse, victimization and the violation of their rights,

Concerned that many systems do not differentiate between adults and juveniles at various stages of the administration of justice and that juveniles are therefore being held in gaols and facilities with adults,

1. Affirms that the placement of a juvenile in an institution should always be a disposition of last resort and for the minimum necessary period;

2. Recognizes that, because of their high vulnerability, juveniles deprived of their liberty require special attention and protection and that their rights and well-being should be guaranteed during and after the period when they are deprived of their liberty;

3. Notes with appreciation the valuable work of the Secretariat and the collaboration which has been established between the Secretariat and experts, practitioners, intergovernmental organizations, the non-governmental community, particularly Amnesty International, Defence for Children International and

Rädda Barnen International (Swedish Save the Children Federation), and scientific institutions concerned with the rights of children and juvenile justice in the development of the United Nations draft Rules for the Protection of Juveniles Deprived of their Liberty;

4. Adopts the United Nations Rules for the Protection of Juveniles Deprived of their Liberty contained in the annex to the present resolution;

5. Calls upon the Committee on Crime Prevention and Control to formulate measures for the effective implementation of the Rules, with the assistance of the United Nations institutes on the prevention of crime and the treatment of offenders;

6. Invites Member States to adapt, wherever necessary, their national legislation, policies and practices, particularly in the training of all categories of juvenile justice personnel, to the spirit of the Rules, and to bring them to the attention of relevant authorities and the public in general;

7. Also invites Member States to inform the Secretary-General of their efforts to apply the Rules in law, policy and practice and to report regularly to the Committee on Crime Prevention and Control on the results achieved in their implementation;

8. Requests the Secretary-General and invites Member States to ensure the widest possible dissemination of the text of the Rules in all of the official languages of the United Nations;

9. Requests the Secretary-General to conduct comparative research, pursue the requisite collaboration and devise strategies to deal with the different categories of serious and persistent young offenders, and to prepare a policy-oriented report thereon for submission to the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders;

10. Also requests the Secretary-General and urges Member States to allocate the necessary resources to ensure the successful application and implementation of the Rules, in particular in the areas of recruitment, training and exchange of all categories of juvenile justice personnel;

11. Urges all relevant bodies of the United Nations system, in particular the United Nations Children's Fund, the regional commissions and specialized agencies, the United Nations institutes for the prevention of crime and the treatment of offenders and all concerned intergovernmental and non-governmental organizations, to collaborate with the Secretary-General and to take the necessary measures to ensure a concerted and sustained effort within their respective fields of technical competence to promote the application of the Rules;

12. Invites the Sub-Commission on Prevention of Discrimination and Protection of Minorities of the Commission on Human Rights to consider this new international instrument, with a view to promoting the application of its provisions;

13. Requests the Ninth Congress to review the progress made on the promotion and application of the Rules and on the recommendations contained in the present resolution, under a separate agenda item on juvenile justice.

ANNEX
United Nations Rules for the Protection of
Juveniles Deprived of their Liberty

I. Fundamental perspectives

1. The juvenile justice system should uphold the rights and safety and promote the physical and mental well-being of juveniles. Imprisonment should be used as a last resort.

2. Juveniles should only be deprived of their liberty in accordance with the principles and procedures set forth in these Rules and in the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules). Deprivation of the liberty of a juvenile should be a disposition of last resort and for the minimum necessary period and should be limited to exceptional cases. The length of the sanction should be determined by the judicial authority, without precluding the possibility of his or her early release.

3. The Rules are intended to establish minimum standards accepted by the United Nations for the protection of juveniles deprived of their liberty in all forms, consistent with human rights and fundamental freedoms, with a view to counteracting the detrimental effects of all types of detention and to fostering integration in society.

4. The Rules should be applied impartially, without discrimination of any kind as to 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. The religious and cultural beliefs, practices and moral concepts of the juvenile should be respected.

5. The Rules are designed to serve as convenient standards of reference and to provide encouragement and guidance to professionals involved in the management of the juvenile justice system.

6. The Rules should be made readily available to juvenile justice personnel in their national languages. Juveniles who are not fluent in the language spoken by the personnel of the detention facility should have the right to the services of an interpreter free of charge whenever necessary, in particular during medical examinations and disciplinary proceedings;

7. Where appropriate, States should incorporate the Rules into their legislation or amend it accordingly and provide effective remedies for their breach, including compensation when injuries are inflicted on juveniles. States should also monitor the application of the Rules.

8. The competent authorities should constantly seek to increase the awareness of the public that the care of detained juveniles and preparation for their return to society is a social service of great importance, and to this end active steps should be taken to foster open contacts between the juveniles and the local community.

9. Nothing in the Rules should be interpreted as precluding the application of the relevant United Nations and human rights instruments and standards, recognized by the international community, that are more conducive to ensuring the rights, care and protection of juveniles, children and all young persons.

10. In the event that the practical application of particular rules contained in sections II to V, inclusive, presents any conflict with the rules contained in the

present section, compliance with the latter shall be regarded as the predominant requirement.

II. Scope and application of the rules

11. For the purposes of the Rules, the following definitions should apply:

(a) A juvenile is every person under the age of 18. The age limit below which it should not be permitted to deprive a child of his or her liberty should be determined by law;

(b) The deprivation of liberty means any form of detention or imprisonment or the placement of a person in a public or private custodial setting, from which this person is not permitted to leave at will, by order of any judicial, administrative or other public authority.

12. The deprivation of liberty should be effected in conditions and circumstances which ensure respect for the human rights of juveniles. Juveniles detained in facilities should be guaranteed the benefit of meaningful activities and programmes which would serve to promote and sustain their health and self-respect, to foster their sense of responsibility and encourage those attitudes and skills that will assist them in developing their potential as members of society.

13. Juveniles deprived of their liberty shall not for any reason related to their status be denied the civil, economic, political, social or cultural rights to which they are entitled under national or international law, and which are compatible with the deprivation of liberty.

14. The protection of the individual rights of juveniles with special regard to the legality of the execution of the detention measures shall be ensured by the competent authority, while the objectives of social integration should be secured by regular inspections and other means of control carried out, according to international standards, national laws and regulations, by a duly constituted body authorized to visit the juveniles and not belonging to the detention facility.

15. The Rules apply to all types and forms of detention facilities in which juveniles are deprived of their liberty. Sections I, II, IV and V of the Rules apply to all detention facilities and institutional settings in which juveniles are detained, and section III applies specifically to juveniles under arrest or awaiting trial.

16. The Rules shall be implemented in the context of the economic, social and cultural conditions prevailing in each Member State.

III. Juveniles under arrest or awaiting trial

17. Juveniles who are detained under arrest or awaiting trial ("untried") are presumed innocent and shall be treated as such. Detention before trial shall be avoided to the extent possible and limited to exceptional circumstances. Therefore, all efforts shall be made to apply alternative measures. When preventive detention is nevertheless used, juvenile courts and investigative bodies shall give the highest priority to the most expeditious processing of such cases to ensure the shortest possible duration of detention. Untried detainees should be separated from convicted juveniles.

18. The conditions under which an untried juvenile is detained should be consistent with the rules set out below, with additional specific provisions as are necessary and appropriate, given the requirements of the presumption of innocence, the duration of the detention and the legal status and circumstances of the

juvenile. These provisions would include, but not necessarily be restricted to, the following:

(a) Juveniles should have the right of legal counsel and be enabled to apply for free legal aid, where such aid is available, and to communicate regularly with their legal advisers. Privacy and confidentiality shall be ensured for such communications;

(b) Juveniles should be provided, where possible, with opportunities to pursue work, with remuneration, and continue education or training, but should not be required to do so. Work, education or training should not cause the continuation of the detention;

(c) Juveniles should receive and retain materials for their leisure and recreation as are compatible with the interests of the administration of justice.

IV. The management of juvenile facilities

A. Records

19. All reports, including legal records, medical records and records of disciplinary proceedings, and all other documents relating to the form, content and details of treatment, should be placed in a confidential individual file, which should be kept up to date, accessible only to authorized persons and classified in such a way as to be easily understood. Where possible, every juvenile should have the right to contest any fact or opinion contained in his or her file so as to permit rectification of inaccurate, unfounded or unfair statements. In order to exercise this right, there should be procedures that allow an appropriate third party to have access to and to consult the file on request. Upon release, the records of juveniles shall be sealed, and, at an appropriate time, expunged.

20. No juvenile should be received in any detention facility without a valid commitment order of a judicial, administrative or other public authority. The details of this order should be immediately entered in the register. No juvenile should be detained in any facility where there is no such register.

B. Admission, registration, movement and transfer

21. In every place where juveniles are detained, a complete and secure record of the following information should be kept concerning each juvenile received:

(a) Information on the identity of the juvenile;

(b) The fact of and reasons for commitment and the authority therefor;

(c) The day and hour of admission, transfer and release;

(d) Details of the notifications to parents and guardians on every admission, transfer or release of the juvenile in their care at the time of commitment;

(e) Details of known physical and mental health problems, including drug and alcohol abuse.

22. The information on admission, place, transfer and release should be provided without delay to the parents and guardians or closest relative of the juvenile concerned.

23. As soon as possible after reception, full reports and relevant information on the personal situation and circumstances of each juvenile should be drawn up and submitted to the administration.

24. On admission, all juveniles shall be given a copy of the rules governing the detention facility and a written description of their rights and obligations in a language they can understand, together with the address

of the authorities competent to receive complaints, as well as the address of public or private agencies and organizations which provide legal assistance. For those juveniles who are illiterate or who cannot understand the language in the written form, the information should be conveyed in a manner enabling full comprehension.

25. All juveniles should be helped to understand the regulations governing the internal organization of the facility, the goals and methodology of the care provided, the disciplinary requirements and procedures, other authorized methods of seeking information and of making complaints, and all such other matters as are necessary to enable them to understand fully their rights and obligations during detention.

26. The transport of juveniles should be carried out at the expense of the administration in conveyances with adequate ventilation and light, in conditions that should in no way subject them to hardship or indignity. Juveniles should not be transferred from one facility to another arbitrarily.

C. Classification and placement

27. As soon as possible after the moment of admission, each juvenile should be interviewed, and a psychological and social report identifying any factors relevant to the specific type and level of care and programme required by the juvenile should be prepared. This report, together with the report prepared by a medical officer who has examined the juvenile upon admission, should be forwarded to the director for purposes of determining the most appropriate placement for the juvenile within the facility and the specific type and level of care and programme required and to be pursued. When special rehabilitative treatment is required, and the length of stay in the facility permits, trained personnel of the facility should prepare a written, individualized treatment plan specifying treatment objectives and time-frame and the means, stages and delays with which the objectives should be approached.

28. The detention of juveniles should only take place under conditions that take full account of their particular needs, status and special requirements according to their age, personality, sex and type of offence, as well as mental and physical health, and which ensure their protection from harmful influences and risk situations. The principal criterion for the separation of different categories of juveniles deprived of their liberty should be the provision of the type of care best suited to the particular needs of the individuals concerned and the protection of their physical, mental and moral integrity and well-being.

29. In all detention facilities juveniles should be separated from adults, unless they are members of the same family. Under controlled conditions, juveniles may be brought together with carefully selected adults as part of a special programme that has been shown to be beneficial for the juveniles concerned.

30. Open detention facilities for juveniles should be established. Open detention facilities are those with no or minimal security measures. The population in such detention facilities should be as small as possible. The number of juveniles detained in closed facilities should be small enough to enable individualized treatment. Detention facilities for juveniles should be de-

centralized and of such size as to facilitate access and contact between the juveniles and their families. Small-scale detention facilities should be established and integrated into the social, economic and cultural environment of the community.

D. Physical environment and accommodation

31. Juveniles deprived of their liberty have the right to facilities and services that meet all the requirements of health and human dignity.

32. The design of detention facilities for juveniles and the physical environment should be in keeping with the rehabilitative aim of residential treatment, with due regard to the need of the juvenile for privacy, sensory stimuli, opportunities for association with peers and participation in sports, physical exercise and leisure-time activities. The design and structure of juvenile detention facilities should be such as to minimize the risk of fire and to ensure safe evacuation from the premises. There should be an effective alarm system in case of fire, as well as formal and drilled procedures to ensure the safety of the juveniles. Detention facilities should not be located in areas where there are known health or other hazards or risks.

33. Sleeping accommodation should normally consist of small group dormitories or individual bedrooms, account being taken of local standards. During sleeping hours there should be regular, unobtrusive supervision of all sleeping areas, including individual rooms and group dormitories, in order to ensure the protection of each juvenile. Every juvenile should, in accordance with local or national standards, be provided with separate and sufficient bedding, which should be clean when issued, kept in good order and changed often enough to ensure cleanliness.

34. Sanitary installations should be so located and of a sufficient standard to enable every juvenile to comply, as required, with their physical needs in privacy and in a clean and decent manner.

35. The possession of personal effects is a basic element of the right to privacy and essential to the psychological well-being of the juvenile. The right of every juvenile to possess personal effects and to have adequate storage facilities for them should be fully recognized and respected. Personal effects that the juvenile does not choose to retain or that are confiscated should be placed in safe custody. An inventory thereof should be signed by the juvenile. Steps should be taken to keep them in good condition. All such articles and money should be returned to the juvenile on release, except in so far as he or she has been authorized to spend money or send such property out of the facility. If a juvenile receives or is found in possession of any medicine, the medical officer should decide what use should be made of it.

36. To the extent possible juveniles should have the right to use their own clothing. Detention facilities should ensure that each juvenile has personal clothing suitable for the climate and adequate to ensure good health, and which should in no manner be degrading or humiliating. Juveniles removed from or leaving a facility for any purpose should be allowed to wear their own clothing.

37. Every detention facility shall ensure that every juvenile receives food that is suitably prepared and presented at normal meal times and of a quality and quan-

tity to satisfy the standards of dietetics, hygiene and health and, as far as possible, religious and cultural requirements. Clean drinking water should be available to every juvenile at any time.

E. Education, vocational training and work

38. Every juvenile of compulsory school age has the right to education suited to his or her needs and abilities and designed to prepare him or her for return to society. Such education should be provided outside the detention facility in community schools wherever possible and, in any case, by qualified teachers through programmes integrated with the education system of the country so that, after release, juveniles may continue their education without difficulty. Special attention should be given by the administration of the detention facilities to the education of juveniles of foreign origin or with particular cultural or ethnic needs. Juveniles who are illiterate or have cognitive or learning difficulties should have the right to special education.

39. Juveniles above compulsory school age who wish to continue their education should be permitted and encouraged to do so, and every effort should be made to provide them with access to appropriate educational programmes.

40. Diplomas or educational certificates awarded to juveniles while in detention should not indicate in any way that the juvenile has been institutionalized.

41. Every detention facility should provide access to a library that is adequately stocked with both instructional and recreational books and periodicals suitable for the juveniles, who should be encouraged and enabled to make full use of it.

42. Every juvenile should have the right to receive vocational training in occupations likely to prepare him or her for future employment.

43. With due regard to proper vocational selection and to the requirements of institutional administration, juveniles should be able to choose the type of work they wish to perform.

44. All protective national and international standards applicable to child labour and young workers should apply to juveniles deprived of their liberty.

45. Wherever possible, juveniles should be provided with the opportunity to perform remunerated labour, if possible within the local community, as a complement to the vocational training provided in order to enhance the possibility of finding suitable employment when they return to their communities. The type of work should be such as to provide appropriate training that will be of benefit to the juveniles following release. The organization and methods of work offered in detention facilities should resemble as closely as possible those of similar work in the community, so as to prepare juveniles for the conditions of normal occupational life.

46. Every juvenile who performs work should have the right to an equitable remuneration. The interests of the juveniles and of their vocational training should not be subordinated to the purpose of making profit for the detention facility or a third party. Part of the earnings of a juvenile should normally be set aside to constitute a savings fund to be handed over to the juvenile on release. The juvenile should have the right to use the remainder of those earnings to purchase arti-

cles for his or her own use or to indemnify the victim injured by his or her offence or to send it to his or her family or other persons outside the detention facility.

F. Recreation

47. Every juvenile should have the right to a suitable amount of time for daily free exercise, in the open air whenever weather permits, during which time appropriate recreational and physical training should normally be provided. Adequate space, installations and equipment should be provided for these activities. Every juvenile should have additional time for daily leisure activities, part of which should be devoted, if the juvenile so wishes, to arts and crafts skill development. The detention facility should ensure that each juvenile is physically able to participate in the available programmes of physical education. Remedial physical education and therapy should be offered, under medical supervision, to juveniles needing it.

G. Religion

48. Every juvenile should be allowed to satisfy the needs of his or her religious and spiritual life, in particular by attending the services or meetings provided in the detention facility or by conducting his or her own services and having possession of the necessary books or items of religious observance and instruction of his or her denomination. If a detention facility contains a sufficient number of juveniles of a given religion, one or more qualified representatives of that religion should be appointed or approved and allowed to hold regular services and to pay pastoral visits in private to juveniles at their request. Every juvenile should have the right to receive visits from a qualified representative of any religion of his or her choice, as well as the right not to participate in religious services and freely to decline religious education, counselling or indoctrination.

H. Medical care

49. Every juvenile shall receive adequate medical care, both preventive and remedial, including dental, ophthalmological and mental health care, as well as pharmaceutical products and special diets as medically indicated. All such medical care should, where possible, be provided to detained juveniles through the appropriate health facilities and services of the community in which the detention facility is located, in order to prevent stigmatization of the juvenile and promote self-respect and integration into the community.

50. Every juvenile has a right to be examined by a physician immediately upon admission to a detention facility, for the purpose of recording any evidence of prior ill-treatment and identifying any physical or mental condition requiring medical attention.

51. The medical services provided to juveniles should seek to detect and should treat any physical or mental illness, substance abuse or other condition that may hinder the integration of the juvenile into society. Every detention facility for juveniles should have immediate access to adequate medical facilities and equipment appropriate to the number and requirements of its residents and staff trained in preventive health care and the handling of medical emergencies. Every juvenile who is ill, who complains of illness or who demonstrates symptoms of physical or mental difficulties should be examined promptly by a medical officer.

52. Any medical officer who has reason to believe that the physical or mental health of a juvenile has been or will be injuriously affected by continued detention, a hunger strike or any condition of detention should report this fact immediately to the director of the detention facility in question and to the independent authority responsible for safeguarding the well-being of the juvenile.

53. A juvenile who is suffering from mental illness should be treated in a specialized institution under independent medical management. Steps should be taken, by arrangement with appropriate agencies, to ensure any necessary continuation of mental health care after release.

54. Juvenile detention facilities should adopt specialized drug abuse prevention and rehabilitation programmes administered by qualified personnel. These programmes should be adapted to the age, sex and other requirements of the juveniles concerned, and detoxification facilities and services staffed by trained personnel should be available to drug- or alcohol-dependent juveniles.

55. Medicines should be administered only for necessary treatment on medical grounds and, when possible, after having obtained the informed consent of the juvenile concerned. In particular, they must not be administered with a view to eliciting information or a confession, as a punishment or as a means of restraint. Juveniles shall never be testees in the experimental use of drugs and treatment. The administration of any drug should always be authorized and carried out by qualified medical personnel.

I. Notification of illness, injury and death

56. The family or guardian of a juvenile and any other person designated by the juvenile have the right to be informed of the state of health of the juvenile on request and in the event of any important changes in the health of the juvenile. The director of the detention facility should notify immediately the family or guardian of the juvenile concerned, or other designated person, in case of death, illness requiring transfer of the juvenile to an outside medical facility, or a condition requiring clinical care within the detention facility for more than 48 hours. Notification should also be given to the consular authorities of the State of which a foreign juvenile is a citizen.

57. Upon the death of a juvenile during the period of deprivation of liberty, the nearest relative should have the right to inspect the death certificate, see the body and determine the method of disposal of the body. Upon the death of a juvenile in detention, there should be an independent inquiry into the causes of death, the report of which should be made accessible to the nearest relative. This inquiry should also be made when the death of a juvenile occurs within six months from the date of his or her release from the detention facility and there is reason to believe that the death is related to the period of detention.

58. A juvenile should be informed at the earliest possible time of the death, serious illness or injury of any immediate family member and should be provided with the opportunity to attend the funeral of the deceased or go to the bedside of a critically ill relative.

J. Contacts with the wider community

59. Every means should be provided to ensure that juveniles have adequate communication with the outside world, which is an integral part of the right to fair and humane treatment and is essential to the preparation of juveniles for their return to society. Juveniles should be allowed to communicate with their families, friends and other persons or representatives of reputable outside organizations, to leave detention facilities for a visit to their home and family and to receive special permission to leave the detention facility for educational, vocational or other important reasons. Should the juvenile be serving a sentence, the time spent outside a detention facility should be counted as Part of the period of sentence.

60. Every juvenile should have the right to receive regular and frequent visits, in principle once a week and not less than once a month, in circumstances that respect the need of the juvenile for privacy, contact and unrestricted communication with the family and the defence counsel.

61. Every juvenile should have the right to communicate in writing or by telephone at least twice a week with the person of his or her choice, unless legally restricted, and should be assisted as necessary in order effectively to enjoy this right. Every juvenile should have the right to receive correspondence.

62. Juveniles should have the opportunity to keep themselves informed regularly of the news by reading newspapers, periodicals and other publications, through access to radio and television programmes and motion pictures, and through the visits of the representatives of any lawful club or organization in which the juvenile is interested.

K. Limitations of physical restraint and the use of force

63. Recourse to instruments of restraint and to force for any purpose should be prohibited, except as set forth in rule 64 below.

64. Instruments of restraint and force can only be used in exceptional cases, where all other control methods have been exhausted and failed, and only as explicitly authorized and specified by law and regulation. They should not cause humiliation or degradation, and should be used restrictively and only for the shortest possible period of time. By order of the director of the administration, such instruments might be resorted to in order to prevent the juvenile from inflicting self-injury, injuries to others or serious destruction of property. In such instances, the director should at once consult medical and other relevant personnel and report to the higher administrative authority.

65. The carrying and use of weapons by personnel should be prohibited in any facility where juveniles are detained.

L. Disciplinary procedures

66. Any disciplinary measures and procedures should maintain the interest of safety and an ordered community life and should be consistent with the upholding of the inherent dignity of the juvenile and the fundamental objective of institutional care, namely, instilling a sense of justice, self-respect and respect for the basic rights of every person.

67. All disciplinary measures constituting cruel, inhuman or degrading treatment shall be strictly prohib-

ited, including corporal punishment, placement in a dark cell, closed or solitary confinement or any other punishment that may compromise the physical or mental health of the juvenile concerned. The reduction of diet and the restriction or denial of contact with family members should be prohibited for any purpose. Labour should always be viewed as an educational tool and a means of promoting the self-respect of the juvenile in preparing him or her for return to the community and should not be imposed as a disciplinary sanction. No juvenile should be sanctioned more than once for the same disciplinary infraction. Collective sanctions should be prohibited.

68. Legislation or regulations adopted by the competent administrative authority should establish norms concerning the following, taking full account of the fundamental characteristics, needs and rights of juveniles:

- (a) Conduct constituting a disciplinary offence;
- (b) Type and duration of disciplinary sanctions that may be inflicted;
- (c) The authority competent to impose such sanctions;
- (d) The authority competent to consider appeals.

69. A report of misconduct should be presented promptly to the competent authority, which should decide on it without undue delay. The competent authority should conduct a thorough examination of the case.

70. No juvenile should be disciplinarily sanctioned except in strict accordance with the terms of the law and regulations in force. No juvenile should be sanctioned unless he or she has been informed of the alleged infraction in a manner appropriate to the full understanding of the juvenile, and given a proper opportunity of presenting his or her defence, including the right of appeal to a competent impartial authority. Complete records should be kept of all disciplinary proceedings.

71. No juveniles should be responsible for disciplinary functions except in the supervision of specified social, educational or sports activities or in self-government programmes.

M. Inspection and complaints

72. Qualified inspectors or an equivalent duly constituted authority not belonging to the administration of the facility should be empowered to conduct inspections on a regular basis and to undertake unannounced inspections on their own initiative, and should enjoy full guarantees of independence in the exercise of this function. Inspectors should have unrestricted access to all persons employed by or working in any facility where juveniles are or may be deprived of their liberty, to all juveniles and to all records of such facilities.

73. Qualified medical officers attached to the inspecting authority or the public health service should participate in the inspections, evaluating compliance with the rules concerning the physical environment, hygiene, accommodation, food, exercise and medical services, as well as any other aspect or conditions of institutional life that 'affect the physical and mental health of juveniles. Every juvenile should have the right to talk in confidence to any inspecting officer.

74. After completing the inspection, the inspector should be required to submit a report on the findings. The report should include an evaluation of the compli-

ante of the detention facilities with the present rules and relevant provisions of national law, and recommendations regarding any steps considered necessary to ensure compliance with them. Any facts discovered by an inspector that appear to indicate that a violation of legal provisions concerning the rights of juveniles or the operation of a juvenile detention facility has occurred should be communicated to the competent authorities for investigation and prosecution.

75. Every juvenile should have the opportunity of making requests or complaints to the director of the detention facility and to his or her authorized representative.

76. Every juvenile should have the right to make a request or complaint, without censorship as to substance, to the central administration, the judicial authority or other proper authorities through approved channels, and to be informed of the response without delay.

77. Efforts should be made to establish an independent office (ombudsman) to receive and investigate complaints made by juveniles deprived of their liberty and to assist in the achievement of equitable settlements.

78. Every juvenile should have the right to request assistance from family members, legal counsellors, humanitarian groups or others where possible, in order to make a complaint. Illiterate juveniles should be provided with assistance should they need to use the services of public or private agencies and organizations which provide legal counsel or which are competent to receive complaints.

N. Return to the community

79. All juveniles should benefit from arrangements designed to assist them in returning to society, family life, education or employment after release. Procedures, including early release, and special courses should be devised to this end.

80. Competent authorities should provide or ensure services to assist juveniles in re-establishing themselves in society and to lessen prejudice against such juveniles. These services should ensure, to the extent possible, that the juvenile is provided with suitable residence, employment, clothing, and sufficient means to maintain himself or herself upon release in order to facilitate successful reintegration. The representatives of agencies providing such services should be consulted and should have access to juveniles while detained, with a view to assisting them in their return to the community.

V. Personnel

81. Personnel should be qualified and include a sufficient number of specialists such as educators, vocational instructors, counsellors, social workers, psychiatrists and psychologists. These and other specialist staff should normally be employed on a permanent basis. This should not preclude part-time or volunteer workers when the level of support and training they can provide is appropriate and beneficial. Detention facilities should make use of all remedial, educational, moral, spiritual, and other resources and forms of assistance that are appropriate and available in the community, according to the individual needs and problems of detained juveniles.

82. The administration should provide for the careful selection and recruitment of every grade and type of personnel, since the proper management of detention facilities depends on their integrity, humanity, ability and professional capacity to deal with juveniles, as well as personal suitability for the work.

83. To secure the foregoing ends, personnel should be appointed as professional officers with adequate remuneration to attract and retain suitable women and men. The personnel of juvenile detention facilities should be continually encouraged to fulfil their duties and obligations in a humane, committed, professional, fair and efficient manner, to conduct themselves at all times in such a way as to deserve and gain the respect of the juveniles, and to provide juveniles with a positive role model and perspective.

84. The administration should introduce forms of organization and management that facilitate communications between different categories of staff in each detention facility so as to enhance co-operation between the various services engaged in the care of juveniles, as well as between staff and the administration, with a view to ensuring that staff directly in contact with juveniles are able to function in conditions favourable to the efficient fulfilment of their duties.

85. The personnel should receive such training as will enable them to carry out their responsibilities effectively, in particular training in child psychology, child welfare and international standards and norms of human rights and the rights of the child, including the present Rules. The personnel should maintain and improve their knowledge and professional capacity by attending courses of in-service training, to be organized at suitable intervals throughout their career.

86. The director of a facility should be adequately qualified for his or her task, with administrative ability and suitable training and experience, and should carry out his or her duties on a full-time basis.

87. In the performance of their duties, personnel of detention facilities should respect and protect the human dignity and fundamental human rights of all juveniles, in particular, as follows:

(a) No member of the detention facility or institutional personnel may inflict, instigate or tolerate any act of torture or any form of harsh, cruel, inhuman or degrading treatment, punishment, correction or discipline under any pretext or circumstance whatsoever;

(b) All personnel should rigorously oppose and combat any act of corruption, reporting it without delay to the competent authorities;

(c) All personnel should respect the present Rules. Personnel who have reason to believe that a serious violation of the present Rules has occurred or is about to occur should report the matter to their superior authorities or organs vested with reviewing or remedial power;

(d) All personnel should ensure the full protection of the physical and mental health of juveniles, including protection from physical, sexual and emotional abuse and exploitation, and should take immediate action to secure medical attention whenever required;

(e) All personnel should respect the right of the juvenile to privacy, and in particular should safeguard all confidential matters concerning juveniles or their families learned as a result of their professional capacity;

(f) All personnel should seek to minimize any differences between life inside and outside the detention facility which tend to lessen due respect for the dignity of juveniles as human beings.

General Assembly resolution 45/113

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/45/756) without vote, 23 November (meeting 51); draft by Eighth Congress (A/CONF.144/28), amended by United States (A/C.3/45/L.46); agenda item 100.

Financial implications. S-G, A/C.3/45/L.36.

Meeting numbers. GA 45th session: 3rd Committee 24-27, 36, 47, 51; plenary 66.

Instrumental use of children in criminal activities

On 14 December, the General Assembly adopted resolution 45/115.

Instrumental use of children in criminal activities

The General Assembly,

Bearing in mind the Convention on the Rights of the Child and the Declaration of the Rights of the Child, as well as the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances,

Bearing in mind also the United Nations Standard Minimum Rules for the Administration of juvenile Justice (The Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines) and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty,

Recalling that, in its resolution 44/82 of 8 December 1989, it proclaimed 1994 the International Year of the Family,

Recalling and reaffirming its resolutions 43/121 of 8 December 1988 on the use of children in the illicit traffic in narcotic drugs and rehabilitation of drug-addicted minors and 40/35 of 29 November 1985 on the development of standards for the prevention of juvenile delinquency, as well as Economic and Social Council resolutions 1989/66 of 24 May 1989 on the Beijing Rules and 1990/33 of 24 May 1990 on the reduction of demand and prevention of drug consumption among young persons in the Near and Middle East,

Recognizing that within the traditional forms of child exploitation the instrumental use of children in criminal activities, especially those aimed at illicit profit making, has become an increasingly grave phenomenon,

Concerned that children are being led by adults into a criminal lifestyle, which hinders their development and denies them opportunities for a healthy and responsible role in society,

Considering that the instrumental use of children by adults in profit-making criminal activities is a grave practice that represents a violation of social norms and a deprivation of the right of children to proper development, education and upbringing and prejudices their future,

Emphasizing that categories of children, such as those who are runaway, vagrant, wayward or "street" children, are targets for exploitation, including seduction into drug trafficking and abuse, prostitution, pornography, theft, burglary, begging and homicide for reward,

1. Requests Member States and the Secretary-General to take measures with a view to formulating programmes to deal with the problem of the instrumental use of children in criminal activities and to take effective action by, inter alia:

(a) Undertaking research and a systematic analysis of the phenomenon;

(b) Developing training and awareness-raising activities in order to make law enforcement and other justice personnel, as well as policy makers, sensitive to those situations of social risk that cause children to be manipulated by adults into engaging in crime;

(c) Taking measures in combating criminality with a view to ensuring that appropriate sanctions are applied against adults who are the instigators and authors of crimes, rather than against the children involved who themselves are victims of criminality by virtue of their being exposed to crime;

(d) Developing comprehensive policies, programmes and effective preventive and remedial measures, in order to eliminate the involvement and exploitation of children by adults in criminal activities;

2. Requests the Secretary-General to study the situation in different countries and to report on the implementation of the present resolution to the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders;

3. Also requests the Secretary-General to invite the collaboration of the Centre for Human Rights and the Division of Narcotic Drugs of the Secretariat, the United Nations Fund for Drug Abuse Control, the World Health Organization, the United Nations Children's Fund, the Office of the United Nations High Commissioner for Refugees, the United Nations Educational, Scientific and Cultural Organization and the United Nations institutes for the prevention of crime and the treatment of offenders and other concerned institutes in the implementation of the present resolution;

4. Requests the Committee on Crime Prevention and Control to consider this matter and to keep it under constant review.

General Assembly resolution 45/115

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/45/756) without vote, 23 November (meeting 51); draft by Eighth Congress (A/CONF.144/28); agenda item 100.

Financial implications. 5th Committee, A/45/845; S-G, A/C.3/45/L.36, A/C.5/45/59.

Meeting numbers. GA 45th session: 3rd Committee 24-27, 36, 51; 5th Committee 42; plenary 68.

Treatment of prisoners

In December, the General Assembly considered three draft resolutions on matters relating to the treatment of prisoners recommended by the Eighth Congress. The first annexed draft UN standard minimum rules for non-custodial measures, to be known as the Tokyo Rules, the second annexed draft basic principles for the treatment of prisoners, and the third concerned the computerization of criminal justice.

Report of Secretary-General. In a July report [A/CONF.144/11] submitted to the Eighth Con-

gress, the Secretary-General provided updated information on the implementation of the 1955 Standard Minimum Rules for the Treatment of Prisoners, endorsed by the Economic and Social Council in 1957[YUN 1957, p. 254]. The report was based on replies received from 49 countries to the Secretary-General's request for information on the application, dissemination and implementation of the Rules as well as on a number of special issues, including the status and human rights of prisoners, reduction of prison population, transfer of foreign prisoners, medical services, discipline and punishment, prison work, education and vocational training, treatment programmes, outside contacts and institutional personnel.

The report's purpose was to provide an overview of the extent of the implementation of the Rules as reported by each country and a better understanding of current implementation difficulties, to suggest viable remedies, and to enable the United Nations to assist Member States, at their request, in improving prison conditions through, inter alia, the services of the regional and interregional UN institutes for crime prevention and treatment of offenders.

UN Standard Minimum Rules for Non-custodial Measures (The Tokyo Rules)

On 14 December, the General Assembly adopted resolution 45/110.

United Nations Standard Minimum Rules for Non-custodial Measures (The Tokyo Rules)

The General Assembly,

Bearing in mind the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, as well as other international human rights instruments pertaining to the rights of persons in conflict with the law,

Bearing in mind also the Standard Minimum Rules for the Treatment of Prisoners, adopted by the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, and the important contribution of those Rules to national policies and practices,

Recalling resolution 8 of the Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders on alternatives to imprisonment,

Recalling also resolution 16 of the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders on the reduction of the prison population, alternatives to imprisonment, and social integration of offenders,

Recalling further section XI of Economic and Social Council resolution 1986/10 of 21 May 1986, on alternatives to imprisonment, in which the Secretary-General was requested to prepare a report on alternatives to imprisonment for the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders and to study that question with a view to the formulation of basic principles in that area, with the as-

sistance of the United Nations institutes for the prevention of crime and the treatment of offenders,

Recognizing the need to develop local, national, regional and international approaches and strategies in the field of non-institutional treatment of offenders and the need to formulate standard minimum rules, as emphasized in the section of the report of the Committee on Crime Prevention and Control on its fourth session, concerning the methods and measures likely to be most effective in preventing crime and improving the treatment of offenders,

Convinced that alternatives to imprisonment can be an effective means of treating offenders within the community to the best advantage of both the offenders and society,

Aware that the restriction of liberty is justifiable only from the viewpoints of public safety, crime prevention, just retribution and deterrence and that the ultimate goal of the criminal justice system is the reintegration of the offender into society,

Emphasizing that the increasing prison population and prison overcrowding in many countries constitute factors that create difficulties for the proper implementation of the Standard Minimum Rules for the Treatment of Prisoners,

Noting with appreciation the work accomplished by the Committee on Crime Prevention and Control, as well as by the Interregional Preparatory Meeting for the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders on topic II, "Criminal justice policies in relation to problems of imprisonment, other penal sanctions and alternative measures", and by the regional preparatory meetings for the Eighth Congress,

Expressing its gratitude to the United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders for the work accomplished in the development of standard minimum rules for non-custodial measures, as well as to the various inter-governmental and non-governmental organizations involved, in particular, the International Penal and Penitentiary Foundation for its contribution to the preparatory work,

1. Adopts the United Nations Standard Minimum Rules for Non-custodial Measures, contained in the annex to the present resolution, and approves the recommendation of the Committee on Crime Prevention and Control that the Rules should be known as "the Tokyo Rules";

2. Recommends the Tokyo Rules for implementation at the national, regional and interregional levels, taking into account the political, economic, social and cultural circumstances and traditions of countries;

3. Calls upon Member States to apply the Tokyo Rules in their policies and practice;

4. Invites Member States to bring the Tokyo Rules to the attention of, in particular, law enforcement officials, prosecutors, judges, probation officers, lawyers, victims, offenders, social services and non-governmental organizations involved in the application of non-custodial measures, as well as members of the executive, the legislature and the general public;

5. Requests Member States to report on the implementation of the Tokyo Rules every five years, beginning in 1994;

6. Urges the regional commissions, the United Nations institutes for the prevention of crime and the treatment of offenders, specialized agencies and other entities within the United Nations system, other inter-governmental organizations concerned and non-governmental organizations in consultative status with the Economic and Social Council to be actively involved in the implementation of the Tokyo Rules;

7. Culls upon the Committee on Crime Prevention and Control to consider, as a matter of priority, the implementation of the present resolution;

8. Requests the Secretary-General to take the necessary steps to prepare a commentary to the Tokyo Rules, which is to be submitted to the Committee on Crime Prevention and Control at its twelfth session for approval and further dissemination, paying special attention to the legal safeguards, the implementation of the Rules and the development of similar guidelines at the regional level;

9. Invites the United Nations institutes for the prevention of crime and the treatment of offenders to assist the Secretary-General in that task;

10. Urges intergovernmental and non-governmental organizations and other entities concerned to remain actively involved in this initiative;

11. Requests the Secretary-General to take steps, as appropriate, to ensure the widest possible dissemination of the Tokyo Rules, including their transmission to Governments, interested intergovernmental and non-governmental organizations and other parties concerned;

12. Also requests the Secretary-General to prepare every five years, beginning in 1964, a report on the implementation of the Tokyo Rules for submission to the committee on Crime Prevention and Control;

13. Further requests the Secretary-General to assist Member States, at their request, in the implementation of the Tokyo Rules and to report regularly thereon to the Committee on Crime Prevention and Control;

14. Requests that the present resolution and the text of the annex be brought to the attention of all United Nations bodies concerned and be included in the next edition of the United Nations publication entitled *Human Rights: A Compilation of International Instruments*.

ANNEX

United Nations Standard Minimum Rules for Non-custodial Measures (The Tokyo Rules)

I. General principles

1. Fundamental aims

- 1.1 The present Standard Minimum Rules provide a set of basic principles to promote the use of non-custodial measures, as well as minimum safeguards for persons subject to alternatives to imprisonment.
- 1.2 The Rules are intended to promote greater community involvement in the management of criminal justice, specifically in the treatment of offenders, as well as to promote among offenders a sense of responsibility towards society.
- 1.3 The Rules shall be implemented taking into account the political, economic, social and cultural conditions of each country and the aims and objectives of its criminal justice system.

1.4 When implementing the Rules, Member States shall endeavour to ensure a proper balance between the rights of individual offenders, the rights of victims, and the concern of society for public safety and crime prevention.

1.5 Member States shall develop non-custodial measures within their legal systems to provide other options, thus reducing the use of imprisonment, and to rationalize criminal justice policies, taking into account the observance of human rights, the requirements of social justice and the rehabilitation needs of the offender.

2. The scope of non-custodial measures

2.1 The relevant provisions of the present Rules shall be applied to all persons subject to prosecution, trial or the execution of a sentence, at all stages of the administration of criminal justice. For the purposes of the Rules, these persons are referred to as "offenders", irrespective of whether they are suspected, accused or sentenced.

2.2 The Rules shall be applied without any discrimination on the grounds of race, colour, sex, age, language, religion, political or other opinion, national or social origin, property, birth or other status.

2.3 In order to provide greater flexibility consistent with the nature and gravity of the offence, with the personality and background of the offender and with the protection of society and to avoid unnecessary use of imprisonment, the criminal justice system should provide a wide range of non-custodial measures, from pre-trial to post-sentencing dispositions. The number and types of non-custodial measures available should be determined in such a way that consistent sentencing remains possible.

2.4 The development of new non-custodial measures should be encouraged and closely monitored and their use systematically evaluated.

2.5 Consideration shall be given to dealing with offenders in the community, avoiding as far as possible resort to formal proceedings or trial by a court, in accordance with legal safeguards and the rule of law.

2.6 Non-custodial measures should be used in accordance with the principle of minimum intervention.

2.7 The use of non-custodial measures should be part of the movement towards depenalization and decriminalization instead of interfering with or delaying efforts in that direction.

3. Legal safeguards

3.1 The introduction, definition and application of non-custodial measures shall be prescribed by law.

3.2 The selection of a non-custodial measure shall be based on an assessment of established criteria in respect of both the nature and gravity of the offence and the personality, the background of the offender, the purposes of sentencing and the rights of victims.

3.3 Discretion by the judicial or other competent independent authority shall be exercised at all stages of the proceedings by ensuring full ac-

countability and only in accordance with the rule of law.'

- 3.4 Non-custodial measures imposing an obligation on the offender, applied before or instead of formal proceeding; & trial, shall require the offender's consent.
- 3.5 Decisions on the imposition of non-custodial measures shall be subject to review by a judicial or other competent independent authority, upon application by the offender.
- 3.6 The offender shall be entitled to make a request or complaint to a judicial or other competent independent authority on matters affecting his or her individual rights in the implementation of non-custodial measures.
- 3.7 Appropriate machinery shall be provided for the recourse and, if possible, redress of any grievance related to non-compliance with internationally recognized human rights.
- 3.8 Non-custodial measures shall not involve medical or psychological experimentation on, or undue risk of physical or mental injury to, the offender.
- 3.9 The dignity of the offender subject to non-custodial measures shall be protected at all times.
- 3.10 In the implementation of non-custodial measures, the offender's rights shall not be restricted further than was authorized by the competent authority that rendered the original decision.
- 3.11 In the application of non-custodial measures, the offender's right to privacy shall be respected, as shall be the right to privacy of the offender's family.
- 3.12 The offender's personal records 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 offender's case or to other duly authorized persons.

4. Saving clause

- 4.1 Nothing in the present Rules shall be interpreted as precluding the application of the Standard Minimum Rules for the Treatment of Prisoners, the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules), the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment or any other human rights instruments and standards recognized by the international community and relating to the treatment of offenders and the protection of their basic human rights.

II. Pre-trial stage

5. Pre-trial dispositions

- 5.1 Where appropriate and compatible with the legal system, the police, the prosecution service or other agencies dealing with criminal cases should be empowered to discharge the offender if they consider that it is not necessary to proceed with the case for the protection of society, crime prevention or the promotion of respect for the law and the rights of victims. For the purpose of deciding upon the appropriateness of

discharge or determination of proceedings, a set of established criteria shall be developed within each legal system. For minor cases the prosecutor may impose suitable non-custodial measures, as appropriate.

6. Avoidance of pre-trial detention

- 6.1 Pre-trial detention shall be used as a means of last resort in criminal proceedings, with due regard for the investigation of the alleged offence and for the protection of society and the victim.
- 6.2 Alternatives to pre-trial detention shall be employed at as early a stage as possible. Pre-trial detention shall last no longer than necessary to achieve the objectives stated under rule 6.1 and shall be administered humanely and with respect for the inherent dignity of human beings.
- 6.3 The offender shall have the right to appeal to a judicial or other competent independent authority in cases where pre-trial detention is employed.

III. Trial and sentencing stage

7. Social inquiry reports

- 7.1 If the possibility of social inquiry reports exists, the judicial authority may avail itself of a report prepared by a competent, authorized official or agency. The report should contain social information on the offender that is relevant to the person's pattern of offending and current offences. It should also contain information and recommendations that are relevant to the sentencing procedure. The report shall be factual, objective and unbiased, with any expression of opinion clearly identified.

8. Sentencing dispositions

- 8.1 The judicial authority, having at its disposal a range of non-custodial measures, should take into consideration in making its decision the rehabilitative needs of the offender, the protection of society and the interests of the victim, who should be consulted whenever appropriate.
- 8.2 Sentencing authorities may dispose of cases in the following ways:
 - (a) Verbal sanctions, such as admonition, reprimand and warning;
 - (b) Conditional discharge;
 - (c) Status penalties;
 - (d) Economic sanctions and monetary penalties, such as fines and day-fines;
 - (e) Confiscation or an expropriation order;
 - (f) Restitution to the victim or a compensation order;
 - (g) Suspended or deferred sentence;
 - (h) Probation and judicial supervision;
 - (i) A community service order;
 - (j) Referral to an attendance centre;
 - (k) House arrest;
 - (l) Any other mode of non-institutional treatment;
 - (m) Some combination of the measures listed above.

IV. Post-sentencing stage

9. Post-sentencing dispositions

- 9.1 The competent authority shall have at its disposal a wide range of p&t-sentencing alternatives in order to avoid institutionalization and to assist offenders in their early reintegration into society.
- 9.2 Post-sentencing dispositions may include:
 - (a) Furlough and half-way houses;
 - (b) Work or education release;
 - (c) Various forms of parole;
 - (d) Remission;
 - (e) Pardon.
- 9.3 The decision on post-sentencing dispositions, except in the case of pardon, shall be subject to review by a judicial or other competent independent authority, upon application of the offender.
- 9.4 Any form of release from an institution to a non-custodial programme shall be considered at the earliest possible stage.

V Implementation of non-custodial measures

10. Supervision

- 10.1 The purpose of supervision is to reduce reoffending and to assist the offender's integration into society in a way which minimizes the likelihood of a return to crime.
- 10.2 If a non-custodial measure entails supervision, the latter shall be carried out by a competent authority under the specific conditions prescribed by law.
- 10.3 Within the framework of a given non-custodial measure, the most suitable type of supervision and treatment should be determined for each individual case aimed at assisting the offender to work on his or her offending. Supervision and treatment should be periodically reviewed and adjusted as necessary.
- 10.4 Offenders should, when needed, be provided with psychological, social and material assistance and with opportunities to strengthen links with the community and facilitate their reintegration into society.

11. Duration

- 11.1 The duration of a non-custodial measure shall not exceed the period established by the competent authority in accordance with the law.
- 11.2 Provision may be made for early termination of the measure if the offender has responded favourably to it.

12. Conditions

- 12.1 If the competent authority shall determine the conditions to be observed by the offender, it should take into account both the needs of society and the needs and rights of the offender and the victim.
- 12.2 The conditions to be observed shall be practical, precise and as few as possible, and shall be aimed at reducing the likelihood of an offender relapsing into criminal behaviour and at increasing the offender's chances of social integration, taking into account the needs of the victim.

- 12.3 At the beginning of the application of a non-custodial measure, the offender shall receive an explanation, orally and in writing, of the conditions governing the application of the measure, including the offender's obligations and rights.

- 12.4 The conditions may be modified by the competent authority under the established statutory provisions, in accordance with the progress made by the offender.

13. Treatment process

- 13.1 Within the framework of a given non-custodial measure, in appropriate cases, various schemes, such as case-work, group therapy, residential programmes and the specialized treatment of various categories of offenders, should be developed to meet the needs of offenders more effectively.
- 13.2 Treatment should be conducted by professionals who have suitable training and practical experience.
- 13.3 When it is decided that treatment is necessary, efforts should be made to understand the offender's background, personality, aptitude, intelligence, values and, especially, the circumstances leading to the commission of the offence.
- 13.4 The competent authority may involve the community and social support systems in the application of non-custodial measures.
- 13.5 Case-load assignments shall be maintained as far as practicable at a manageable level to ensure the effective implementation of treatment programmes.
- 13.6 For each offender, a case record shall be established and maintained by the competent authority.

14. Discipline and breach of conditions

- 14.1 A breach of the conditions to be observed by the offender may result in a modification or revocation of the non-custodial measure.
- 14.2 The modification or revocation of the non-custodial measure shall be made by the competent authority; this shall be done only after a careful examination of the facts adduced by both the supervising officer and the offender.
- 14.3 The failure of a non-custodial measure should not automatically lead to the imposition of a custodial measure.
- 14.4 In the event of a modification or revocation of the non-custodial measure, the competent authority shall attempt to establish a suitable alternative non-custodial measure. A sentence of imprisonment may be imposed only in the absence of other suitable alternatives.
- 14.5 The power to arrest and detain the offender under supervision in cases where there is a breach of the conditions shall be prescribed by law.
- 14.6 Upon modification or revocation of the non-custodial measure, the offender shall have the right to appeal to a judicial or other competent independent authority.

VI. Staff

15. Recruitment

- 15.1 There shall be no discrimination in the recruitment of staff on the grounds of race, colour, sex, age, language, religion, political or other opinion, national or social origin, property, birth or other status. The policy regarding staff recruitment should take into consideration national policies of affirmative action and reflect the diversity of the offenders to be supervised.
- 15.2 Persons appointed to apply non-custodial measures should be personally suitable and, whenever possible, have appropriate professional training and practical experience. Such qualifications shall be clearly specified.
- 15.3 To secure and retain qualified professional staff, appropriate service status, adequate salary and benefits commensurate with the nature of the work should be ensured and ample opportunities should be provided for professional growth and career development.

16. Staff training

- 16.1 The objective of training shall be to make clear to staff their responsibilities with regard to rehabilitating the offender, ensuring the offender's rights and protecting society. Training should also give staff an understanding of the need to co-operate in and co-ordinate activities with the agencies concerned.
- 16.2 Before entering duty, staff shall be given training that includes instruction on the nature of non-custodial measures, the purposes of supervision and the various modalities of the application of non-custodial measures.
- 16.3 After entering on duty, staff shall maintain and improve their knowledge and professional capacity by attending in-service training and refresher courses. Adequate facilities shall be made available for that purpose.

VII. Volunteers and other community resources

17. Public participation

- 17.1 Public participation should be encouraged as it is a major resource and one of the most important factors in improving ties between offenders undergoing non-custodial measures and the family and community. It should complement the efforts of the criminal justice administration.
- 17.2 Public participation should be regarded as an opportunity for members of the community to contribute to the protection of their society.

18. Public understanding and co-operation

- 18.1 Government agencies, the private sector and the general public should be encouraged to support voluntary organizations that promote non-custodial measures.
- 18.2 Conferences, seminars, symposia and other activities should be regularly organized to stimulate awareness of the need for public participation in the application of non-custodial measures.
- 18.3 All forms of the mass media should be utilized to help to create a constructive public attitude, leading to activities conducive to a broader ap-

plication of non-custodial treatment and the social integration of offenders.

- 18.4 Every effort should be made to inform the public of the importance of its role in the implementation of non-custodial measures.

19. Volunteers

- 19.1 Volunteers shall be carefully screened and recruited on the basis of their aptitude for and interest in the work involved. They shall be properly trained for the specific responsibilities to be discharged by them and shall have access to support and counselling from, and the opportunity to consult with, the competent authority.
- 19.2 Volunteers should encourage offenders and their families to develop meaningful ties with the community and a broader sphere of contact by providing counselling and other appropriate forms of assistance according to their capacity and the offenders' needs.
- 19.3 Volunteers shall be insured against accident, injury and public liability when carrying out their duties. They shall be reimbursed for authorized expenditures incurred in the course of their work. Public recognition should be extended to them for the services they render for the well-being of the community.

VIII. Research, planning, policy formulation and evaluation

20. Research and planning

- 20.1 As an essential aspect of the planning process, efforts should be made to involve both public and private bodies in the organization and promotion of research on the non-custodial treatment of offenders.
- 20.2 Research on the problems that confront clients, practitioners, the community and policy makers should be carried out on a regular basis.
- 20.3 Research and information mechanisms should be built into the criminal justice system for the collection and analysis of data and statistics on the implementation of non-custodial treatment for offenders.

21. Policy formulation and programme development

- 21.1 Programmes for non-custodial measures should be systematically planned and implemented as an integral part of the criminal justice system within the national development process.
- 21.2 Regular evaluations should be carried out with a view to implementing non-custodial measures more effectively.
- 21.3 Periodic reviews should be conducted to assess the objectives, functioning and effectiveness of non-custodial measures.

22. Linkages with relevant agencies and activities

- 22.1 Suitable mechanisms should be evolved at various levels to facilitate the establishment of linkages between services responsible for non-custodial measures, other branches of the criminal justice system, social development and welfare agencies, both governmental and non-governmental, in such fields as health, housing, education and labour, and the mass media.

23. International co-operation

- 23.1 Efforts shall be made to promote scientific co-operation between countries in the field of non-institutional treatment. Research, training, technical assistance and the exchange of information among Member States on non-custodial measures should be strengthened, through the United Nations institutes for the prevention of crime and the treatment of offenders, in close collaboration with the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs of the United Nations Secretariat.
- 23.2 Comparative studies and the harmonization of legislative provisions should be furthered to expand the range of non-institutional options and facilitate their application across national frontiers, in accordance with the Model Treaty on the Transfer of Supervision of Offenders Conditionally Sentenced or Conditionally Released.

General Assembly resolution 45/110

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/45/756) without vote, 23 November (meeting 51); draft by Eighth Congress (A/CONF.144/28); agenda item 100.

Financial implications. 5th Committee, A/45/845; S-G, A/C.3/45/L.36, A/C.5/45/59.

Meeting numbers. GA 45th session: 3rd Committee 24-27, 36, 51; 5th Committee 42; plenary 68.

Basic Principles for the Treatment of Prisoners

On 14 December, the General Assembly adopted resolution 45/111.

Basic Principles for the Treatment of Prisoners

The General Assembly,

Bearing in mind the long-standing concern of the United Nations for the humanization of criminal justice and the protection of human rights,

Bearing in mind also that sound policies of crime prevention and control are essential to viable planning for economic and social development,

Recognizing that the Standard Minimum Rules for the Treatment of Prisoners, adopted by the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, are of great value and influence in the development of penal policy and practice,

Considering the concern of previous United Nations congresses on the prevention of crime and the treatment of offenders, regarding the obstacles of various kinds that prevent the full implementation of the Standard Minimum Rules,

Believing that the full implementation of the Standard Minimum Rules would be facilitated by the articulation of the basic principles underlying them,

Recalling resolution 10 on the status of prisoners and resolution 17 on the human rights of prisoners, adopted by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

Recalling also the statement submitted at the tenth session of the Committee on Crime Prevention and Control by Caritas Internationalis, the Commission of the Churches on International Affairs of the World Council of Churches, the International Association of

Educators for World Peace, the International Council for Adult Education, the International Federation of Human Rights, the International Prisoners' Aid Association, the International Union of Students, the World Alliance of Young Men's Christian Associations and the World Council of Indigenous Peoples, which are non-governmental organizations in consultative status with the Economic and Social Council, category II,

Recalling further the relevant recommendations contained in the report of the Interregional Preparatory Meeting for the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders on topic II, "Criminal justice policies in relation to problems of imprisonment, other penal sanctions and alternative measures",

Aware that the Eighth Congress coincided with International Literacy Year, proclaimed by the General Assembly in its resolution 42/104 of 7 December 1987,

Desiring to reflect the perspective noted by the Seventh Congress, namely, that the function of the criminal justice system is to contribute to safeguarding the basic values and norms of society,

Recognizing the usefulness of drafting a declaration on the human rights of prisoners,

Affirms the Basic Principles for the Treatment of Prisoners, contained in the annex to the present resolution, and requests the Secretary-General to bring them to the attention of Member States.

ANNEX

Basic Principles for the Treatment of Prisoners

1. All prisoners shall be treated with the respect due to their inherent dignity and value as human beings.

2. There shall be no discrimination on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

3. It is, however, desirable to respect the religious beliefs and cultural precepts of the group to which prisoners belong, whenever local conditions so require.

4. The responsibility of prisons for the custody of prisoners and for the protection of society against crime shall be discharged in keeping with a State's other social objectives and its fundamental responsibilities for promoting the well-being and development of all members of society.

5. Except for those limitations that are demonstrably necessitated by the fact of incarceration, all prisoners shall retain the human rights and fundamental freedoms set out in the Universal Declaration of Human Rights and, where the State concerned is a party, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights and the Optional Protocol thereto, as well as such other rights as are set out in other United Nations covenants.

6. All prisoners shall have the right to take part in cultural activities and education aimed at the full development of the human personality.

7. Efforts addressed to the abolition of solitary confinement as a punishment, or to the restriction of its use, should be undertaken and encouraged.

8. Conditions shall be created enabling prisoners to undertake meaningful remunerated employment which will facilitate their reintegration into the coun-

try's labour market and permit them to contribute to their own financial support and to that of their families.

9. Prisoners shall have access to the health services available in the country without discrimination on the grounds of their legal situation.

10. With the participation and help of the community and social institution, and with due regard to the interests of victims, favourable conditions shall be created for the reintegration of the ex-prisoner into society under the best possible conditions.

11. The above Principles shall be applied impartially.

General Assembly resolution 45/111

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/45/756) without vote, 23 November (meeting 51); draft by Eighth Congress (A/CONF.144/28), amended by United States (A/C.3/45/L.46); agenda item 100.

Financial implications. S-G, A/C.3/45/L.36.

Meeting numbers. GA 45th session: 3rd Committee 24-27, 36, 45, 51; plenary 68.

Computerization of criminal justice

In a July report [A/CONF.144/14], the UN Secretariat described the role of computerization in the administration of criminal justice as a means of improving its efficiency, taking into account the fair and humane treatment of offenders. In addition to describing UN action in that area, the report reviewed the prerequisites for computerization and discussed modalities for international co-operation in computerizing the management of criminal justice. Those modalities included development of guidelines for decision makers and users of computer output, strengthening of the world-wide United Nations Criminal Justice Information Network, and preparation of technical co-operation projects for introducing computers in the management of criminal justice and for training criminal justice staff in their use.

The report set out a variety of possibilities for bilateral and multilateral co-operation at the international level. Among them were assistance to national authorities in the development of methodologies for the creation and use of information systems tailored to national needs; regional, sub-regional or interregional training seminars to sensitize policy makers to the need to plan for and implement computerization projects; international collection, dissemination and exchange of information on appropriate general purpose software and training courses; networking mechanisms to broaden the scope of information exchange among Member States and institutions; bilateral and multilateral assistance in national training programmes for trainers, user-managers and systems personnel; and formulation and implementation of specific projects, upon request of Member States, to be financed bilaterally and multilaterally.

In an August addendum [A/CONF.144/14/Add.1] to the report, the Secretariat presented an executive summary of the Manual on Computerization in the Management of Criminal Justice.

GENERAL ASSEMBLY ACTION

On 14 December, the General Assembly adopted resolution 45/109.

Computerization of criminal justice

The General Assembly,

Recalling its resolution 44/72 of 8 December 1989, in which the question of computerization of criminal justice was addressed,

Recalling also resolution 9 of the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders on the development of crime and criminal justice information and statistical systems,

Recalling further Economic and Social Council resolution 1986/12 of 21 May 1986,

Bearing in mind the recommendations on the computerization of criminal justice administration contained in the report of the Interregional Preparatory Meeting for the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders on topic II, "Criminal justice policies in relation to problems of imprisonment, other penal sanctions and alternative measures", which emanated from the European Seminar on Computerization of Criminal Justice Information Systems: Realities, Methods, Prospects and Effects, held at Popowo, Poland, from 18 to 22 May

Aware that crime poses a serious problem for the personal security of individuals and for their enjoyment of human rights, thereby adversely affecting the quality of life and harming the development process,

Aware also that inefficiencies, inequalities or failures in the administration of criminal justice may themselves infringe on the rights and personal security of individuals,

Recognizing that the computerization of criminal justice administration is an important mechanism for the promotion of the efficient and humane management of criminal justice as long as the protection of privacy, the respect for human rights and fundamental freedoms are taken into account,

Taking note with appreciation of the principles on the storage, use and protection of data enunciated in the final report of the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on guidelines for the regulation of computerized personal data files,

Recognizing that computerization of criminal justice is an important mechanism for the production of statistical information that would benefit national Governments and the international community by providing data on crime trends and the operation of criminal justice systems,

Recognizing also that the growth of crime nationally and internationally calls for enhanced international co-operation,

Noting that the European Seminar and the first United Nations workshop on the computerization of criminal justice information organized within the

framework of the Eighth Congress offered a suitable opportunity to share experiences and establish viable policy options on this issue.

Conscious that the promotion of the computerization of criminal justice administration among Member States requires the enhancement of technical co-operation activities,

Emphasizing the common problems faced by all Member States in the administration and computerization of criminal justice, and the fact that both developing and developed countries may, through an enhanced capacity for an exchange of information on an international level, benefit from such international co-operation in the process of computerization,

Mindful that technical co-operation requires extensive expertise and resources and new logistical arrangements for the speedy delivery of services relating to the computerization of criminal justice administration,

Noting with appreciation the draft directory of automated criminal justice information systems submitted by the Helsinki Institute for Crime Prevention and Control, affiliated with the United Nations, to the first United Nations workshop on the computerization of criminal justice information,

1. Calls upon the Secretary-General, to the extent that the activities referred to in the present resolution cannot be undertaken within existing resources and with available expertise, to prepare proposals for submission to potential donors in the governmental, inter-governmental and private sectors, in possible consortium, for the provision of such funding and expertise; such proposals should include pilot projects to demonstrate the value and viability of such activities, and should serve as a basis for ensuring long-term resource support from diverse sources;

2. Requests the Secretary-General, in co-operation with the network of United Nations institutes for the prevention of crime and the treatment of offenders, to strengthen the Global Crime and Criminal Justice Information Network by:

(a) Developing and distributing appropriate publications, reports and newsletters;

(b) Developing a directory of innovative programmes for the computerization of the administration of criminal justice;

(c) Organizing regional and interregional meetings, seminars and workshops on a continuing basis;

(d) Maintaining an up-to-date roster of individuals and organizations to form the basis of an international technical co-operation infrastructure;

(e) Enhancing communication between Member States by utilizing an electronic information network;

(f) Facilitating the exchange of criminal justice computer applications;

3. Also requests the Secretary-General, in co-operation with the network of United Nations institutes for the prevention of crime and the treatment of offenders, to establish a technical co-operation programme for the systematization and computerization of criminal justice in order to offer training, assess needs, formulate and execute specific projects, and to report on the results achieved to the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders;

4. Further requests the Secretary-General to establish an international group of experts which would be supported by the Department of Technical Co-operation for Development of the Secretariat, would report regularly to the Secretary-General and would have inter-regional representation and responsibility for:

(a) Reviewing and assessing national experiences in the computerization of criminal justice;

(b) Overseeing the establishment of the technical co-operation programme;

(c) Monitoring the activities of the technical co-operation programme;

(d) Informing Member States of the potential availability of funds and services from various donors in the governmental, intergovernmental and private sectors;

(e) Informing such donors of the needs of Member States for assistance;

(f) Consulting with relevant experts in the private sector in the field of criminal justice;

5. Requests that adequate information on the experience of Member States with systematization and computerization should be included in the Global Crime and Criminal Justice Information Network and that the necessary facilities for the exchange of general substantive information between Member States should be provided in the Network;

6. Requests the Secretary-General and Member States to pay special attention to the developing countries in providing technical assistance and co-operation for the formulation of information programmes and statistics regarding crime and criminal justice;

7. Urges Member States, intergovernmental and non-governmental organizations, specialized agencies and other bodies, including, in particular, the United Nations Development Programme and the World Bank, and interested entities in the private sector with technical co-operation programmes, to consider giving high priority to criminal justice systematization and computerization projects in such programmes;

8. Also urges Member States to assist the Secretary-General in the funding of the Global Crime and Criminal Justice Information Network, the technical co-operation programme and the work of the international group of experts;

9. Requests the Committee on Crime Prevention and Control, in preparing the provisional agenda for the Ninth Congress, to consider including the question of the computerization of the administration of criminal justice as one of the items, and to consider also the organization of the second United Nations workshop on the computerization of criminal justice information within the framework of the Ninth Congress in order to allow for the sharing of experiences in technical co-operation among Member States and other interested parties on the improvement of the administration of criminal justice.

General Assembly resolution 45/109

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/45/156) without vote, 23 November (meeting 51); draft by Eighth Congress (A/CONF.144/28); agenda item 100.

Financial implications. 5th Committee, A/45/845; S-G, A/C.3/45/L.36, A/C.5/45/59.

Meeting numbers. GA 45th session: 3rd Committee 24-27. 36, 51; 5th Committee 42; plenary 68.

Human resources

Human resources development

In October, the Secretary-General submitted a report [A/45/451] on developing human resources for development, prepared in response to General Assembly resolution 44/213 [YUN 1989, p. 596]. The report examined the policies and practices in developing countries for human resources development in the context of the patterns of resource allocation among the fundamental sectors of health, nutrition and education, not only within each of those sectors but also between rural and urban areas. It further examined international support for national efforts in terms of direct aid, higher education in developed countries, employment in transnational corporations operating in developing countries, and public discussion of human resources development in international forums sponsored by intergovernmental organizations. The report stated that, in many respects, the emphasis on the human condition came closer to general ideas about the purpose of development than strictly economic measures such as gross domestic product per capita, but that, generally, most measures of human development showed a strong relationship with the level of economic development. It drew attention to human resources development as both a source of immediate gains in human well-being and a crucial means of expanding the productive capacity of economies.

The report found that there was a demonstrable waste of human resources in developing countries due to early death, recurring and disabling sickness and illiteracy, and an obvious need for the acquisition of a variety of new skills, for which education was essential. It stated that, although striking progress had been made in human resources development in those countries as a whole, the decade of the 1980s was marked by stagnation and reversals in many of them, especially in Africa and Latin America. A fresh start on human resources development was thus essential to raise the standards of well-being, which largely depended, however, on the policies of developing countries themselves. Granted that adequate resources for the purpose were essential, development of human resources could be greatly served by the reallocation of more available resources from secondary and tertiary education to primary education, from curative medical services to primary health care, and from subsidies for the politically vocal to subsidies for adequate nutrition and satisfactory hygiene for the needy. In view of the long-term contribution

to total growth made by equitable distribution of resources, a larger proportion of government resources should be mobilized to enable broader access to human resource benefits, which would mean changing the conditions under which high-income groups often received subsidies at the expense of lower-income groups.

Given the large amount of resources allocated for human resources development in developing countries, efficiency in their use was important. For example, if fairly simple structures were used to provide educational facilities, capital expenditure on education could be more widely spread. The close association between health and nutrition improvements and progress in school pointed to the need for considering policies in those areas. Attention should be paid to the supply of teaching materials in educational institutions and of drugs and equipment in health institutions, as well as to better management practices and accountability to consumers, to make for higher productivity.

International measures cited as contributing to the improvement of human resources development policies in developing countries included comparative analyses of those policies undertaken by international institutions, as well as closer analyses of patterns of resource allocation, cost structures and management practices, and drawing to the attention of the public and political leaders the importance of and opportunities for human resources development in their economies. Also cited was giving students from developing countries the opportunity to study in developed countries.

Human resources development through technical cooperation

The Joint Inspection Unit (JIU), in a report transmitted to the General Assembly by the Secretary-General in February [A/45/113], presented a broad study of the technical cooperation activities of various bodies and organizations in the UN system on human resources development and drew attention to the problems they faced in implementing their programmes. The UN organs covered in the study were the Secretariat's Department of Technical Cooperation for Development, the United Nations Development Programme (UNDP), the United Nations Population Fund, the five regional commissions, with specific coverage of the activities of the Economic and Social Commission for Asia and the Pacific, and 11 specialized agencies.

JIU concluded that the UN system's contribution to human resources development was undeniable and that Member States were the principal beneficiaries. That contribution often failed,

however, to be well integrated into the developing countries' development process and lacked co-ordination so that optimum benefit could not be derived from it. For instance, difficulties had been encountered in placing fellows or trainees in higher educational institutions in the West due to stringent admission requirements. There was a high wastage rate of those who had successfully completed training, because either their Governments did not assign them in areas for which they had been specifically trained, or they were not given the opportunity to enter fully into the production process.

In conclusion, JIU pointed to the need for a more co-ordinated approach to the question of human resources development. Accordingly, it recommended that, first, the Secretary-General be authorized to establish an inter-agency "focal point", which could be assigned to UNDP, to monitor and assess co-ordination of the preparation of human resource development programmes and of their implementation by Member States and UN agencies, to advise them of progress made and difficulties encountered and to report annually to the General Assembly on results, proposals and new developments. Second, activities should be more oriented towards promoting human fulfilment at the grass roots, thereby to ensure active participation at that level in the development process. Third, human resources development and its integration in the development process should be kept as a permanent agenda item of the meetings of the Ad Hoc Committee of the Whole for the Preparation of the International Development Strategy for the Fourth United Nations Development Decade (1991-2000) (see PART THREE, Chapter I), to enable a more thorough discussion of criteria, the methodological approach and all other aspects of the subject.

The Administrative Committee on Co-ordination (ACC), whose comments on the JIU report were transmitted to the Assembly in October [A/45/113/Add.1], shared JIU's view that knowledge and understanding of the fundamental underlying relationships between human resources development and social and economic development, and of the strong interactions among the several components of human resources development, was still inadequate. While ACC found the report useful as a compendium of human resources development activities, a solid analytical framework based on clearly established methodology and terms of reference would have made the report more persuasive.

As to JIU's recommendations, ACC agreed on the importance of co-ordination among agencies in programme implementation. It felt, however,

that co-ordination arrangements must be flexible to take account of the broad scope and diversified nature of the activities undertaken by organizations. ACC members moreover pointed out that several modalities already existed for achieving better co-ordination. Regarding the possibility of entrusting the focal-point function to UNDP, many ACC members were of the view that human resource development activities in the UN system went beyond UNDP-funded projects, and such a focal point might not be suitable to deal with training projects or activities financed directly by individual donor Governments. As to grass-roots mobilization, it was pointed out that certain training programmes were directed to higher professional levels because of the highly technical and professional nature of some agencies' training programmes. ACC welcomed and agreed with the third recommendation and believed its discussion could be pursued in the Economic and Social Council.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/191.

Developing human resources for development

The General Assembly,

Reaffirming that the human being is at the centre of all development activities,

Considering that human resources are an essential means of achieving economic and social development goals,

Recalling its resolution 44/213 of 22 December 1989 on developing human resources for development and other earlier resolutions on the same subject, as well as Economic and Social Council resolution 1989/120 of 28 July 1989 on the development of human resources,

Referring to its resolution S-18/3 of 1 May 1990, the annex to which contains the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries and the International Development Strategy for the Fourth United Nations Development Decade, in particular the relevant sections thereof on human resources development,

Reaffirming the contribution to the elaboration of the concept of human resources development made by the Jakarta Plan of Action on Human Resources Development in the Region of the Economic and Social Commission for Asia and the Pacific, the Khartoum Declaration: Towards a Human-focused Approach to Socio-economic Recovery and Development in Africa, the African Alternative Framework to Structural Adjustment Programmes for Socio-economic Recovery and Transformation and the communiqué of the tenth Meeting of the Conference of Heads of Government of the Caribbean Community, held at Grand Anse, Grenada, from 3 to 7 July 1989,

Welcoming the World Declaration on the Survival, Protection and Development of Children and the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children

in the 1990s, adopted by the World Summit for Children, held in New York on 29 and 30 September 1990, as well as the African Charter for Popular Participation in Development and Transformation, adopted at the twenty-fifth session of the Economic Commission for Africa and sixteenth meeting of the Conference of Ministers responsible for Economic Planning and Development, the Paris Declaration and the Programme of Action for the Least Developed Countries for the 1990s, adopted by the Second United Nations Conference on the Least Developed Countries, held in Paris from 3 to 14 September 1990, and the World Declaration on Education for All and the Framework for Action to Meet Basic Learning Needs, adopted by the World Conference on Education for All,

Taking note of the report of the Joint Inspection Unit on human resources development through technical co-operation,

Recognizing that the concept of human resources development, while specifically referring only to the human resource component of development programming, is intimately linked in a broad sense with many other elements and requires integrated and concerted strategies, policies, plans and programmes to ensure the development of the full potential of human beings,

Recognizing also that human resources development should contribute to total human development, which enlarges the choices available to people in developing their lives and in fulfilling their aspirations,

Reaffirming that strategies and policies for human resources development of each country should be in accordance with its national priorities, values, traditions, culture and stage of development,

Emphasizing that education, in particular basic education, which facilitates the acquisition and upgrading of skills, and continued demand-oriented technical training are inextricably linked to economic growth and sustained development of developing countries,

Recognizing the importance of improved educational opportunities for women and their greater integration into the development process,

Recognizing also that education and training programmes, including distance education programmes, utilizing appropriate and sustainable technologies can broaden and improve the range of resources available to developing countries, helping them meet their requirements with regard to human resources development,

Stressing the importance of international co-operation in supporting national efforts for human resources development in developing countries, and stressing also that both North-South and South-South co-operation, including economic and technical co-operation among developing countries, can play a valuable role in this field,

Emphasizing the need for the organs, organizations and bodies of the United Nations system to continue to give priority to human resources development in developing countries,

1. Takes note of the report of the Secretary-General;

2. Takes note with appreciation of the human-centred approach to the development process set out in the Human Development Report 1990, sponsored by the United Nations Development Programme, invites Governments to give due consideration to the ideas and recommendations contained therein, and invites the organs,

organizations and bodies of the United Nations system to do likewise, bearing in mind the work envisaged in the report;

3. Recognizes that the achievement of a higher standard of living and the well-being of individuals and peoples in general, through self-reliance and sustained development, constitutes one of the basic goals of human resources development in developing countries;

4. Emphasizes that human resources development in a context of political freedom, popular participation, respect for human rights, justice and equity is essential to economic growth and development;

5. Emphasizes also that basic education and continued objective-directed training are the most essential elements in human resources development;

6. Recognizes the importance of appropriate and sustainable technologies in the training and educational processes in developing countries and, in this context, stresses the role of intensified international co-operation through, inter alia, the transfer of relevant technology;

7. Stresses the need for increased emphasis on co-operation in education programmes, including distance education programmes, in order to accelerate human resources development in developing countries;

8. Emphasizes the vital importance of national capacity-building in developing countries, and encourages the United Nations system, particularly the United Nations Development Programme, to intensify activities in support of national efforts in this regard;

9. Emphasizes also the critical importance of qualified national personnel in national capacity-building, and calls upon the international community to pay greater attention to the serious problem of the brain drain from developing countries;

10. Emphasizes further the need to integrate human resources development into comprehensive strategies for human development, including supportive measures in vital and related areas such as population, health, nutrition, water, sanitation, housing, communications and employment, and to assess the progress in those areas through appropriate qualitative and quantitative indicators;

11. Stresses that the search for solutions to the problems of the most vulnerable population groups in developing countries should constitute an integral part of human resources development strategies;

12. Recognizes that improving the economic and social status of women is essential to the attainment of human resources development objectives, and stresses that their role should be fully taken into account in human resources development strategies so that they can better contribute to and benefit from development processes;

13. Recognizes also the importance of the development of children and young people and their integration into human resources development programmes in developing countries;

14. Stresses the vital importance of co-operation between the public and private sectors in human resources development, particularly through the effective implementation of policies, plans and programmes for economic development and the optimal use of resources to that end;

15. Stresses also the importance of international support for national efforts and regional programmes for human resources development in developing countries and the need to increase the flow of resources to developing countries for those activities;

16. Calls upon the international community, including the multilateral financial and development institutions, to support the efforts of developing countries in human resources development, in accordance with their national priorities and plans, through, *inter alia*, operational activities of the United Nations system;

17. Requests the Secretary-General to submit to the General Assembly at its forty-sixth session a report on the implementation of the present resolution, including ways and means of strengthening his co-ordination of the activities of the United Nations system related to human resources development, as well as proposals for action by members of the international community further to promote and intensify co-operation in this field;

18. Decides to include in the agenda of its forty-sixth session an item entitled "Human resources development".

General Assembly resolution 45/191

21 December 1990 Meeting 71 Adopted without vote

Approved by Second Committee (A/45/849/Add.1) without vote, 10 December (meeting 53); draft by Vice-Chairman (A/C.2/45/L78) based on informal consultations on draft by Bolivia for Group of 77 (A/C.2/45/L.30); agenda item 79.

Meeting numbers. GA 45th session: 2nd Committee 19-21, 42, 53; plenary 71.

UNDP activities

Human Development Report

The Human Development Report 1990, published by UNDP, was the first in a series of annual reports on the human dimension of development. Its orientation was practical and pragmatic and it aimed to analyse country experience in order to distill practical insights. Its purpose was not to recommend any particular model of development but to make relevant experience available to all policy makers. Its five chapters dealt with the definition and measurement of human development; an analysis of human development since 1960; economic growth and human development; human development strategies for the 1990s; and a special focus on urbanization and human development.

As defined by the Report, human development was a process of enlarging people's choices, the three essential ones being to lead a long and healthy life, to be educated and to have access to resources needed for a decent standard of living. Additional choices ranged from political, economic and social freedom to opportunities for being creative and productive and for enjoying personal self-respect and guaranteed human rights. Human development involved achieving a balance between the acquisition of human capabilities-improved health, knowledge and skills-

and the use made of them. According to that concept of human development, development in general must be more than just concerned with the expansion of income and wealth; it must embrace the total human condition.

The Report's central message was that, while growth in national production was absolutely necessary to meet all essential human objectives, it was important to study how successfully growth translated into human development in various societies. For example, it was important to study what policies had led some societies to achieve high levels of human development despite modest levels of per capita income while others had failed to translate their comparatively high income levels and rapid economic growth into commensurate levels of human development.

According to the Report's main conclusions and policy messages, the developing countries had made significant progress towards human development in the last three decades: life expectancy had risen from 46 years in 1960 to 62 years in 1987, the adult literacy rate had increased from 43 per cent to 60 per cent, the under-five mortality rate had been halved, primary health care had been extended to 61 per cent of the population and safe drinking water to 55 per cent, and the rise in food production had exceeded the rise (of 2 billion) in population by about 20 per cent. During the same period, North-South gaps in basic human development had narrowed considerably, even as income gaps had widened: in 1987, the average per capita income in the South had been only 6 per cent of that in the North, but its average life expectancy and literacy rates had been 80 per cent and 66 per cent, respectively, of the averages in the North; developing countries had reduced their average infant mortality from nearly 200 deaths per 1,000 live births to about 80 in nearly four decades (1950-1988), a feat that took the industrial countries nearly a century to accomplish. Averages of progress in human development concealed large disparities within developing countries between urban and rural areas, between rich and poor, and between men and women: rural areas had half the urban areas' access to health services and safe drinking water, the literacy rate for women was still only two thirds that for men, and the levels of health, nutrition and education among high-income groups far exceeded those of the poor.

Respectable levels of human development were possible even at modest levels of income, as demonstrated by, among a number of other countries, Sri Lanka, which had managed a life expectancy of 71 years and an adult literacy rate of 87 per cent with a per capita income of \$400; by contrast, Saudi Arabia, where per capita in-

come was \$6,200, life expectancy was only 64 years and the adult literacy rate was an estimated 55 per cent. The link between economic growth and human progress was not automatic. Social subsidies were absolutely necessary for poor income groups.

Developing countries were not too poor to pay for human development and also take care of economic growth: restructuring budget priorities to balance economic and social spending should move to the top of the national agenda; and Governments should improve the efficiency of social spending by creating a policy and budgetary framework to allow a more desirable mix among various social expenditures, for example, by reorienting priorities from highly trained doctors to paramedics, from urban to rural services, from general to vocational education, from expensive housing for the privileged to sites and service projects for the poor, from the formal to the informal sector and to programmes for the unemployed and underemployed. The human costs of adjustments were often a matter of choice, not of compulsion: in a sudden squeeze on resources, it was for policy makers to decide whether budgetary cuts would fall on military spending, parastatals and social subsidies for privileged groups or on essential health, education and well-targeted food subsidies. A favourable external environment was vital to support human development strategies in the 1990s, which called for a satisfactory solution of the lingering debt crisis, with debts drastically written down and a debt refinancing facility created within the International Monetary Fund and the World Bank.

Some developing countries, especially in Africa, needed external assistance more than others; between 1979 and 1985, the number of Africans below the poverty line had increased by almost two thirds, compared with an average increase of one fifth in the entire developing world, and was projected to rise from around 250 million in 1985 to more than 400 million by the end of the century. Technical co-operation had to be restructured if it was to help build human capabilities and national capacities in developing countries; programmes should focus more on human development issues to broaden the base for more effective national capacity-building; and emphasis should be placed on improving the availability of relevant social indicators and on assisting Governments to formulate their own human development plans. A participatory approach, including the involvement of non-governmental organizations (NGOs), was crucial to any viable strategy for human development

and a significant reduction in population growth rates was essential for visible improvements in human development levels. The rapid population growth in the developing world was becoming concentrated in cities, a process that seemed inevitable and required effective government programmes to deal with its consequent problems. Finally, sustainable development strategies should meet the needs of current generations without compromising the ability of future generations to meet their needs.

Governing Council action. On 22 June [E/1990/29(dec.90/13)], the UNDP Governing Council took note of UNDP efforts in the area of human development, including publication of the Human Development Report. It requested the Administrator to assist with convening regional consultations, within existing resources, so that the specific human development concerns and priorities of developing countries could be identified and taken into account in the context of the future work on that issue. It further requested him to inform it of the outcome of those consultations at its 1991 session in order to facilitate a decision on future work in human development.

Education and literacy

International Literacy Year and World Conference on Education for All

The year 1990, proclaimed by General Assembly resolution 42/104 [YUN 1987, p. 654] as International Literacy Year, was marked by the World Conference on Education for All (Jomtien, Thailand, 5-9 March), sponsored by the United Nations Educational, Scientific and Cultural Organization (UNESCO), UNDP, the United Nations Children's Fund and the World Bank, joined by a number of co-sponsors and associate sponsors. The Conference had three principal objectives: to highlight the importance and impact of basic education and to renew commitment to make it available to all; to forge a global consensus on a framework for action to meet the basic learning needs of children, youth and adults; and to provide a forum for sharing experiences and research results to invigorate ongoing and planned programmes. On 9 March, the Conference adopted the World Declaration on Education for All and a Framework for Action to Meet Basic Learning Needs. It also endorsed two statements on follow-up to the Conference.

Details of the Conference, as well as of the activities and measures undertaken during International Literacy Year, were provided by the UNESCO Director-General in a report [A/46/281-E/1991/112] transmitted by the Secretary-General

to the General Assembly through the Economic and Social Council. The report noted that the Declaration consisted of three parts: its purpose, which was to meet the basic learning needs of every person; an expanded vision encompassing universalizing access and promoting equity, focusing on learning, broadening the means and scope of basic education, enhancing the environment for learning and strengthening partnerships at all levels; and a statement of requirements, including developing a supporting policy context, mobilizing resources and strengthening international solidarity. Also noted were the Framework for Action setting forth principles, policies and approaches for implementing the Declaration; and a statement on follow-up to the Conference stressing that the principal follow-up would be at the country level. The second statement concerned principles on the involvement of NGOs in follow-up activities with non-NCO bodies.

UN research and training institutes

UN Institute for Training and Research

Further restructuring of the United Nations Institute for Training and Research (UNITAR) took place during 1990. As requested by General Assembly resolution 42/197 [YUN 1987, p. 656], its staff was more drastically reduced and its statute was amended to reflect the various changes that the restructuring had introduced in its organization and functioning. Despite the drastic staff reduction, the volume of UNITAR activities had continued to grow, thanks to resources mobilized through special-purpose grants and to the dynamism of the UNITAR staff and fellows. Also, the number of UNITAR trainees had increased; the increase was 1,053 between June 1986 and June 1988 and 1,779 between June 1988 and June 1990, or nearly 70 per cent.

Activities

The Executive Director of UNITAR reported in October [A/45/14] on the implementation of the Institute's training and research programmes and matters concerning its functioning during the period from July 1988 to June 1990. As in previous years, the UNITAR, under its training programme for international co-operation and multilateral diplomacy, continued to organize orientation courses on the role, function and work of the United Nations for new members of permanent missions to the United Nations in New York and Geneva and on practices and procedures of organs and institutions of the UN system; workshops on the drafting of international

legal instruments, on the structure, retrieval and use of UN documentation for documentalists and other permanent mission members; annual seminars on international development issues for senior members; seminars or workshops on the setting, issues and techniques of multilateral economic negotiations; and briefing seminars for new delegates to the Assembly sessions. UNITAR also continued to organize at The Hague, Netherlands, the joint United Nations/UNITAR international law fellowship programme for government legal advisers from developing countries, as well as courses in international co-operation and multilateral diplomacy for other government officials of those countries. Under a special-purpose grant from the Ford Foundation and in co-operation with the United Nations Centre for Human Rights, UNITAR was preparing a manual on human rights reporting, due for completion before year's end.

Under its training programme for economic and social development, UNITAR held two seminars relating to debt management: an awareness seminar for senior officials from the United Republic of Tanzania (Dar es Salaam, 14-15 January) and Uganda (Kampala, 17-20 January) and a training seminar on the legal aspects of the subject (Nairobi, Kenya, 19 February-2 March). Also held, under the auspices of the United Nations Environment Programme and UNITAR, was a 16-week training programme that began in May (Bangkok, Thailand) for 12 scientists from the International Centre for Integrated Mountain Development and from two participating countries.

Research activities during the year encompassed the publication of books, monographs and pamphlets, as well as the organization of research seminars and conferences. The book entitled *The United Nations and International Business*, produced under a project on the economic and social history of the United Nations, was commercially published in 1990. The third issue of the UNITAR Newsletter was published in June/July. A directory of some 337 research projects undertaken by more than 140 institutions in 26 European countries was being printed, and a comprehensive guide on the workings of the UN system in Geneva—a major centre of UN-related multilateral diplomacy and of diverse institutions with which that diplomacy was concerned—was in preparation for publication before year's end. The quarterly newsletter *The Heavy Oiler* continued to be published by the UNITAR/UNDP Centre for Heavy Crude and Tar Sands.

Financing

The General Fund of UNITAR was used to fund only those training activities in international co-operation and multilateral diplomacy benefiting all Member States, i.e., members of permanent missions to the United Nations in New York and in Geneva, as well as to satisfy some training needs of the UN Secretariat. All other UNITAR training activities, in that field or in economic and social development, were funded through special-purpose grants. The Executive Director of UNITAR stated that the Institute's financial situation remained a matter of deep concern as government contributions to the General Fund continued to decline. To enable the Institute to repay its debt to the United Nations and to establish a reserve fund to improve that situation, General Assembly resolution 42/197 [YUN 1987, p. 656] had approved the Secretary-General's recommendation for the sale of the entire UNITAR headquarters property. The building remained unsold in 1990, however, due to a depressed real estate market.

In a November report on UNITAR [A/45/634], the Secretary-General discussed financial questions relating to the UNITAR budget and budgetary performance in 1990. He noted that the Executive Director presented to the UNITAR Board of Trustees at its twenty-eighth session (New York, 16-20 April) an expenditure budget for 1990 of \$1,335,550, together with a new budget for programme support costs of \$277,600, consistent with Assembly resolution 42/197. Their combined sum of \$1,613,150 represented a 36 per cent increase over the 1989 budget of \$1,186,700. Difficulties of timing did not permit the Advisory Committee on Administrative and Budgetary Questions (ACABQ) to review the proposed budget, as called for by Assembly resolution 44/175 [YUN 1989, p. 600], prior to its approval by the Board of Trustees in April. To avoid recurrence of the same situation, the Board decided to hold its future regular sessions in mid-May. Meanwhile, the Board conditionally approved the proposed budget on the understanding that the Executive Director, in consultation with the UN Controller, would make whatever revisions were necessary to conform with ACABQ's comments. It agreed to review the budget again at its September special session if those comments were of a substantive nature.

ACABQ's comments focused on the presentation and format of the budget proposals, the level of the estimated expenditures and the timing of the budget preparation. It recommended, *inter alia*, that the proposed reclassification of two P-5 posts to the D-1 level, as approved by the Assembly, should not be implemented in the light of

UNITAR's current financial difficulties and that the amount of \$150,000 as interest income from the reserve fund for 1990 should be deleted from income estimates since the UNITAR building had not been sold. The Executive Director explained to the Board in September that the absence of that interest income meant the United Nations would have to advance UNITAR \$400,000, instead of the \$250,000 initially envisaged, to balance the budget. As the Board felt it was too late substantively to modify the budget, it authorized the Executive Director, subject to the availability of funds, to incur expenditure not to exceed the corresponding 1989 expenditure between the beginning of the budgetary year, on 1 January, and the date of the budget's formal approval.

The Secretary-General noted that budgetary performance in 1990 had been disappointing; income had again not matched expectations. At the same time, UNITAR had been unable to effect savings in expenditures to offset the income shortfall and expenditures against a reserve account set up two years before had continued to mount. The combined effect of the shortfalls and deficits disclosed that UNITAR's debt to the United Nations might be estimated at about \$4.2 million by the end of 1990. Adding that to the \$4,410,566 advanced by the United Nations in 1989, UNITAR's total indebtedness was projected at \$9.1 million by 31 December 1990.

The Secretary-General stated that, despite his efforts at laying down foundations for an enduring revitalization of the Institute, there had been no solution to the financial difficulties facing it. While the Assembly had repeatedly reaffirmed its support for the continuing relevance and importance of the Institute's mandate, Member States had not provided sufficient voluntary contributions to the General Fund, whose expenditures had repeatedly exceeded its income. UNITAR's debt to the United Nations had reached a level that could not be raised further without calling into question UNITAR's ability ever to repay its debt. For the Secretary-General, there would appear to be only two possible solutions: a resumption, at significantly higher and predictable levels, of government voluntary contributions to the General Fund, or significant allocations to it from the UN regular budget on a continuing basis. As the first option was unlikely to materialize, the Secretary-General believed that the recommendations advanced by the Board of Trustees in September deserved the Assembly's careful consideration.

Those recommendations called for: deferring payments of UNITAR's debt to the United Nations, pending the sale of its headquarters building, for about five years or shorter, in the expecta-

tion that the real estate market would improve in that time; UN budget support of the General Fund, given the purposes for which that Fund was used; and UN funding for UNITAR research on the United Nations, given the difficulty of raising voluntary contributions for that activity. If the Assembly was not prepared to act on those recommendations, the Secretary-General indicated that it might wish to decide what other course of action should be taken.

According to the financial report and audited financial statements of UNITAR for the year ended 31 December 1990 [A/46/5/Add.4], the General Fund showed an income of \$680,966 and expenditures of \$1,398,676, or \$717,710 in excess of income. The Fund also showed assets of \$340,981 against which were liabilities totalling \$4,187,507 (of which \$4,059,917 was due to the United Nations), a deficit of \$2,650,732, and cumulative expenditures (for 1988, 1989 and 1990) of \$1,195,794 against the Reserve Account. That Account was where certain costs were being carried temporarily outside the UNITAR budget against the anticipated proceeds from the proposed sale of the UNITAR property.

The Special Purpose Grants Fund indicated a total income of \$3,476,478, while expenditures amounted to \$2,543,467, or an excess of \$933,011 in income over expenditure. Against the Fund's total assets of \$1,961,790 were liabilities amounting to \$225,899, leaving a balance in the Fund of \$1,735,891. The Special Account for Programme Support Costs reflected an income of \$168,670 and expenditures of \$148,494, leaving an available balance of \$20,176.

The Board of Auditors recommended, among other corrective actions, that steps be taken to improve the liquidity position of the General Fund and to maximize unused working capital of the Special Purpose Grants Fund; that guidelines on the utilization of the Reserve Account be established, with UNITAR being more involved in the control of that account; and that preparation of budget proposals take into consideration the downturn in revenue resources for more realistic assumptions and projections.

By resolution 45/235 of 21 December, the Assembly accepted the financial report and audited financial statements of UNITAR for the period ended 31 December 1989 [A/45/5/Add.4], which had been submitted in 1990.

Restructuring

In response to General Assembly resolution 44/175 [YUN 1989, p. 600], the Secretary-General presented a November report [A/45/634] on the restructuring of UNITAR, on financial questions and on longer-term issues related to the financ-

ing of UNITAR. The report indicated that UNITAR's draft work programme for the 1990-1991 biennium had been prepared on the basis of the criteria laid down by Assembly resolution 42/197 [YUN 1987, p. 656] for the restructuring of UNITAR. The work programme provided for a core programme of activities funded through the General Fund and an expanded programme of activities funded through extrabudgetary resources, the former focusing on training in international co-operation and multilateral diplomacy, and the latter on training for economic and social development, and research on the United Nations, in energy and natural resources and on the future of the main developing regions of the world. In keeping with other provisions of the same resolution, the draft work programme reflected priority setting in the light of available financial resources and a research programme entirely funded through special-purpose grants. To implement adequately its work programme, UNITAR continued to resort to the services, free of charge, of full-time senior fellows appointed by the Secretary-General, who, in accordance with established procedures, extended for another year the term of the eight full-time senior fellows appointed in 1989 [YUN 1989, p. 599] and appointed a ninth senior fellow for 1990. In connection with the Assembly's authorization enabling UNITAR to enter into arrangements to execute UNDP-funded projects falling within its functions, UNITAR had agreed with UNDP in January that, when serving as executing agency, it would adhere to UNDP standard basic executive agency agreements.

The report stated that, at its 1990 special session (New York, 10-12 September), the Board of Trustees approved a proposed project for the establishment of a UNITAR training centre for international co-operation and socio-economic development in Atlanta, Georgia, it being understood that the centre would become operational only if the United States did not object to its location and that its creation and functioning would not incur any financial cost to the UNITAR budget. On 12 September, the United States communicated to the Executive Director that, after a careful review in accordance with its obligations and responsibilities as the host country to the United Nations, it could not concur with the proposal.

As to the Assembly's request that the Secretary-General proceed rapidly with the sale of the UNITAR headquarters building, the report noted that the Secretary-General had submitted two progress reports to the Board of Trustees at its April and September sessions. Those reports indicated that, as reported to ACABQ, efforts to

sell the building at the highest obtainable price had failed to produce a buyer. The Secretary-General would consult with ACABQ in due course on the appropriate disposition of the building.

The report further noted that the stringent restructuring of the Institute—which had taken a heavy toll on its staff and could not be further intensified without bringing the work of the Institute to a standstill—had not prevented UNITAR from slipping into repeated fiscal deficits and growing indebtedness vis-a-vis the United Nations. In brief, the process of revitalizing the Institute on a long-term basis after years of financial tribulations appeared to have reached a new impasse as a solution had yet to be found to the problem of devising ways and means to fund the Institute's core budget. The matter of the long-term issues related to the financing of the Institute was reviewed by the Board of Trustees at its September special session in order to respond to the Secretary-General's request for suggestions on effective ways of solving the problem. The Board adopted a number of recommendations (see above, under "Financing"), which the Secretary-General transmitted to the Assembly.

Annexed to the report were the results of a meeting (Geneva, 11 July 1990) of autonomous research institutes of the United Nations, organized by the Director-General for Development and International Economic Co-operation. Held in response to Assembly resolution 44/175 [YUN 1989, p. 600], the meeting discussed ways and means of building upon the already existing network of functional relationships among research institutes to enable them to move towards a flexible and more sustained system of interaction that could lead to mutually reinforcing initiatives within the framework of their respective mandates and to make appropriate contributions to the work of UN intergovernmental bodies as well.

The research institutes attending the meeting included UNITAR, the United Nations University, the United Nations Research Institute for Social Development, the United Nations Institute for Disarmament Research, the United Nations Interregional Crime and Justice Research Institute, the International Research and Training Institute for the Advancement of Women, the Latin American and Caribbean Institute for Economic and Social Planning, the African Institute for Economic Development and Planning, the Research Administration Office of the World Bank, the International Monetary Fund Institute, and the International Institute for Labour Studies.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/219.

United Nations Institute for Training and Research

The General Assembly,

Recalling resolutions 41/172 of 5 December 1986, 42/197 of 11 December 1987, 43/201 of 20 December 1988 and 44/175 of 19 December 1989.

Having considered the report of the Secretary-General and the report of the Executive Director of the United Nations Institute for Training and Research, and taking into account the statements made before the Second Committee on 30 November 1990 by the representative of the Secretary-General and the Executive Director of the Institute,

Recognizing the continuing importance and relevance of the functions of the Institute particularly in the field of training,

Recognizing also the need for Governments to contribute or increase their voluntary contributions, as appropriate, to the Institute,

Noting with concern the continuing lack of a sufficiently broad base of donor countries supporting the Institute,

Paying tribute to the Institute for its activities since its creation in 1965,

Deeply concerned that the sale of the headquarters property of the Institute, which would have enabled a reserve fund for the Institute to be established, has not yet been completed,

Noting with concern that the 1990 United Nations Pledging Conference for Development Activities did not provide the General Fund of the United Nations Institute for Training and Research with the level of resources required for it to maintain a minimum training programme and institutional structure,

1. Takes note of the report of the Secretary-General prepared pursuant to General Assembly resolution 44/175 and the report of the Executive Director of the United Nations Institute for Training and Research;

2. Strongly reiterates its urgent desire that the Institute sell its headquarters property at the earliest reasonable opportunity, preferably within the next twelve months;

3. Requests the Secretary-General to appoint an appropriately qualified high-level independent consultant, to be paid from extrabudgetary resources, who would submit a report directly to the Secretary-General containing recommendations on:

(a) The continued relevance of the mandate of the Institute, taking into account the relevant resolutions of the General Assembly and other research and training activities of the United Nations system, a review and assessment of all aspects of the current activities of the Institute and their benefits to the United Nations and its Member States, inter alia, in the fields of the maintenance of peace and security and the promotion of economic and social development, and an assessment of whether those activities can be more effectively carried out by the Institute or by other bodies in the United Nations system;

(b) The overall staffing requirements for the Institute, including the number and level of such staff, in order to meet satisfactorily the needs of the United Nations and its Member States;

(c) The financial means for meeting those needs, based on the findings;

(d) The feasibility of utilizing the facilities of the Institute for the training of personnel for peace-keeping operations;

4. Also requests the Secretary-General to submit the report of the independent consultant to the Advisory Committee on Administrative and Budgetary Questions and to the Board of Trustees of the Institute for comment and to the General Assembly at its forty-sixth session;

5. Requests that the budgetary proposals of the Institute continue to be submitted to the Advisory Committee on Administrative and Budgetary Questions for review and comment prior to approval by the Board of Trustees of the Institute;

6. Reaffirms that the activities of the Institute that are not funded from the General Fund of the United Nations Institute for Training and Research shall continue to be funded through voluntary contributions mobilized as special-purpose grants from Governments, intergovernmental organizations, foundations and other non-governmental sources;

7. Agrees with the recommendation of the Secretary-General that the Institute should, immediately after the sale of its property, repay the amounts currently owed to the United Nations and use the balance to establish a reserve fund for the Institute;

8. Recommends that the Institute, with the Advisory Committee on Administrative and Budgetary Questions, should consider financial mechanisms in order to finance its General Fund budget for 1991;

9. Decides to take a decision on the future of the Institute at its forty-sixth session, in accordance with the provisions of General Assembly resolution 42/197;

10. Encourages the Secretary-General to continue to explore new modalities for greater interfacing among United Nations research bodies, and requests the Director-General for Development and International Economic Co-operation to continue to organize meetings of United Nations research institutes with a view to enhancing practical co-operation among them, particularly in regard to the formulation and implementation of their programmes and plans;

11. Requests the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

General Assembly resolution 45/219

21 December 1990 Meeting 71 Adopted without vote

Approved by Second Committee (A/45/855) without vote, 11 December (meeting 54); draft by Vice-Chairman (A/C.2/45/L.89), based on informal consultations on draft by United Kingdom (A/C.2/45/L.68); agenda item 85.

Meeting numbers. GA 45th session: 2nd Committee 48, 50, 51, 54; plenary 71.

UN University

Activities

The institutional development of the United Nations University (UNU), an autonomous academic institution within the UN system, remained of paramount concern in 1990 to the University's Rector and Council. Several meet-

ings were held (Paris, July and September; Tokyo, October) to which various consultants and advisers were invited to assist UNU to elaborate a comprehensive institutional development strategy, in particular to strengthen its institutional presence in developing countries.

The Council, in its report on the work of UNU in 1990 [E/1991/15], stated that the most important event of the year was the start of programme activities in research, training and dissemination under UNU's second medium-term perspective for 1990-1995, organized under five interrelated areas reflecting the major global issues of concern to UNU: peace, culture and governance; the global economy; global life support systems; science and technology; and population, health and human welfare. While the first medium-term perspective (1982-1987) had concentrated on broadening the work of UNU beyond its initial three programmes into timely research on important emerging issues, the second aimed at developing strength in certain areas through UN U's institutional mechanisms.

Under examination in programme area 1 were governance and conflict resolution, programme proposals and activities for which were discussed at a meeting (Bogota, Colombia, May); multilateralism and the UN system, for which an initial consultative meeting was held to review a draft programme proposal and initial research activities (Paris, June); and culture and development, the theme, as it concerned the Asia and Pacific region, of two international conferences (Fukuoka, Kyushu, Japan, March and September). Under programme area 2 were activities related to: hunger and poverty, discussed at a conference (Helsinki, Finland, July); money, finance and trade, the subject of an April meeting and a planning conference (Ottawa, Canada, September); the economics of environment and development; and women in development, studies on which were brought before research conferences in July. The UNU World Institute for Development Economics Research (WIDER) in Helsinki carried out the programmes under that programme area.

Activities under programme area 3 centred on: mountain ecology and sustainable development; a programme for natural resources in Africa; the human dimensions of global change, in connection with which three meetings were held (Moscow, March; The Hague, September; Mexico, November), as were an international conference (August/September) and a symposium (Palma de Mallorca, Spain, November); sustainable development in the humid tropics; and energy, technology and environment. Programme area 4 was concerned with the implications of advances in science and technology, science and technol-

ogy for development, biotechnology in Latin America and the Caribbean, and microprocessors and informatics. Programme area 5 dealt with alternative rural-urban configurations, which was debated at a symposium (UNU Centre, October), food and nutrition for human and social development, the subject of a major global conference (Washington, D.C., November); and the implications of demographic change.

Regarding the year's training activities, 29 UNU fellows completed their studies, bringing to 1,026 the total number of fellows trained by UNU since 1976. Fifty-four fellows started their training in, among other studies, economics and quantitative techniques, new and renewable sources of energy, geothermal energy, remote sensing technology, science and technology policy, food science and technology, and biotechnology. Most of the new fellowships had been made possible through cost-sharing arrangements with national scientific and research institutions and funds from external sources. Other training activities were also undertaken in conjunction with the five programme areas.

With the reorganization at the beginning of the year of the University's publication unit as the United Nations University Press, steps were taken to improve manuscript assessment to ensure high-quality publications, to expand sales and distribution, and to increase advertising, book notices and reviews. The new direction of the UNU Press was described in a widely distributed brochure entitled *United Nations University as a Scholarly Publisher: the United Nations University Press*. In addition to continuing publication of issues of the four UNU journals—*Food and Nutrition Bulletin (F&B)*, *Abstracts of Selected Solar Energy Technology (ASSET)*, *Mountain Research and Development*, and *Food Composition Data*—UNU published 27 books between January and August, listed in annex II of the Council's report. Also published were two issues of the University newsletter, *Work in Progress*, on the themes "A comprehensive view of the world in the 1990s" and "Universal human values".

Added to UNU's research and training centres were the newly established Institute for New Technologies, in the Netherlands, which became operational in June, and the Institute for Natural Resources in Africa, whose Director was appointed in April. Consistent with the priorities of the second medium-term perspective, eight new proposals were under consideration for: three institutes, for advanced studies in Japan, for software technology and for leadership development; four research and training centres, on global environment and human health, culture and development, governance and new and re-

newable energy sources; and a programme on ocean affairs and marine science.

The report noted that 1990 marked the fifteenth anniversary of the commencement of UNU's full operations in Tokyo with the assumption of office by its Rector. To commemorate the event, UNU organized two international symposia: one on the mega-city and mankind's future (Tokyo, October) and another on Japan's role in development and aid to the Association of South-East Asian Nations (November).

UNU continued to be financed entirely by voluntary contributions from Governments and other sources. As at 31 December 1990, it had received \$177.6 million in actual payments to its Endowment Fund, from the investment of which UNU derived its main income. During 1990, 21 Governments and two other benefactors pledged and/or contributed a total of \$11.08 million. In addition, \$2,528,909 for specific programmes was contributed by a number of foundations and organizations, including UNDP and the World Bank.

During the year, the Rector and other senior staff undertook fund-raising missions to 23 countries. A meeting held (Paris, July) to discuss the University's institutional development, also discussed fund-raising strategies.

UNU Council

The UNU Council held two sessions in 1990: its thirty-fifth in Maastricht, Netherlands, from 25 to 29 June; and its thirty-sixth in Tokyo from 10 to 14 December. Symposia were held during the sessions, on emerging new technologies during the first and on "The changing world: towards the twenty-first century" during the second.

At the June session, the Council focused on the organization of the University's work and on the fundamental issues involving the establishment of its research and training centres and programmes. Management of the Endowment Fund was also discussed, with special consideration given to the question of reinvestment in the Fund of all windfall gains in income arising from unanticipated changes in exchange rates.

At the December session, the Council, on the recommendation of the Committee on Institutional and Programmatic Development, approved the proposed UNU supplementary and revised programme; on the recommendation of the Committee on Finance and Budget, it approved the budget for the biennium 1990-1991. Other items considered included the implementation of programme activities under the second (1990-1995) medium-term perspective, developments in the UNU Press, management of the Endowment Fund, the preliminary report of the

UNU/WIDER review and evaluation team, and the Council's 1990 report on UNU. In addition, the Council elected its Chairman and Vice-Chairmen for 1991, as well as the Chairmen and members of each of its four committees.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly, which had for its consideration the report on the work of UNU in 1989 [YUN 1989, p. 601], submitted to it at its current session, adopted resolution 45/220.

United Nations University

The General Assembly,

Recalling its resolution 2951(XXVII) of 11 December 1972 on the establishment of the United Nations University,

Recalling also its resolution 43/200 of 20 December 1988 on the United Nations University,

Taking cognizance of the important progress made by the University and the relevance of its work to the concerns of the United Nations,

Having considered the report of the Council of the United Nations University on the work of the University in 1989 and the statement concerning its development in 1990, made by the Rector of the University before the Second Committee on 26 November 1990,

Noting with appreciation the financial and other contributions made by Governments and organizations in support of the University,

Also noting with appreciation the progress made with regard to the permanent headquarters building in Japan,

Taking note of decision 4.2.2 on the United Nations University adopted on 18 May 1990 by the Executive Board of the United Nations Educational, Scientific and Cultural Organization at its one hundred and thirty-fourth session,

1. Welcomes the implementation of the University's programmes of research, advanced training and dissemination of knowledge, within the framework of its second medium-term perspective, for 1990-1995;

2. Requests the Council of the United Nations University to review, within the mandate of its charter, the role and functions of the University Centre in the light of the expansion of its research and training centres and programmes, with a view to maintaining the coherence of the University as a whole;

3. Takes note of the continued high quality and usefulness of the work of the World Institute for Development Economics Research of the United Nations University, in Finland, and of the decision of the University to undertake a review and evaluation of the work of the Institute, which has completed its first five years of operation;

4. Notes with satisfaction the commencement of the work of the Institute for New Technologies of the United Nations University, in the Netherlands, which constitutes a major expansion of the overall programme of the University;

5. Welcomes the progress made in the initiation of a programme for natural resources in Africa, in furtherance of the Lagos Plan of Action for the Implementation of the Monrovia Strategy for the Economic Devel-

opment of Africa, which is expected to lead to the full realization of the Institute for Natural Resources in Africa;

6. Notes with appreciation the progress made with regard to the International Institute for Software Technology of the United Nations University, to be located in Macau;

7. Also notes with appreciation the progress made with regard to the proposed Institute of Advanced Studies in Japan;

8. Requests the University to continue to foster its substantive collaboration with the United Nations and its system of organizations, in particular with the United Nations Educational, Scientific and Cultural Organization, in areas of global concern;

9. Takes note of the University's important institutional developments and requests it to strengthen its collaboration with international, regional and national academic and scientific institutions, particularly in developing countries, in addressing the global issues elaborated in its second medium-term perspective;

10. Requests the University to continue to intensify its fund-raising efforts to augment its Endowment Fund and mobilize operating contributions and other programme and project support;

11. Appeals to all States to contribute to the Endowment Fund of the University and to make operating contributions, including support for its research and training centres and programmes, in order to enable it to expand its world-wide activities, particularly in developing countries, and thus fulfil its mandate in accordance with its charter and the relevant resolutions of the General Assembly.

General Assembly resolution 45/220

21 December 1990 Meeting 71 Adopted without vote

Approved by Second Committee (A/45/855) without vote, 11 December (meeting 54); 30-nation draft (A/C.2/45/L.70/Rev.1); agenda item 85. Meeting numbers. GA 45th session: 2nd Committee 48, 50, 51, 54; plenary 71.

By resolution 45/235, also of 21 December, the Assembly accepted the financial report and audited financial statements of UNU for the biennium ended 31 December 1989 [A/45/5, vol. III], which had been submitted in 1990.

University for Peace

Tenth anniversary

In 1990, the University for Peace, established by General Assembly resolution 35/55 [YUN 1980, p. 1006], marked its tenth anniversary. The University's host country, Costa Rica, speaking before the Assembly on 24 October, stated that the University had worked for the last 10 years to promote graduate studies. It had developed two masters programmes for students from five continents, one in communications for peace, offered at University headquarters in Costa Rica, and the other in development and peace studies, offered at the University's European Centre in Belgrade, Yugoslavia. An agreement had been concluded

with the Government of Colombia for the establishment in Bogota of an international centre (of the University) for the peaceful settlement of conflicts. The University had organized conferences, seminars, short courses and meetings in more than 17 countries, at which core curriculum subjects were emphasized, especially those in education for peace, the peaceful resolution of conflicts, negotiation skills, environment studies, human rights and international relations. It had also promoted research programmes stressing Central American issues. More than 15,000 people had been exposed to the University's messages. The University currently included a Centre for Information and Documentation for Peace, the Gandhi Centre for Television Production and the International Radio for Peace, transmitting short-wave programmes in Spanish, English, French and German, 16 hours a day.

In observance of its tenth anniversary, the University was organizing a round of high-level conferences on such topics as new development patterns, on the eve of the twenty-first century, prospects for a Central American community, and external and social debt in Latin America.

GENERAL ASSEMBLY ACTION

On 24 October, the General Assembly adopted resolution 45/8.

Tenth anniversary of the University for Peace

The General Assembly,

Recalling its resolutions 33/109 of 18 December 1978, 34/111 of 14 December 1979 and 35/55 of 5 December 1980, on the establishment of the University for Peace,

Recalling also Economic and Social Council resolutions 1985/2 of 24 May 1985 and 1986/6 of 21 May 1986 and its resolution 41/175 of 5 December 1986,

Taking into account the positive contribution which the University has made to the cause of peace through the various international programmes it has developed during its first ten years, in particular those focusing on Central America, as a contribution to efforts to promote peace, security and trust amongst the countries of the region and the economic and social development of that part of the American continent,

Beating in mind that 1990 marks the end of the first decade of continuous work and activities by this institution dedicated to research and education for peace,

1. Welcomes the fact that in 1990 the University for Peace completes its first decade of activities in the cause of peace, in accordance with the purposes and objectives for which it was established;

2. Invites Member States to accede to the International Agreement for the Establishment of the University for Peace;

3. Appeals to Member States and governmental and non-governmental agencies which provide financial assistance for research to make financial contributions in order further to advance the objectives of the University;

4. Requests the Secretary-General to establish an agreement on co-operation between the United Nations and the University, in accordance with the Charter of the University;

5. Expresses its appreciation to Costa Rica, the host country, for its valuable support and contribution to the operation of the University;

6. Requests the Secretary-General to transmit the present appeal to all Member States so as to ensure the smooth operation of the University;

7. Also requests the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

General Assembly resolution 45/8

24 October 1990

Meeting 34

Adopted without vote

40-nation draft (A/45/L.10 & Add.1); agenda item 150.

Chapter XIII

Women

In 1990, the United Nations undertook the first five-year review and appraisal of the Nairobi Forward-looking Strategies for the Advancement of Women, which were adopted in 1985 by the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women (1976-1985). The Commission on the Status of Women, which carried out the review and appraisal at an extended thirty-fourth session (Vienna, 26 February–9 March), considered the first biennial report of the Secretary-General on progress made by the UN system in implementing the Strategies and made recommendations for action in the priority areas of equality, development and peace.

The Economic and Social Council in May adopted the recommendations and conclusions arising from the review and appraisal and urged Governments and international and non-governmental organizations to implement them, as did the General Assembly in December.

On the recommendation of the Commission on the Status of Women, the Council adopted three resolutions related to the implementation of the Forward-looking Strategies and others dealing with various aspects of the advancement of women, women in development and the rights of women. Also on the basis of the Commission's report, the Council recommended that a world conference on women be held in 1995 and that the Commission include preparations for the conference in its 1991-1995 work programme. That recommendation was endorsed by the Assembly in December.

Among other action by the Assembly concerning the situation of women were resolutions encouraging the United Nations and Member States to support efforts to increase women's literacy; urging Governments to participate actively in an interregional consultation on women in public life, to be held in 1991; and commending the efforts of the United Nations Development Fund for Women, which pioneered new ways to promote women's participation in national planning and innovative grass-roots activities.

The International Research and Training Institute for the Advancement of Women, which marked its tenth anniversary in 1990, strengthened its work in statistics and indicators on women, including women's work in the informal

sector. In May, the Council recommended that, given the growing role of research, training and information on women and development, the Institute continue to work on new methodological approaches in those fields.

In 1990, the Committee on the Elimination of Discrimination against Women (CEDAW) considered seven initial and five periodic reports of States parties to the 1979 Convention on the Elimination of All Forms of Discrimination against Women at its January/February session. CEDAW also adopted recommendations on female circumcision and on avoidance of discrimination against women in the prevention and control of AIDS. By the end of the year, there were 103 States parties to the Convention.

Advancement of women

Implementation of Nairobi Strategies

First review and appraisal

In 1990, in response to Economic and Social Council resolution 1988/22 [YUN 1988, p. 617], the first five-year review and appraisal of the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women was carried out by the Commission on the Status of Women. The Strategies had been adopted in 1985 by the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women (1976-1985) [YUN 1985, p. 937].

The Secretary-General's report to the Commission's February/March session on progress made at the national, regional and international levels in the implementation of the Nairobi Forward-looking Strategies [E/CN.6/1990/5] was based on national reports received from 55 Member States, as well as on statistics and other information compiled from within the UN system and elsewhere. The report indicated that there had been progress in some areas since the Strategies were adopted in 1985, especially with regard to de jure equality. However, for a number of reasons, progress in achieving de facto equality—such as the full integration of women in development or full participation of women in peace—had slowed

or stopped. In addition, the report outlined the long-term effects on women of demographic and social factors as well as the consequences of the economic conditions of the late 1980s. It noted national action taken in terms of the Strategies and pointed out that a number of steps had been taken by the UN system to improve its ability to assist national action in implementing them.

The Secretary-General concluded that, despite advances in some areas, the general pattern of implementation of the Strategies was one of a loss of dynamism and, unless implementation was greatly improved, many of the objectives would not be achieved by the year 2000. In each of the three objectives of the Strategies—equality, development and peace—there were areas in which positive developments had been made and others in which little progress was observed. At the national level, the institutional basis for the advancement of women remained weak due to insufficient authority, expertise and resources. At the international level, improvements made in planning and co-ordination were partially offset by the lack of sufficient resources to ensure implementation.

Also before the Commission, as requested by the Economic and Social Council in resolution 1988/22, was the first biennial report of the Secretary-General [E/CN.6/1990/7] on monitoring progress made by the UN system in the implementation of the Strategies. The report examined both intergovernmental and intersecretariat co-ordination during 1988-1989 to implement the Strategies as well as measures taken to strengthen institutional co-ordination and the focal points on the status of women. For each theme (equality, development, peace), the report reviewed the basic strategies and mandates adopted by intergovernmental bodies and the substantive and operational activities undertaken by the organizations of the UN system.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 24 May, the Economic and Social Council adopted resolution 1990/14.

Action to increase awareness of the slow progress in the implementation of the
Nairobi Forward-looking Strategies for the
Advancement of Women

The Economic and Social Council.

Having considered the report of the Secretary-General on progress at the national, regional and international levels in the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women,

Aware of the fact that, although some progress was reported in the area of *de jure* equality, progress in *de facto* equality is slow in both developing and developed countries,

Deeply concerned about the seriousness of the situation in many developing countries, where economic stagnation or negative growth, continued population increase, the growing burden of debt, and reduction of public expenditures for social programmes as part of unavoidable adjustment-oriented policies have further constrained the opportunities for women to improve their situation,

Alarmed by trends, in particular in some developing countries, that suggest that there has been a regression in the status of women in education, employment and health, and that there has been slow or no progress in achieving the full integration of women in development or the full participation of women in efforts to promote peace,

Conscious of the fact that, in many countries, the national machinery for the advancement of women lacks the necessary technology and resources to gather and disseminate information or to formulate policies in favour of women,

Taking into account the fact that in many countries the issue of the advancement of women is receiving low priority,

Bearing in mind the role assigned to the United Nations system in the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women,

1. Urges Governments to make renewed commitments to implement the Nairobi Forward-looking Strategies for the Advancement of Women by strengthening their national machinery and increasing the resources devoted to programmes for the advancement of women;

2. Requests the Secretary-General to carry out, through the Department of Public Information of the Secretariat, a world-wide educational campaign to increase awareness of the obstacles encountered in the implementation of the Nairobi Forward-looking Strategies, in particular:

(a) Obstacles to *de facto* equality in political participation and decision-making;

(b) Obstacles to the advancement of women in education, employment and health, in particular in developing countries, giving special attention to problems confronted by women living in extreme poverty, rural women and women in the informal sector of the economy;

(c) Obstacles to the participation of women in the peace process;

3. Also requests the Secretary-General to report to the Economic and Social Council at its first regular session of 1991, through the Commission on the Status of Women, on the implementation of the present resolution.

Economic and Social Council resolution 1990/14

24 May 1990 Meeting 13 Adopted without vote

Approved by Second Committee (E/1990/68) without vote, 8 May (meeting 8); draft by Commission on Status of Women (E/1990/25); agenda item 4.

Also on 24 May, the Council adopted resolution 1990/9.

Second report on the implementation of the
Nairobi Forward-looking Strategies
for the Advancement of Women

The Economic and Social Council,

Bearing in mind its resolution 1988/22 of 26 May 1988, by which it established a comprehensive reporting system for the quinquennial review and appraisal of the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women,

Taking note of the first report of the Secretary-General on progress made at the national, regional and international levels in the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women,

Bearing in mind the obstacles encountered in the preparation of that report, in particular the inadequate response to the questionnaire on progress at the national level,

Aware of the need for disaggregated information on the situation of women, in particular in developing countries,

Aware that gender-based statistics produced by the Statistical Office of the Secretariat, the International Research and Training Institute for the Advancement of Women and corresponding bodies in the United Nations system should facilitate more serious research at all levels in the years to come,

Concerned that financial resources for activities related to the advancement of women in the United Nations system have not increased,

Bearing in mind the recommendations and conclusions arising from the first review and appraisal of the implementation of the Nairobi Forward-looking Strategies,

1. Requests the Secretary-General to base the second report on progress made in the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women on national reports and available analyses of statistical data in the United Nations system and in other pertinent governmental and non-governmental organizations;

2. Also requests the Secretary-General to submit to the Commission on the Status of Women at its thirty-sixth session a report containing:

(a) Information on data that will be used in the formulation of the second report;

(b) An outline of the second report, in which special emphasis should be given to the recommendations and conclusions arising from the first review and appraisal of the implementation of the Nairobi Forward-looking Strategies, in particular those referring to the status of women in developing countries.

Economic and Social Council resolution 1990/9

24 May 1990 Meeting 13 Adopted without vote
Approved by Second Committee (E/1990/68) without vote, 8 May (meeting 8); draft by Commission on Status of Women (E/1990/25); agenda item 4.

Recommendations and conclusions

Pursuant to Economic and Social Council resolution 1989/32 [YUN 1989, p. 647], the Secretary-General submitted a report [E/CN.6/1990/6] to the Commission on the Status of Women containing

draft recommendations and conclusions arising from the first review and appraisal of the Forward-looking Strategies. Informal meetings of an open-ended group of Member States had been held during the forty-fourth session of the General Assembly in 1989 to provide guidance to the Secretariat in preparing the draft recommendations and conclusions, which stated that, unless a number of key obstacles were overcome by 1995, it was doubtful that the Strategies could be implemented. However, elimination of many of the obstacles could bring about a self-sustaining process of change in related areas. Therefore, the draft recommendations focused on a limited number of actions that should be given priority in the five-year period 1990-1995 in the areas of equality, development and peace, particularly women's legal, economic, social and political empowerment and their more active participation in the economic and political life of their societies.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 24 May, the Economic and Social Council adopted resolution 1990/15.

Recommendations and conclusions arising from
the first review and appraisal of the
implementation of the Nairobi Forward-looking
Strategies for the Advancement of Women
to the year 2000

The Economic and Social Council,

Recalling its resolution 1987/18 of 26 May 1987, in which it affirmed the appropriateness of a five-year cycle of review and appraisal of the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women,

Having reviewed the discussion held by the Commission on the Status of Women at its thirty-fourth session on the report of the Secretary-General on progress at the national, regional and international levels in the implementation of the Nairobi Forward-looking Strategies,

1. Adopts the recommendations and conclusions arising from the first review and appraisal of the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women, annexed to the present resolution;

2. Urges Governments and international and non-governmental organizations to implement the recommendations;

3. Requests the Secretary-General to give wide distribution to the recommendations and conclusions;

4. Also requests the Secretary-General to include information on the implementation of the recommendations in his biennial monitoring report and in the report on the second regular review and appraisal of the Nairobi Forward-looking Strategies.

ANNEX

Recommendations and conclusions arising from the first review and appraisal of the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women

I. Increasing the pace of implementation of the Nairobi Forward-looking Strategies for the Advancement of Women

1. After five years of implementation of the Nairobi Forward-looking Strategies for the Advancement of Women, and one third of the time set for achieving the objectives has elapsed, obstacles remain. Although the continued efforts of women throughout the world to achieve equality, development and peace have begun to have an effect at the grass-roots level, their efforts have yet to be translated into improvements in the daily lives of most women. This success is largely invisible: it is not yet reflected in official statistics and not always found in government policy. The entrenched resistance to women's advancement and the reduction of resources available for change that has accompanied the world economic situation in the late 1980s have meant that there has been a loss of impetus and even stagnation in some areas where more progress would have been expected.

2. The pace of implementation of the Nairobi Forward-looking Strategies must be improved in the crucial last decade of the twentieth century. The cost to societies of failing to implement the Strategies will be high in terms of slowed economic and social development, misuse of human resources and reduced progress for society as a whole. For this reason, immediate steps should be taken to remove the most serious obstacles to the implementation of the Strategies.

A. Equality

3. The interdependence of the different political and social sectors on the one hand, and the legal and social situation on the other, needs to be recognized. However, *de jure* equality constitutes only the first step towards *de facto* equality. Most countries have enacted legal measures to ensure that women have equal opportunities before the law, that is, *de jure* equality. But *de facto* as well as *de jure* discrimination continues and visible political and economic commitment by Governments and non-governmental organizations will be required to eliminate it. One obstacle to eliminating *de facto* discrimination is that most women and men are not aware of women's legal rights or do not fully understand the legal and administrative systems through which they must be implemented. Some affirmative action measures require legal bases which still need to be created.

Recommendation I. Governments, in association with women's organizations and other non-governmental organizations, should take steps on a priority basis to inform women and men of women's rights under international conventions and national law and to prepare or continue campaigns for women's "legal literacy" using formal and non-formal education at all levels, the mass media and other means; efforts to this end should have been undertaken by 1994.

The work of the Committee on the Elimination of Discrimination against Women should be widely publicized through forms of communication that are accessible to women in order to make them aware

of their rights. National reports to the Committee should be widely disseminated within the respective countries and discussed by governmental and non-governmental organizations. Organizations of the United Nations system, particularly the International Labour Organisation and the United Nations Educational, Scientific and Cultural Organization, should be requested to examine national experience in promoting legal literacy with a view to assisting Governments, non-governmental organizations and women's movements in mounting successful campaigns.

Recommendation II. Governments should take steps to put legal equality into practice, including measures to provide a link between individual women and official machinery such as the establishment of offices of ombudsmen or similar systems. Where possible, access to legal redress by collective and individual legal action by national machinery and non-governmental organizations should be facilitated in order to assist women in ensuring the implementation of their rights.

4. There is abundant evidence that practices denigrating the role and potential of women continue to constitute obstacles in many countries. Whether reflected in stereotyped images of male and female roles in textbooks or in the glorification of traditional roles in the mass media, the perpetuation of such images retards women's advancement by providing justification for an unequal status quo.

Recommendation III. In the area of education, both formal and non-formal, Governments should promote the training of teachers on gender issues, co-education and professional counselling. Governments should complete the revision of textbooks expeditiously, if possible by 1995, in accordance with national law and practice, in order to eliminate sex-biased presentations and should, in conjunction with women's groups, take steps to reduce the stereotyping of women in the mass media, whether by self-policing on the part of the media or by other measures.

Governments, non-governmental organizations, women's groups and all other entities concerned should take steps to amend formal and informal educational systems at all levels to promote change in the psychological, social and traditional practices that are the foundation of the *de facto* obstacles to women's progress.

The United Nations Secretariat, the United Nations Educational, Scientific and Cultural Organization and other appropriate organizations of the United Nations system should continue to analyse the extent and effects of stereotyping of women and implement innovative programmes to combat it.

5. Women have always been an important part of the work-force and their role will continue to grow with development, industrialization, economic necessity and the expansion of women's access to the economy. In most countries, however, the participation of women and men in the economy continues to be unequal, characterized by job segregation, insufficient training opportunities, unequal pay for work of equal value, inadequate career prospects and lack of full participation in economic decision-making.

Recommendation IV. Governments, non-governmental organizations and private-sector enterprises should take special measures to increase the proportion of women involved in economic decision-making, including studies on the incidence of women in such positions in the public and private sectors, the promotion of training programmes, analysis of alternative policies to provide women with careers leading to economic decision-making, and the adjustment of national legislation.

The United Nations should study the incidence of women in economic decision-making world-wide, analyse innovative national programmes to increase the proportion of women in economic decision-making positions and publicize the results, within existing resources.

Recommendation V. Governments and other appropriate parties should make efforts to increase the number of women in paid employment, including the adoption of measures to eliminate sex segregation in the labour market and to improve women's working conditions. Governments and other appropriate parties should collect, maintain and improve statistics showing the relative remuneration of women and men. They should renew their efforts to close the gap between women's and men's pay, possibly by 1995, and take special measures to address the principle of equal pay for work of equal value. They should also take concrete steps to measure the economic value of women's unpaid work with a view to taking it into account in national policies by 1995.

The United Nations system should complete work on methodological aspects of measuring pay inequities between women and men, unpaid work and work in the informal sector and should publish studies of countries where such measurements have been made.

6. That women are grossly underrepresented in political decision-making has been amply documented. This means that decisions on public policies that affect women's equality are still in the hands of men, who may not have the same incentive to pursue them as women. Despite indications that in some countries women, by voting for candidates or parties that promise to promote their interests, are beginning to decide the outcome of elections, the incidence of women in parliaments, political parties and in formal Government is still low. The situation will persist unless more women stand and are selected for office and are allowed to begin careers leading to senior management positions in the public sector and until women exercise their voting power in their own interests as well as in the interests of society.

7. The number of women in decision-making positions in intergovernmental and non-governmental organizations should be increased. Efforts should also be made to ensure women's participation in the process of selection and enrolment.

Recommendation VI. All civil service regulations should have clear statements on practices of recruitment, appointment, promotion, leave entitlement, training and development, and other conditions of service. Governments, political parties, trade unions and professional and other representative groups should each aim at targets to increase the proportion of

women in leadership positions to at least 30 per cent by 1995, with a view to achieving equal representation between women and men by the year 2000, and should institute recruitment and training programmes to prepare women for those positions.

Governments, political parties, trade unions and women's organizations should be encouraged to establish a list of qualified women which could be used to fill vacant positions. The importance of training women in the skills necessary for political and administrative careers should also be recognized.

The Interregional Consultation on Women in Public Life, to be held in September 1991, should have maximum participation by Governments and non-governmental organizations and should elaborate for the first half of the decade an agenda for political action that will mobilize all women to participate actively in the political process.

The United Nations Secretariat, in co-operation with other institutions and in collaboration with Governments, should further develop and disseminate an accessible data base on the composition of the highest decision-making bodies at the national, regional and international levels, disaggregated by sex. The United Nations system could assist national Governments to set up such data bases.

B. Development

8. The experience of the past five years has confirmed the view expressed at 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, that the advancement of women is not possible without development, and that without the advancement of women, development itself will be difficult to achieve.

9. Unfortunately, women in most developing countries were adversely affected by an overall economic crisis produced by the debt problem, deteriorating terms of trade, protectionism, internal imbalances and unequal patterns of income distribution. For the majority of women, economic and social developments during the 1980s have not resulted in the benefits anticipated at the beginning of the decade. On the contrary, there has been a dramatic reduction of economic development and the adjustment-oriented policies adopted have led to a serious reduction of public expenditure on education, health and housing. Those circumstances have affected the condition of women in a variety of negative ways.

10. An economic environment of growth with equitable distribution, both at the national level and in the international economic system, is essential, as is the recognition of women's full participation. The feminization of poverty reflects the underlying structural problems faced by women in the midst of economic change. Prevailing economic policies at the national and international levels have frequently failed to take into account potential negative effects on women or women's potential contribution and have accordingly not succeeded.

Recommendation VII. In order to help revitalize economic growth, international economic and social co-operation, together with sound economic policies, should be pursued. Structural adjustment and

other economic reform measures should be designed and implemented so as to promote the full participation of women in the development process, while avoiding the negative economic and social effects. They should be accompanied by policies giving women equal access to credit, productive inputs, markets and decision-making and this should be incorporated fully into national economic policy and planning.

The international development strategy for the fourth United Nations development decade should take full account of women's contribution and potential and this should be an important part of monitoring its implementation. Relevant organizations of the United Nations system should continue to examine the effects of national and international economic policies on social progress, in particular the condition of women in developing countries.

11. The incorporation of women into the labour force has occurred on a scale unimaginable 30 years ago. Nevertheless, given unfavourable economic conditions in developing countries, the majority of women remain or are increasing in number in the informal sector of the economy.

Recommendation VIII. Governmental policies, non-governmental action and international co-operation should be directed towards supporting programmes to improve the living conditions of women in the informal sector.

These programmes should contribute, among other things, to the incorporation into the informal sector of appropriate technologies which could increase production in that sector and make domestic and international markets more accessible. Women in the informal sector should be encouraged to organize themselves so that they know their rights and are able to obtain the necessary support to exercise them.

Appropriate organizations at the international level should gather more detailed and accurate information related to women in the informal sector in order to identify the most efficient measures to ameliorate their condition.

12. Women are overrepresented among the poor because of the factors deriving from existing inequality between men and women in most societies. The number of women living in extreme poverty in many countries has increased during the period under review.

Recommendation IX. Governments, non-governmental organizations and international organizations should take concrete measures to eradicate poverty. These measures should have a multi-purpose approach and include educational skills and training designed to generate productive activities.

13. Since 1970, there has been a significant expansion in women's access to education, which has proved to be an important means of equipping women to play a full and equal role in society. Although some regions have achieved equality in access to education, considerable progress remains to be achieved in most developing countries at all levels of education, including universal primary education. Moreover, although improved access of girls to education is gradually eliminating illiteracy among the young, gender-related differences in illiteracy among adults continue to

constitute an obstacle to women's legal, economic, social and political empowerment by denying women an essential tool for acquiring knowledge and skills. In addition, women who have access to education are often channelled into traditionally female specialities. Of particular concern for the future is the achievement of women's access to science and technology through education and training, which is now limited by budgetary constraints, especially in developing countries.

Recommendation X. Governments that have not already done so should reorient resources to ensure women's equal access to education and training at all levels and in all fields and, in collaboration with women's groups and non-governmental organizations, should make special efforts to remove all gender-related differences in adult literacy by the year 2000. Programmes should be established to ensure that parents and teachers provide equal educational opportunities for girls and boys. In particular, encouragement should be given to promoting the study by girls of scientific and technological subjects, particularly those corresponding to national development priorities, and to preparing girls for full participation in the economy and in public life. In order to fulfil these commitments, appropriate measures should be taken at the national and international levels to ensure revitalization of growth on a long-term basis.

The United Nations Educational, Scientific and Cultural Organization and other organizations of the United Nations system should give special priority to eliminating female illiteracy and to monitoring efforts to ensure that women have equal access to all levels of education and training.

14. The importance of food security and the critical role of women as producers of food—both domestic and cash crops—are indisputably recognized; none the less, the conditions of rural women are improving at a slow pace and in some cases have even deteriorated. Projects on their behalf have generally met with limited success. The main reasons are insufficient human and financial expertise, the lack of a country-wide network of regional or local branches of government agencies and the lack of technical expertise. All of these factors have been aggravated in developing countries by the current economic crisis, which has shifted resources to export-oriented farmers and deprived rural women of vital inputs and infrastructure.

Recommendation XI. Governments should take particular steps to ensure that new technologies are accessible to women and that women participate in the design and application of those technologies.

Recommendation XII. Governments and non-governmental organizations should adopt empowerment rather than welfare strategies to support women in their role as agricultural producers, with a view to improving their economic and social situation and to integrating them into mainstream agricultural development. Priority should be accorded to projects aimed at guaranteeing access of rural women to technology, credit, training, trade marketing, management and improved agricultural infrastructure and control of the use of land.

The United Nations system, mainly the Food and Agriculture Organization of the United Nations, should collaborate with Governments in identifying

and providing inputs that are needed to support the agricultural productive capacity of women.

The United Nations system should develop new methods of promoting the transfer of science and technology to women.

15. Since the beginning of the 1980s, there has been a decline in the standard of health and nutrition of women in parts of every developing region due, *inter alia*, to a decline in per capita expenditure on health. This is a particularly alarming situation since maternal and neonatal health are crucial to infant survival. Infant and child mortality rates have been rising in a number of countries after having declined for decades.

Recommendation XIII. Governments, international organizations, non-governmental organizations and the public in general should be aware of the decline in women's health in developing countries. Improvement of women's health by the provision of appropriate and accessible health services should be a priority within the goal of health for all by the year 2000.

Women constitute the majority of health care workers in most countries. They should be enabled to play a much larger role in decision-making for health. Governments, international non-governmental organizations and women's organizations should undertake programmes aimed at improving women's health by ensuring access to adequate maternal and child health care, family planning, safe motherhood programmes, nutrition, programmes for female-specific diseases and other primary health care services in relation to the goal of health for all by the year 2000.

The World Health Organization and other organizations of the United Nations system should further develop emergency programmes to cope with the deteriorating conditions of women's health mainly in developing countries, with particular attention to nutrition, maternal health care and sanitation.

16. Women's access to information and services relating to population and family planning are improving only slowly in most countries. A woman's ability to control her own fertility continues to be a major factor enabling her to protect her health, achieve her personal objectives and ensure the strength of her family. All women should be in a position to plan and organize their lives.

Recommendation XIV Governments, non-governmental organizations and women's movements should develop programmes to enable women to implement their decisions on the timing and spacing of their children. These programmes should include population education programmes linked to women's rights and the role of women in development, as well as the sharing of family responsibilities by men and boys. Social services should be provided to help women reconcile family and employment requirements.

Family planning programmes should be developed or extended to enable women to implement their decisions on the timing and spacing of their children and for safe motherhood.

The United Nations Secretariat, the United Nations Population Fund, the World Health Organization and other organizations of the United Nations sys-

tem should develop collaborative programmes to link the role of women's role in development to questions related to population.

17. During the past five years, women's health, both physical and psychological, has been increasingly affected in many countries by the consumption and abuse of alcohol, narcotic drugs and psychotropic substances.

Recommendation XV. Governments and other competent national authorities should establish national policies and programmes on women's health with respect to the consumption and abuse of alcohol, narcotic drugs and psychotropic substances. Strong preventive as well as rehabilitative measures should be taken.

In addition, efforts should be intensified to reduce occupational health hazards faced by women and to discourage illicit drug use.

18. The emergence, since the Nairobi Conference, of new threats to the health and status of women, such as the alarming increase in sexually transmitted diseases and the acquired immunodeficiency syndrome (AIDS) pandemic, requires urgent action from both medical and social institutions.

Recommendation XVI. Greater attention is also needed with respect to the issue of women and AIDS. Efforts in this regard should be an integral part of the World Health Organization Global Programme on AIDS. Urgent action and action-oriented research are also required by social institutions at all levels, in particular the United Nations system, national AIDS committees and non-governmental organizations, to inform women of the threat of AIDS to their health and status.

19. Urbanization, migration and economic changes have increased the proportion of families headed by women and the number of women entering the labour force. These women have experienced increasing difficulties in harmonizing their economic role with the demands on them to provide care for children and dependants. The double burden, rather than being reduced by greater sharing between spouses, has increased. Unless it is reduced, women will not be able to play their full and fair role in development.

Recommendation XVII. Governments and other appropriate bodies should, by 1995, establish social support measures with the aim of facilitating the combination of parental and other caring responsibilities and paid employment, including policies for the provision of services and measures to increase the sharing of such responsibilities by men and women and to deal with specific problems of female-headed households that include dependants.

The United Nations Secretariat, the United Nations Children's Fund and other appropriate organizations of the United Nations system should, as part of the International Year of the Family in 1994, make a special effort to analyse the issues of caring for children and dependants and sharing domestic, parental and other caring responsibilities, including the appraisal of national experience.

20. The issue of the environment affects the lives of everyone, women and men alike. Women's participation in making decisions on the environment is limited despite the high level of concern women express for the issue and their involvement in it. Women's concern

for the environment in all its aspects can be an important force for a general mobilization of women that may have an impact on other areas, including equality and peace.

Recommendation XVIII. Governments should make efforts to involve individual women and women's groups in making decisions on the environment. Educational programmes should be developed on environmental issues and their relation to daily life.

The United Nations Conference on Environment and Development, to be held in 1992, should consider dealing with the issue of women and the environment with a view, *inter alia*, to mobilizing women at both the national and international levels and to ensuring that the experience and knowledge of women are fully taken into account.

21. The progress made in disarmament negotiations is welcomed. It is noted that this has not been matched by progress in social and economic development.

Recommendation XIX. Governments are urged to consider redirecting possible savings from disarmament to the improvement of social and economic development, including women's development.

C. Peace

22. Despite the progress made in some areas, international, regional and national conflicts persist, and women continue to number among their main victims. At the same time, women are no more prominent among those making decisions on conflicts than in the past.

Recommendation XX. Governments should be encouraged to increase the participation of women in the peace process at the decision-making level, including them as part of delegations to negotiate international agreements relating to peace and disarmament and establishing a target for the number of women participating in such delegations.

The United Nations and the international non-governmental organizations concerned should continue to monitor and support greater involvement of women in the peace process.

Recommendation XXI. In the context of an increased effort to resolve the long-standing conflicts affecting Palestinian and South African women, special efforts should be made to ensure that all women concerned fully participate in the peace process and in the construction of their societies. The reconstruction process should include as a priority special programmes of assistance to women. Such programmes should also be developed for the benefit of Namibian women.

23. The recognition that violence against women in the family and society is pervasive and cuts across lines of income, class and culture must be matched by urgent and effective steps to eliminate its incidence. Violence against women derives from their unequal status in society.

Recommendation XXII. Governments should take immediate measures to establish appropriate penalties for violence against women in the family, the work place and society. Governments and other relevant agencies should also undertake policies to prevent, control and reduce the impact of violence on women in the family, the work place and society. Govern-

ments and relevant agencies, women's organizations, non-governmental organizations and the private sector should develop appropriate correctional, educational and social services, including shelters, training programmes for law enforcement officers, the judiciary and health and social service personnel, as well as adequate deterrent and corrective measures. The number of women at all levels of law enforcement, legal assistance and the judicial system should be increased.

The United Nations system, Governments and non-governmental organizations should study the relationship between the portrayal of violence against women in the media and violence against women in the family and society, including possible effects of new transnational transmission technologies.

II. National machinery

24. The first few years of the implementation of the Nairobi Forward-looking Strategies have emphasized the importance of national machinery for the advancement of women in promoting the integration of women's needs and concerns into government policies and programmes, in mobilizing grass-roots support and in providing information at the national and international levels. National machinery, despite resource limitations, has been a significant factor in keeping the Strategies alive in individual countries. The effectiveness of national machinery has been found to depend on the political commitment of Governments, as reflected in appropriate resource levels, institutional location, competence in technical fields and ability to use information. Improving all of these factors is an important means of eliminating other obstacles.

Recommendation XXIII. National machinery should be established in every State by 1995, should be given an institutional location allowing it to have a direct effect on government policy and should be provided with sufficient resources of its own to collect and disseminate information on the situation of women and on the potential consequences of government policies on women and to contribute to their advancement. National machinery should continue to develop coherent policies for the advancement of women as part of national priorities and plans.

The United Nations system should support national machinery by providing advisory, training and information services relating to planning and management, training methods, evaluation and the acquisition and use of information; it should encourage mutual assistance and exchange of experience between units of national machinery.

Recommendation XXIV. The United Nations system should, within the existing regular budget, allocate sufficient resources to enable it to meet national requests and maintain co-ordinated international activities at a level that will make possible the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women. Additionally, voluntary contributions to this end are to be encouraged.

III. Priority themes for the period 1993-1996

25. Based on this analysis, the Commission on the Status of Women should examine key priority themes

in each of the areas of equality, development and peace.

A. Equality

1. Increased awareness by women of their rights, including legal literacy.
2. Equal pay for work of equal value, including methodologies for measurement of pay inequities and work in the informal sector.
3. Equality in economic decision-making.
4. Elimination of stereotyping of women in the mass media.

B. Development

1. Women in extreme poverty: integration of women's concerns in national development planning.
2. Women in urban areas: population, nutrition and health factors for women in development, including migration, drug consumption and AIDS.
3. Promotion of literacy, education and training, including technological skills.
4. Child and dependant care, including sharing of work and family responsibilities.

C. Peace

1. Women and the peace process.
2. Measures to eradicate violence against women in the family and society.
3. Women in international decision-making.
4. Education for peace.

Economic and Social Council resolution 1990/15
24 May 1990 Meeting 13 Adopted without vote
Approved by Second Committee (E/1990/68) without vote, 8 May (meeting 8); draft by Commission on Status of Women (E/1990/25); agenda item 4.

Report of Secretary-General. In October, the Secretary-General submitted to the General Assembly his annual report [A/45/489] on the implementation of the Forward-looking Strategies. The report, prepared in consultation with the organizations of the UN system, contained an assessment of actions relevant to the priority themes to be considered by the Commission on the Status of Women at its next (1991) session—equality: vulnerable women, including migrant workers; development: machinery for the effective integration of women in the development process; and peace: refugee and displaced women and children.

The report also discussed implementation of 1989 Assembly resolutions 44/77 [YUN 1989, p. 645] on the Strategies and 44/76 [YUN 1989, p. 663] on elderly women.

GENERAL ASSEMBLY ACTION

On 14 December, the General Assembly adopted resolution 45/129.

Implementation of the Nairobi Forward-looking Strategies for the Advancement of Women
The General Assembly,

Recalling all its relevant resolutions, in particular resolution 44/77 of 8 December 1989, in which, *inter alia*, it endorsed and reaffirmed the importance of the Nairobi Forward-looking Strategies for the Advancement of Women for the period up to the year 2000 and set out measures for their immediate implementation and for the overall achievement of the interrelated goals and objectives of the United Nations Decade for women: Equality, Development and Peace,

Taking into consideration the resolutions adopted by the Economic and Social Council on issues relating to women since its resolution 1987/18 of 26 May 1987.

Reaffirming its resolution 40/30 of 29 November 1985, in which it emphasized that the elderly must be considered an important and necessary element in the development process at all levels within a given society and that, consequently, elderly women should be considered contributors to as well as beneficiaries of development,

Reaffirming also its determination to encourage the full participation of women in economic, social, cultural, civil and political affairs and to promote development, co-operation and international peace,

Conscious of the important and constructive contribution to the improvement of the status of women made by the Commission on the Status of Women, the specialized agencies, the regional commissions and other organizations and bodies of the United Nations system and non-governmental organizations concerned,

Emphasizing once again the priority of the implementation, monitoring, review and appraisal of the Forward-looking Strategies,

Recognizing the advancement of women as one of the priorities of the Organization for the biennium 1990-1991,

Recalling that the Commission held in 1990 a session of extended duration to review and appraise progress in the implementation of the Forward-looking Strategies,

1. Takes note of the report of the Secretary-General;
2. Also takes note of the recommendations and conclusions arising from the first review and appraisal of the implementation of the Forward-looking Strategies, contained in the annex to Economic and Social Council resolution 1990/15 of 24 May 1990;
3. Urges Governments, international organizations and non-governmental organizations to implement the recommendations;
4. Reaffirms paragraph 2 of section I of the recommendations and conclusions, in which it is stated that the pace of implementation of the Forward-looking Strategies must be improved in the crucial last decade of the twentieth century since the cost to societies of failing to implement the Strategies would be high in terms of slowed economic and social development, misuse of human resources and reduced progress for society as a whole and, for that reason, immediate steps should be taken to remove the most serious obstacles to the implementation of the Strategies;
5. Calls again upon Member States to give priority to policies and programmes relating to the subtheme "Employment, health and education", in particular to literacy, for the empowerment of women, especially those in the rural areas, to meet their own needs through self-reliance and the mobilization of indige-

nous resources, as well as to issues relating to the role of women in economic and political decision-making, population, the environment and information;

6. Reaffirms the central role of the Commission on the Status of Women in matters related to the advancement of women, and calls upon it to continue promoting 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 effectively with the Commission in this task;

7. Requests the Commission, when considering the priority theme relating to development during its thirty-fifth and subsequent sessions, to ensure its early contribution to the work of the international meeting on population to be held in 1994 and to address the role of technologies in the development of developing countries;

8. Endorses Economic and Social Council resolution 1990/12 of 24 May 1990, in which the Council recommended that a world conference on women should be held in 1995 and requested that the Commission act as the preparatory body for the world conference;

9. Takes note of the invitation extended by the Government of Austria to host the world conference on women in 1995 at Vienna;

10. Requests the Commission, as the preparatory body for the world conference, to decide on the venue of the conference, not later than 1992, bearing in mind that preference should be given to those regions that have not yet hosted a world conference on women;

11. Also requests the Commission, in deciding on the preparation of documentation for the conference, to pay attention to Economic and Social Council resolution 1990/9 of 24 May 1990 concerning the second report on the implementation of the Forward-looking Strategies;

12. Further requests the Commission to focus the agenda of the world conference in 1995 on the Forward-looking Strategies as well as on the recommendations and conclusions arising from the first review and appraisal of the implementation of the Strategies;

13. Requests the Commission to ask the Secretary-General to appoint not later than 1992 the Secretary-General of the conference;

14. Requests the relevant United Nations bodies to continue to provide action-oriented input when reporting to the Commission on the priority theme;

15. Emphasizes, in the framework of the Forward-looking Strategies, the importance of the total integration of women in the development process, bearing in mind the specific and urgent needs of the developing countries, and calls upon Member States to establish specific targets at each level in order to increase the participation of women in professional, management and decision-making positions in their countries;

16. Also emphasizes the need to give urgent attention to redressing socio-economic inequities at the national and international levels as a necessary step towards the full realization of the goals and objectives of the Forward-looking Strategies;

17. Urges that particular attention be given by the United Nations and Governments to the situation of

disabled women and that Governments take steps to ensure the equalization of opportunities for these women in the economic, social and political fields;

18. Also urges the Commission, the relevant organizations of the United Nations and Governments to give particular attention to refugee women and children and migrant women, taking into account their contribution in the social, economic and political fields and the urgent need to avoid all kinds of discrimination against them;

19. Endorses the convening in 1991 of a high-level interregional consultation on women in public life, to be financed within existing resources and from voluntary and other contributions;

20. Requests the Secretary-General, in formulating the system-wide medium-term plan for the advancement of women for the period 1996-2001 and in integrating the Forward-looking Strategies into activities mandated by the General Assembly, to pay particular attention to the strengthening of national machineries for the advancement of women and to specific sectoral themes that cut across the three objectives, equality, development and peace, and include, in particular, literacy, education, health, population, the environment and the full participation of women in decision-making;

21. Also requests the Secretary-General to continue updating the World Survey on the Role of Women in Development, gearing in mind its importance, placing particular emphasis on the adverse impact of the difficult economic situation affecting the majority of developing countries, in particular on the condition of women, and giving special attention to worsening conditions for the incorporation of women into the labour force as well as to the impact of reduced expenditures for social services on women's opportunities for education, health and child care, and to submit a preliminary version of the updated World Survey on the Role of Women in Development to the Economic and Social Council, through the Commission, in 1993 and a final version in 1994;

22. Requests Governments, when presenting candidatures for vacancies in the Secretariat, in particular at the decision-making level, to give priority to women's candidatures, and requests the Secretary-General in reviewing these candidatures to give special consideration to female candidates from underrepresented and unrepresented developing countries;

23. Requests the Secretary-General to invite Governments, organizations of the United Nations system, including the regional commissions and the specialized agencies, and intergovernmental and non-governmental organizations to report periodically to the Economic and Social Council, through the Commission, on activities undertaken at all levels to implement the Forward-looking Strategies;

24. Also requests the Secretary-General to continue to provide for the existing weekly radio programmes on women in the regular budget of the United Nations, making adequate provisions for broadcasts in different languages, and to develop the focal point for issues relating to women in the Department of Public Information of the Secretariat, which, in concert with the Centre for Social Development and Humanitarian Affairs of the Secretariat, should provide a more effective pub-

lic information programme relating to the advancement of women;

25. Further requests the Secretary-General to include in his report on the implementation of the Forward-looking Strategies, to be submitted to the General Assembly at its forty-sixth session, an assessment of recent developments that are relevant to the priority themes to be considered at the subsequent session of the Commission and to transmit to the Commission a summary of relevant views expressed by delegations during the debate in the Assembly;

26. Requests the Secretary-General to report to the General Assembly at its forty-sixth session on measures taken to implement the present resolution;

27. Decides to consider these questions further at its forty-sixth session under the item entitled "Forward-looking strategies for the advancement of women to the year 2000".

General Assembly resolution 45/129

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/45/758) without vote, 13 November (meeting 40); draft by Bolivia for Group of 77 (A/C.3/45/L.25), orally revised; agenda item 102.

Meeting numbers. GA 45th session: 3rd Committee 18-24, 31, 40; plenary 68.

World conference

On 24 May, the Economic and Social Council adopted resolution 1990/12.

World conference on women to be held in 1995

The Economic and Social Council,

Bearing in mind General Assembly resolution 35/10 C of 3 November 1980, on special conferences of the United Nations,

Recalling its resolution 1987/20 of 26 May 1987, in which it recommended that world conferences to review and appraise the progress achieved in the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women be held during the decade of the 1990s, on a date to be determined by the General Assembly not later than 1990, and in 2000,

Recalling that the General Assembly, in its resolution 44/77 of 8 December 1989, requested the Commission on the Status of Women to consider at its session in 1990 the question of holding in 1995 a world conference on women, at the lowest possible cost, and to report thereon to the Assembly at its forty-fifth session,

Bearing in mind that in its resolution 1987/20 the Council decided that the Commission on the Status of Women would be designated the preparatory body for those world conferences,

Convinced that without a major international event by which to focus national attention on the implementation of the Nairobi Forward-looking Strategies, the review and appraisal to take place in 1995 will not be given sufficient priority,

Reaffirming the continuing validity of the Nairobi Forward-looking Strategies, including the interrelationship between equality, development and peace, and stressing the need to ensure their full implementation by the year 2000,

1. Recommends that a world conference on women be held in 1995;

2. Requests the Commission on the Status of Women, as the preparatory body for the world conference, to include preparations for the conference in its regular work programme during the period 1991-1995 under the item concerning the monitoring of the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women;

3. Requests the Secretary-General to include the relevant costs of preparing for and convening the world conference in the programme budget for the bienniums 1992-1993 and 1994-1995, within the respective budgetary limits;

4. Also requests the Secretary-General to make proposals on the preparation and convening of the world conference for submission to the Commission at its thirty-fifth session.

Economic and Social Council resolution 1990/12

24 May 1990 Meeting 13 Adopted without vote

Approved by Second Committee (E/1990/68) without vote, 8 May (meeting 8); draft by Commission on Status of Women (E/1990/25); agenda item 4.

In resolution 45/129 (see above), the General Assembly endorsed the Council's resolution.

System-wide co-ordination

The fourteenth Ad Hoc Inter-Agency Meeting on Women was held in Vienna on 12 and 13 March [ACC/1990/PG/13]. The Meeting brought six recommendations to the attention of the Administrative Committee on Co-ordination (ACC). They dealt with: follow-up to the review and appraisal of the implementation of the Forward-looking Strategies; the priority themes; the integration of women in development; preparations for the 1994 World Survey on the Role of Women in Development; the contributions of the UN system to the work of the Commission on the Status of Women; and preparation of a consolidated list of meetings related to the advancement of women.

In a May decision [ACC/1990/DEC/1-14 (dec. 1990/2)], ACC noted the need for the international community to increase the pace of progress in implementing the Forward-looking Strategies. The injunctions in the review and appraisal for further work by the UN system at the monitoring, policy formulation and operational levels constituted incentives to strengthen further individual and joint actions by the organizations of the system.

Convention on Discrimination against Women

The Committee on the Elimination of Discrimination against Women (CEDAW), established in 1982 [YUN 1982, p. 1149] to monitor the implementation of the 1979 Convention on the Elimination of All Forms of Discrimination against Women [GA res. 34/180], held its ninth session in 1990.

The purpose of the 30-article Convention, which set down constitutional, legislative and other principles and standards relating to the rights of women, was to promote women's equality in political, economic, social, cultural and civic fields.

CEDAW session. CEDAW—a 23-member expert committee that reviews periodic country reports on progress made in implementing the Convention's provisions—held its ninth annual session from 22 January to 2 February in New York [A/45/38 & Corr.1]

It had before it seven initial reports of States parties to the Convention (Federal Republic of Germany, Malawi, Peru, Thailand, Turkey, United Kingdom, United Republic of Tanzania) and five second periodic reports (Canada, Egypt, Mexico, Mongolia, Ukrainian SSR).

During the session, CEDAW adopted two general recommendations, on female circumcision and on avoidance of discrimination against women in the prevention and control of AIDS. By general recommendation No. 14, the Committee called for States parties to take measures to eradicate the practice of female circumcision, including the collection and dissemination of data about such traditional practices; support of women's organizations working for the elimination of female circumcision and other practices harmful to women; encouragement of politicians, professionals and religious and community leaders at all levels, including the media and the arts, to co-operate in influencing attitudes towards the eradication of female circumcision; and the introduction of appropriate educational and training programmes based on research findings about the problems arising from female circumcision.

By general recommendation No. 15, CEDAW called for intensification of efforts in disseminating information to increase public awareness of the risk of HIV infection and AIDS; special attention to the rights and needs of women and children in AIDS programmes; the active participation of women in primary health care; and inclusion by States parties of information on the effects of AIDS on the situation of women in their reports to the Committee.

By an 8 March resolution [E/1990/25 (res. 34/6)], the Commission on the Status of Women recognized the special relevance of the periodic reports of States parties to the Convention to the efforts of the Commission to review and appraise the implementation of the Nairobi Forward-looking Strategies in those States. It welcomed initiatives to provide regional training courses for government officials on the preparation and

drafting of reports and urged UN organs and organizations to support such initiatives.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 24 May, the Economic and Social Council adopted resolution 1990/17.

Elimination of discrimination against women
in accordance with the aims of the
Convention on the Elimination of All Forms
of Discrimination against Women

The Economic and Social Council,

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,

Affirming 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 General Assembly resolution 34/180 of 18 December 1979, by which it adopted the Convention on the Elimination of All Forms of Discrimination against Women, contained in the annex thereto,

Welcoming the events to mark and commemorate the tenth anniversary of the adoption of the Convention,

Recalling General Assembly resolution 44/73 of 8 December 1989 and Council resolution 1989/44 of 24 May 1989,

Taking note of resolution 34/6 of 8 March 1990 of the Commission on the Status of Women,

Taking note also of the decisions adopted at the Fifth Meeting of States Parties to the Convention on the Elimination of All Forms of Discrimination against Women, on 6 February 1990.

Having considered the report of the Committee on the Elimination of Discrimination against Women on its ninth session.

Noting that the Committee agreed, in examining reports, to take due account of the different cultural and socio-economic systems of States parties to the Convention,

Noting with satisfaction the establishment of the practice of holding a pre-session working group three to five days prior to the Committee session,

Recalling that the World Health Organization has announced that the theme of World AIDS Day, 1 December 1990, will be "Women and AIDS",

1. Takes note of the report of the Committee on the Elimination of Discrimination against Women on its ninth session;

2. Welcomes the ratification of or accession to the Convention on the Elimination of All Forms of Discrimination against Women by an increasing number of Member States;

3. Urges all States that have not yet ratified or acceded to the Convention to do so as soon as possible;

4. Invites States parties to the Convention to make every possible effort to submit their initial reports on its implementation, as well as their second and subsequent periodic reports, in accordance with article 18 of the Convention and the guidelines provided by the Committee on the Elimination of Discrimination

against Women, and to co-operate fully with the Committee in the presentation of their reports;

5. Welcomes the efforts made by the Committee to rationalize its procedures and expedite the consideration of periodic reports and to develop procedures and guidelines for the consideration of second and subsequent periodic reports, and strongly encourages the Committee to continue those efforts;

6. Welcomes also, in accordance with the Committee's general recommendation No. 11, the initiatives taken to provide regional training courses for government officials on the preparation and drafting of reports of States parties, and urges the relevant organs and organizations of the United Nations to support such initiatives;

7. Recognizes the special relevance of the periodic reports of States parties to the Convention to the efforts of the Commission on the Status of Women to review and appraise the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women in those countries;

8. Acknowledges the efforts of the Secretary-General to provide secretariat staff and technical resources for the effective performance of the functions of the Committee;

9. Shares the view of the General Assembly that the Secretary-General should accord higher priority within existing resources to strengthening technical and substantive support for the Committee;

10. Requests the Secretary-General to continue to provide for, facilitate and encourage, within existing resources, the dissemination of information relating to the Committee, its recommendations, the Convention and the concept of legal literacy, taking into account the Committee's own recommendations to this end;

11. Recommends that, whenever possible, sessions of the Committee be scheduled to allow for the timely transmission of the results of its work to the Commission on the Status of Women, for information, the same year.

Economic and Social Council resolution 1990/17

24 May 1990 Meeting 13 Adopted without vote
Approved by Second Committee (E/1990/68) without vote, 9 May (meeting 9); 22-nation draft (E/1990/C.2/L.2); agenda item 4.

GENERAL ASSEMBLY ACTION

On 14 December, the General Assembly adopted resolution 45/124..

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,

Affirming 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 previous resolutions on the Convention and taking note of Economic and Social Council resolution 1990/17 of 24 May 1990,

Taking note of resolution 34/6 of 8 March 1990 of the Commission on the Status of Women,

Taking note also of the decisions taken on 6 February 1990 at the Fifth Meeting of States Parties to the Convention,

Aware of the important contribution that the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women can make to eliminating all forms of discrimination against women and to achieving legal and de facto equality between women and men,

Noting the emphasis placed by the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, on the ratification of and accession to the Convention,

Having considered the report of the Committee on the Elimination of Discrimination against Women on its ninth session,

Noting that the Committee agreed, in examining reports, to take due account of the different cultural and socio-economic systems of States parties to the Convention,

Recalling that, in article 17, paragraph 9, of the Convention, the Secretary-General is required to provide the necessary staff and facilities for the effective performance of the functions of the Committee,

Recalling also its resolution 44/73 of 8 December 1989 in which, inter alia, it strongly supported the view of the Committee that the Secretary-General should accord higher priority to strengthening support for the Committee,

Welcoming the general recommendations of the Committee contained in its reports on its seventh, eighth and ninth sessions,

1. Welcomes the ratification of or accession to the Convention on the Elimination of All Forms of Discrimination against Women by an increasing number of Member States;

2. Urges all States that have not yet ratified or acceded to the Convention to do so as soon as possible;

3. Emphasizes the importance of the strictest compliance by States parties with their obligations under the Convention;

4. Takes note of the report of the Secretary-General and requests him to submit annually to the General Assembly a report on the status of the Convention;

5. Also takes note of the report of the Committee on the Elimination of Discrimination against Women on its ninth session;

6. Invites States parties to the Convention to make all possible efforts to submit their initial as well as their second and subsequent periodic reports on the implementation of the Convention, in accordance with article 18 thereof and with the guidelines provided by the Committee, and to co-operate fully with the Committee in the presentation of their reports;

7. Welcomes the efforts made by the Committee to rationalize its procedures and expedite the consideration of periodic reports and to develop procedures and guidelines for the consideration of second and subsequent periodic reports, and strongly encourages the Committee to continue those efforts;

8. Welcomes also, in accordance with the Committee's general recommendation No. 11, the initiatives taken to provide regional training courses on the preparation and drafting of reports of States parties for government officials and training and information seminars for States considering according to the Convention, and urges the relevant organs and organizations of the United Nations to support such initiatives;

9. Recognizes the special relevance of the periodic reports of States parties to the Convention to the efforts of the Commission on the Status of Women to review and appraise the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women in those countries;

10. Requests the Secretary-General to continue his efforts to provide secretariat staff, including legal staff expert in human rights treaty implementation, and technical resources for the effective performance by the Committee of its functions;

11. Strongly supports the view of the Committee that the Secretary-General should accord higher priority within existing resources to strengthening technical and substantive support for the Committee, in particular to assist in preparatory research;

12. Requests the Secretary-General to undertake a comprehensive review of the resources available and necessary to ensure adequate support to the Committee and to the effective implementation of all other aspects of the programme on the advancement of women, and to report thereon to the General Assembly at its forty-sixth session;

13. Welcomes the establishment of a pre-session working group of the Committee to consider second and subsequent periodic reports, which should greatly expedite the work of the Committee, and urges that this practice be continued, within the regular budget allocation;

14. Requests the Secretary-General to continue to provide for, facilitate and encourage, within existing resources, the dissemination of information relating to the Committee, its recommendations, the Convention and the concept of legal literacy, taking into account the Committee's own recommendations to that end;

15. Recommends that sessions of the Committee should be scheduled, whenever possible, to allow for the timely transmission of the results of its work to the Commission on the Status of Women, for information, in the same year;

16. Requests the Secretary-General to submit to the General Assembly at its forty-sixth session a report on the implementation of the present resolution, and to transmit the report to the Commission on the Status of Women at its thirty-sixth session.

General Assembly resolution 45/124

14 December 1990 Meeting 68 Adopted without vote
Approved by Third Committee (A/45/757) without vote, 13 November
(meeting 40); 41-nation draft (A/C.3/45/L.22); agenda item 101.
Meeting numbers. GA 45th session: 3rd Committee 18-24, 31, 40; plenary 68.

Ratifications, accessions and signatures

As at 31 December 1990, 103 States had become parties to the Convention on the Elimination of All Forms of Discrimination against Women. During the year, four States ratified the treaty:

Belize, Bolivia, Grenada and Trinidad and Tobago.

In his annual report to the General Assembly on the status of the Convention [A/45/426], the Secretary-General provided a list of States that had signed, ratified or acceded to the Convention as at 1 August 1990 and information on reservations and objections received between 1 August 1989 and 1 August 1990.

Commission on Status of Women

The Commission on the Status of Women held its thirty-fourth session in Vienna from 26 February to 9 March [E/1990/25]. In addition to carrying out the review and appraisal of the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women (see above), the Commission considered three priority themes—equality: equality in political participation and decision-making; development: negative effects of the international economic situation on the improvement of the status of women; and peace: women in areas affected by armed conflicts, foreign intervention, alien and colonial domination, foreign occupation and threats to peace.

The Commission recommended to the Economic and Social Council for adoption 13 draft resolutions concerning: improvement of the status of women in the Secretariat (see PART SIX, Chapter II); equality in political participation and decision-making; physical violence against detained women; women and children in Namibia (see PART FOUR, Chapter III); Central American women: equality, development and peace; communications concerning the status of women; the second report on the implementation of the Nairobi Forward-looking Strategies; integration of women in the international development strategy for the fourth UN development decade; the situation of Palestinian women; a world conference on women in 1995; women and children under apartheid; action to increase awareness of the slow progress in the implementation of the Nairobi Forward-looking Strategies; and recommendations and conclusions arising from the first review and appraisal of the implementation of the Strategies. It also recommended to the Council the adoption of two draft decisions dealing with women and the environment and the Commission's report on its thirty-fourth session and agenda and documentation for its thirty-fifth (1991) session.

The Commission further adopted and brought to the Council's attention eight resolutions on: women and the United Nations Decade against Drug Abuse (1991-2000), in which it appealed to Member States to assign higher priority

to the participation of women in programmes connected with the Decade; refugee and displaced women; women and economic growth; women and situations of extreme vulnerability; women and development; the Convention on the Elimination of All Forms of Discrimination against Women; recommendations and observations on the International Year of the Family (1994) for consideration by the Commission for Social Development; and women and literacy.

On 24 May, by decision 1990/214, the Council took note of the report of the Commission on its thirty-fourth session and approved the provisional agenda and documentation for the thirty-fifth session. By decision 1990/213 of the same date, the Council, recalling its resolution 1987/24 [YUN 1987, p. 844] on the long-term programme of work of the Commission to the year 2000, the annex to which set out the priority themes for the period 1988-1992, and bearing in mind that the United Nations Conference on Environment and Development would be held in 1992, decided to add the question of women and the environment to the priority theme to be dealt with at the thirty-sixth (1992) session of the Commission under the objective of development.

Communications

On 24 May, the Economic and Social Council adopted resolution 1990/8.

Communications concerning the status of women

The Economic and Social Council,

Recalling its resolutions 76 (V) of 5 August 1947 and 304 I (XI) of 14 and 17 July 1950, which continue to form the basis for the mandate of the Commission on the Status of Women to receive at each of its regular sessions a list of confidential and non-confidential communications relating to the status of women,

Taking into consideration its resolution 1983/27 of 26 May 1983, in which it reaffirmed the mandate of the Commission to consider confidential and non-confidential communications on the status of women and authorized the Commission to appoint a working group to consider the communications and prepare a report to the Commission on them,

Recalling its resolution 1986/29 of 23 May 1986, in which it requested the Commission to continue to consider communications relating to the status of women and to make recommendations thereon to the Council, if necessary,

Reaffirming that discrimination against women is incompatible with human dignity and that women and men should participate on the basis of equality, irrespective of race or creed, in the social, economic and political processes of their countries,

Recognizing that the mandate of the Commission to consider communications on the status of women is crucial to its central role in monitoring and formulating recommendations to further the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women and strengthens its ability to fulfil other aspects under its mandate regarding the elimination of discrimination against women,

Requests the Secretary-General to examine, in consultation with Governments, the existing mechanisms for communications on the status of women, in order to ensure that such communications receive effective and appropriately co-ordinated consideration in view of their role in the work on the elimination of discrimination against women carried out by the Commission on the Status of Women, and to report thereon to the Commission at its thirty-fifth session.

Economic and Social Council resolution 1990/8

24 May 1990 Meeting 13 Adopted without vote

Approved by Second Committee (E/1990/68) without vote, 8 May (meeting 8); draft by Commission on Status of Women (E/1990/25); agenda item 4.

Research and Training Institute for the Advancement of Women

In a report to the General Assembly [A/46/325], the Secretary-General stated that, during 1990, the International Research and Training Institute for the Advancement of Women (INSTRAW) continued its catalytic role in elaborating methodologies for carrying out research, training and information activities in new areas of interest affecting women and development, such as women, environment and sustainable development, women and communication for development, and country-specific research and training materials on rural women, including rural credit. It also strengthened its work in such areas as statistics and indicators on women, including women's work in the informal sector, women and water supply and sanitation, and women and new and renewable sources of energy. Action was also taken within the Institute's long-term research programme on monitoring and evaluation methodologies for programmes and projects on women and development, and a new orientation was given to the scholarship and internship programme and the production of training materials on women and development. The scope of the women-in-development studies curricula programme was widened and the Institute continued its research activities on choice and assessment of technology for mobilization of women in development.

For the 1990-1991 biennium, the INSTRAW Trust Fund received contributions totalling \$2.7 million; that amount was expected to increase through donations from donor countries that had pledged but not paid contributions.

Board of Trustees. The INSTRAW Board of Trustees held its tenth session in Santo Domingo, Dominican Republic, from 12 to 16 February [E/1990/34]. Decisions adopted by the Board and brought to the attention of the Economic and So-

cial Council dealt with: progress in implementing the Institutes's work programme for 1989; co-operation with the regional commissions, INSTRAW focal points and correspondents; the proposed work programme and budget for 1990-1991; and trends in research, training, information on women and development and the tenth anniversary of the Board of Trustees.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 24 May, the Economic and Social Council adopted resolution 1990/16.

International Research and Training Institute for the Advancement of Women

The Economic and Social Council,

Recalling its resolution 1989/43 of 24 May 1989, in which it took note of the report of the Board of Trustees of the International Research and Training Institute for the Advancement of Women on its ninth session,

Recalling also General Assembly resolution 44/60 of 8 December 1989, in which the Assembly took note of the report of the International Research and Training Institute for the Advancement of Women on its activities,

Having considered the report of the Board of Trustees of the Institute on its tenth session,

Recognizing the significance of the global role of the Institute as the international research and training body for the advancement of women, which provides direction on issues related to women and development,

1. Takes note with satisfaction of the report of the Board of Trustees of the International Research and Training Institute for the Advancement of Women on its tenth session and the decisions contained therein;

2. Expresses its appreciation of the successful implementation of the programmes of the Institute, particularly its activities on statistics and indicators on women, including the role of women in the informal sector and the first phase of the long-term research programme on monitoring and evaluation methodologies for development programmes related to women, and its work on sectoral issues, especially water supply and sanitation, new and renewable sources of energy and communication for women and development;

3. Takes note of the programme of activities of the Institute for the biennium 1990-1991, approved by the Board of Trustees at its tenth session, and the commencement of work on methodological approaches in fields relating to women, the environment and sustainable development;

4. Commends the Institute for further strengthening its networking mode of operation, including increased co-operation between the Institute and the regional commissions, and for giving priority to the programming of parallel activities;

5. Expresses its profound satisfaction that on the tenth anniversary of its establishment, the Institute has proved itself to be an invaluable body of the United Nations in fulfilling the requirements of the Charter by promoting social progress through a reaffirmation of the equal rights of women and men and by furthering economic and social advancement;

6. Reaffirms that the Institute will continue its dual approach as an agent for sensitization on the role of women in the mainstream of development, and as a centre for specialized research, training and information, and for co-operation with other organizations with parallel interests within and outside the United Nations system;

7. Recommends that, given the growing role of research, training and information on women and development within and outside the United Nations system, the Institute continue to work on new methodological approaches in these fields;

8. Expresses its appreciation, on the tenth anniversary of the Institute, to those countries, both developed and developing, that have contributed to the United Nations Trust Fund for the International Research and Training Institute for the Advancement of Women, thereby ensuring implementation, continuity and expansion of the programmes of the Institute, to the host country and the Secretary-General for their support, and to the co-operating bodies within and outside the United Nations system for their collaboration with the activities of the Institute;

9. Renews its appeal to Governments, intergovernmental and non-governmental organizations and other potential donors to continue making contributions and, to the extent possible, to increase their contributions to the Trust Fund.

Economic and Social Council resolution 1990/16

24 May 1990

Meeting 13

Adopted without vote

Approved by Second Committee (E/1990/68) without vote. 9 May (meeting 9); 41-nation draft (E/1990/C.2/L.1); agenda item 4.

Women and development

Negative economic effects

At its February/March session, the Commission on the Status of Women, under the UN Decade for Women's objective of development, considered the priority theme of the negative effects of the international economic situation on the improvement of the status of women. According to a report of the Secretary-General [E/CN.6/1990/3] on the subject, there was evidence that the impact of the combination of the world economic situation, often termed an economic crisis, and the various policies adopted to deal with it had been more severe on women in general and on certain groups of women. In the short run, economic policies sought to deal with immediate problems of foreign exchange flow, trade balances and private and public expenditure. In that context, programmes needed to be designed to compensate for aspects of women's status (education, health, employment) that had been negatively affected by reductions in public expenditures and the subsequent deterioration in services. In the longer run, the purpose of poli-

cies was to build a general economic structure, international and national, that worked. Examining the role of women was a way of encouraging a successful long-term change by engaging the productive capacity of half the population. It was important to look at expenditure for the advancement of women as a productive opportunity rather than a welfare issue.

By a 9 March resolution [E/1990/25 (res. 34/5)], the Commission urged Governments to adopt policies that were sensitive to the relationship of economic growth and the status of women and asked international financial organizations to search for measures to stimulate the economies of developing countries, while avoiding adverse effects on human well-being. It called on Governments and financial institutions to make greater efforts to support the establishment of co-operatives and rural banks for women and to include work by women farmers in statistical reporting for the gross national product. Governments and international organizations were requested to facilitate access of women to credit, training programmes and family planning.

In an 8 March resolution [res. 34/4], the Commission, considering that the predicament of women as heads of household, elderly women and disabled women had been aggravated by the economic crisis, recommended to Governments that they formulate and put into effect a body of specific measures in favour of those women in order to improve their situation, ensure respect for their fundamental rights and ensure opportunities for them to contribute to and share in the benefits of development. UN agencies with special responsibility for formulating development programmes were invited to include in them special provisions for women in situations of extreme vulnerability.

Women and economic development

In an 8 March resolution [E/1990/25 (res. 34/3)], the Commission on the Status of Women recognized that women, who comprised half the labour force in most countries and who were primary providers in an estimated 35 per cent of all households world wide, would be essential to the success and sustainability of any development strategy. It urged UN specialized agencies and Member States to develop strategies, especially in the area of human resources development, to promote opportunities for women to participate more fully in the economic growth of their countries, by facilitating women's fuller participation in their economies and optimizing their productivity, and by supporting efforts to increase equal opportunities for women in education, employment and advancement in the workplace.

UNDP action. In a report to the Governing Council of the United Nations Development Programme (UNDP) [DP/1990/26], the UNDP Administrator reviewed the extent to which Governing Council decisions on women in development were being implemented. The report identified five means to improve the gender responsiveness of UNDP operational activities: training of government, executing agency and UNDP staff; field office support; inter-agency co-ordination and collaboration; policy development; and institutional strengthening.

By a 22 June decision [E/1990/29 (dec. 90/19)], the Governing Council requested the Administrator to give high priority to women-in-development training and to ensure that gender issues were addressed throughout all other training courses. UNDP was urged to adopt measures to ensure that gender issues were adequately taken into account in its programmes on the environment, poverty, HIV, and refugees and displaced persons. The Council asked the Administrator to report in 1991 on procedures adopted for and progress made in addressing women-in-development issues in the reparations for the fifth programming cycle (1991-1996) and to report on a triennial basis, beginning in 1993, on progress made in implementing the women-in-development mandate.

Fourth UN development decade

On 24 May, the Economic and Social Council adopted resolution 1990/10.

Integration of women in the international development strategy for the fourth United Nations development decade

The Economic and Social Council,

Taking note of General Assembly resolution 44/169 of 19 December 1989, the annex to which contains an outline for the elaboration of an international development strategy for the fourth United Nations development decade,

Recognizing that a major theme of the Nairobi Forward-looking Strategies for the Advancement of Women, particularly of paragraphs 109 to 111 thereof, is the role of women in development,

Stressing the critical role played by women in the development process, and that women constitute 50 per cent of available human resources,

Noting that the Ad Hoc Committee of the Whole for the Preparation of the International Development Strategy for the Fourth United Nations Development Decade, established by the General Assembly in its resolution 43/182 of 20 December 1988, will elaborate the outline, with a view to finalizing the international development strategy in 1990,

1. Recommends that the Ad Hoc Committee of the Whole for the Preparation of the International Development Strategy for the Fourth United Nations Development Decade identify strategies for ensuring that

women's needs and their contribution to the development process are reflected in all aspects of the international development strategy, including human resource development and economic growth;

2. Also recommends that the Ad Hoc Committee, in finalizing the international development strategy, consider measures to ensure the full and effective participation of women in development, taking into consideration Council resolution 1989/105, paragraph 11, of 27 July 1989, as well as relevant resolutions adopted by the Commission on the Status of Women at its thirty-fourth session;

3. Urges Member States to give special attention to the role of women in development when preparing their contributions to the work of the Ad Hoc Committee to finalize the international development strategy and, in this regard, to consult with national machinery and the non-governmental organizations concerned with women in development;

4. Decides that the Commission on the Status of Women should monitor the implementation of the international development strategy as it pertains to women and development in the context of its review of the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women.

Economic and Social Council resolution 1990/10
24 May 1990 Meeting 13 Adopted without vote
Approved by Second Committee (E/1990/68) without vote, 8 May (meeting 8); draft by Commission on Status of Women (E/1990/25); agenda item 4.

Also on 24 May, the Council, by decision 1990/215, decided to transmit the above resolution to the Ad Hoc Committee of the Whole for the Preparation of the International Development Strategy for the Fourth United Nations Development Decade (see PART THREE, Chapter I).

UN Development Fund for Women

During 1990, the United Nations Development Fund for Women (UNIFEM)—established in 1976 [YUN 1976, p. 623] as the Voluntary Fund for the United Nations Decade for Women—pioneered new ways to promote women's participation in national planning and innovative grass-roots activities, said the UNDP Administrator in his annual report covering 1990 [DP/1991/10/Add.1]. The Fund's longer-term priorities concentrated on two sectors of strategic importance to women: food security and trade and industry. Its shorter-term priorities were identified within regional strategies for Africa, Asia and the Pacific, Latin America and the Caribbean and Western Asia.

In a report to the General Assembly on the UNIFEM programme in 1990 [A/46/491], the UNDP Administrator described activities in the various regions. In Africa, initiatives were under way in Benin, Ghana, Kenya, Mali, Namibia and the Sudan. The first gender analysis training workshop (Arusha, United Republic of Tanzania, July) was

conducted for the Livestock, Fisheries and Wildlife Co-ordinating Units of the Southern Africa Development Co-ordination Conference countries, and two additional workshops were held in November in Zimbabwe for the staff of the Agricultural Research, Food Security, Soil and Water Conservation and Forestry Units. In the Asia and Pacific region, UNIFEM was implementing projects in India, Maldives, Mongolia, Sri Lanka and Viet Nam and, in collaboration with the International Labour Organisation, continued to carry out a regional project for women's vocational training in the Pacific. In Western Asia, UNIFEM's regional projects were interrupted in 1990 as a result of the war in the Persian Gulf, and country projects, such as those in the Syrian Arab Republic and Yemen, were operating at a slower pace than usual. UNIFEM activities in Latin America and the Caribbean included projects in Argentina, Costa Rica and Peru.

At the beginning of 1990, UNIFEM instituted a comprehensive fund-raising plan, the goal of which was to assure continuing and growing funding with the support of the UNIFEM special constituency, including women in the private sector, women parliamentarians, non-governmental organizations (NGOs) and women's groups. At the United Nations Pledging Conference for Development Activities in November, contributions to UNIFEM for 1991 were estimated at \$9.3 million, a 13 per cent increase over pledges for 1990.

By a July note [A/45/347], the Secretary-General transmitted to the General Assembly the report of the UNDP Administrator on UNIFEM activities in 1989.

Consultative Committee. The Consultative Committee on UNIFEM held two sessions in 1990, both in New York. The twenty-seventh session took place from 24 to 26 January and the twenty-eighth from 20 to 24 August. At both sessions, the Committee reviewed progress in UNIFEM's work in various areas.

UNDP action. By a 20 June decision [E/1990/29 (dec. 90/42)], the UNDP Governing Council expressed its appreciation to Governments, NGOs and individuals for their increasing support to enable the Fund to strengthen its flexibility and capacity to implement its own projects and programmes for women in developing countries.

GENERAL ASSEMBLY ACTION

On 14 December, the General Assembly adopted resolution 45/128.

United Nations Development Fund for Women
The General Assembly

Recalling its resolution 39/125 of 14 December 1984, in which it decided to establish the United Nations Development Fund for Women as a separate and identi-

able entity in autonomous association with the United Nations Development Programme,

Reaffirming that the Fund has an important role in contributing to an increase in opportunities and options for women in developing countries,

Emphasizing the position of the Fund as a specialized resource base for development co-operation, serving as a bridge between the needs and aspirations of women and the resources, programmes and policies for their economic development,

Taking note of the section of the report of the Administrator of the United Nations Development Programme concerning the Consultative Committee on the United Nations Development Fund for Women,

1. Commends the United Nations Development Fund for Women for its efforts to increase the visibility of women and to ensure that issues relating to women are on the agenda of the mainstream development efforts of Governments, United Nations agencies, non-governmental organizations and the private sector;

2. Notes with satisfaction the achievements of the Fund in giving its work a high profile and in increasing and broadening its financial resource base. with. inter alia, the support of the national committees for the Fund;

3. Welcomes the development of new strategies for the programme management of the Fund based on long-term and short-term priorities;

4. Encourages the Fund in its efforts to document and share its experiences in the context of increasing emphasis on the human development dimension in technical co-operation;

5. Urges Governments and public and private donors to continue to extend their support to the Fund through voluntary contributions and pledges to its programmes;

6. Stresses the importance of the work of the Consultative Committee on the United Nations Development Fund for Women in policy and programme matters relating to the activities of the Fund;

7. Requests the Secretary-General to explore the possibility of providing conference services in the relevant working languages to the Consultative Committee, bearing in mind the importance of its work;

8. Also requests the Secretary-General to transmit to the General Assembly at its forty-sixth session the report of the Administrator of the United Nations Development Programme on the activities of the Fund to be submitted in accordance with Assembly resolution 39/125.

General Assembly resolution 45/128

14 December 1990 Meeting 68 Adopted without vote
Approved by Third Committee (A/45/758) without vote, 13 November (meeting 40); B-nation draft (A/C.3/45/L.24); agenda item 102.
Sponsors: Guyana, India, Mexico, Netherlands, Nigeria, Senegal, Meeting numbers. GA 45th session: 3rd Committee 18-24, 31, 40; plenary 68.

Women and literacy

By a 9 March resolution [E/1990/25 (res. 34/8)], the Commission on the Status of Women encouraged the Secretary-General and Member States, as well as intergovernmental organizations and NGOs, to support efforts to increase literacy by improving the educational opportunities for fe-

males of all ages; providing basic education to all without discrimination based on gender; and encouraging the development of gender-specific indicators and measurements for assessing the impact of and participation of women in educational and training efforts. Member States were urged to eliminate barriers to schooling for women of all ages, disaggregate by gender data on school enrolments, completion, participation and repetition rates, give special attention to guidelines developed for the International Literacy Year (1990), accelerate women's participation in literacy programmes, and increase the number of tutors/trainers to optimize their efforts to reach women.

GENERAL ASSEMBLY ACTION

On 14 December, the General Assembly adopted resolution 45/126.

Women and literacy

The General Assembly,

Recalling that in the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights the inalienable right of every individual to education is recognized,

Recalling also the special references to and recommendations on women's needs in relation to literacy, education and training contained in paragraphs 163 to 173 of the Nairobi Forward-looking Strategies for the Advancement of Women,

Taking note of Commission on the Status of Women resolution 34/8 of 8 March 1990 on women and literacy

Taking note also of Economic and Social Council resolution 1990/15 of 24 May 1990, the annex to which contains the recommendations and conclusions arising from the first review and appraisal of the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women, in which, inter alia, it is recommended that Governments should make special efforts to remove all gender-related differences in adult literacy by the year 2000 and that programmes should be established to ensure that parents and teachers provide equal educational opportunities for girls and boys,

Noting that in the Convention on the Elimination of All Forms of Discrimination against Women, States parties, inter alia, committed themselves to taking measures to ensure equal access to education for women and men,

Recalling its resolutions 42/104 of 7 December 1987, by which it proclaimed 1990 as International Literacy Year, and 44/127 of 15 December 1989, in which it called for continuing international efforts to promote literacy,

Recalling also the World Declaration on Education for All adopted by the World Conference on Education for All, in which it is recognized that literacy programmes are indispensable to the basic learning needs of all and that the most urgent priority is to ensure access to, and improve the quality of, education for girls and women, as well as to remove every obstacle that hampers their active participation,

Mindful of Economic and Social Council resolution 1990/12 of 24 May 1990, in which it recommended that a world conference on women be held in 1995,

Taking note of the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s, adopted by the World Summit for Children, held in New York on 29 and 30 September 1990, in which, *inter alia*, the adoption of measures was called for that emphasized the need to improve the current disparities between girls and boys in access to basic education and the need to reduce adult illiteracy by half, with an emphasis on female illiteracy, before the year 2000,

Mindful of the fact that the eradication of illiteracy, including illiteracy among women, is one of the paramount objectives of the International Development Strategy for the Fourth United Nations Development Decade,

Recognizing that in many countries there is a significant gap between enrolment and retention levels of girls and boys in basic education programmes, just as there is a gap in literacy between adult men and women, which denies women of all ages the opportunity to participate fully in national development activities,

Bearing in mind that increased literacy levels have already been directly associated with reduced population growth in many parts of the world and that the promotion of women's literacy is an important element in ensuring the success of national objectives relating to population,

1. Notes with appreciation the commendable work done in connection with International Literacy Year by the specialized agencies and other organizations of the United Nations system, including the United Nations Educational, Scientific and Cultural Organization, with its Plan of Action for the Eradication of Illiteracy by the Year 2000, the United Nations Children's Fund and the United Nations Development Programme;

2. Commends those Governments that have launched national programmes aimed at meeting the objectives of the Year;

3. Notes with satisfaction the active involvement of many non-governmental organizations in the Year and, in particular, the establishment of the International Task Force on Literacy;

4. Encourages the Secretary-General and Member States, as well as intergovernmental and non-governmental organizations, to continue to support efforts to increase literacy by:

(a) Improving the educational opportunities for females of all ages, particularly children;

(b) Providing basic education to all without discrimination based on gender and in settings that are accessible and culturally acceptable;

(c) Encouraging the development of gender-specific indicators and measurements for assessing the impact of educational and training efforts in both domestic and international projects and programmes and for assessing the inclusion and participation of women of all ages in those efforts;

5. Encourages Member States to attempt to disaggregate by gender data in such areas as school enrolment, completion, participation and repetition rates;

6. Urges Member States to eliminate *de jure* and *de facto* barriers to schooling for women of all ages;

7. Calls upon Member States to give special attention and emphasis to the guidelines and recommendations developed for the Year when implementing measures to eliminate illiteracy;

8. Encourages the Secretary-General, in collaboration with relevant United Nations organizations, including the United Nations Educational, Scientific and Cultural Organization, the United Nations Children's Fund and the United Nations Development Programme, to assist Member States in strengthening strategies to target resources to women of all ages, especially those most disadvantaged, and thereby work towards the elimination of illiteracy of women of all ages;

9. Calls upon Member States to accelerate the participation of women in literacy programmes, particularly in areas pertaining to the improvement of their socio-economic condition, including legal literacy and income-generating and skill-building activities;

10. Encourages Member States to increase the number of tutors and trainers with the necessary qualifications, to maximize their efforts to reach women and to increase the participation of non-governmental and private volunteer organizations, particularly women's organizations, in the implementation and management of literacy programmes and in policy and programme development;

11. Requests the Secretary-General to prepare for the world conference on women to be held in 1995 a report on the progress to increase female literacy made by Governments, intergovernmental and non-governmental organizations and the specialized agencies, regional commissions and other organizations of the United Nations system;

12. Requests the Committee on the Elimination of Discrimination against Women to pay particular attention to measures taken by Governments to increase female literacy, particularly by ensuring equal access to basic education for girls and boys;

13. Requests the Secretary-General in his next update to the World Survey on the Role of Women in Development to examine specifically the relationship between the literacy of women and their economic and social advancement.

General Assembly resolution 45/126

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/45/758) without vote, 13 November (meeting 40); 46-nation draft (A/C.3/45/L.20); agenda item 102.

Meeting numbers. GA 45th session: 3rd Committee 18-24, 31, 40; plenary 68.

Other issues

Political participation and decision-making

Under the priority theme of equality, the Commission on the Status of Women had before it a report of the Secretary-General on equality in political participation and decision-making [E/CN.6/1990/2 & Corr.1]. The report examined the reasons for the low percentage of women occupying decision-making positions, including the low participation of women in politics generally and

obstacles to advancement in the civil service. On the basis of recommendations, included in an annex to the report, made by a 1989 expert group on the subject, a variety of national and international actions were suggested to increase the participation of women in decision-making.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 24 May, the Economic and Social Council adopted resolution 1990/4.

Equality in political participation and decision-making

The Economic and Social Council,

Recalling the Nairobi Forward-looking Strategies for the Advancement of Women, in particular paragraphs 86 to 92 thereof,

Recalling also the Convention on the Elimination of All Forms of Discrimination against Women, in particular paragraph 7 thereof,

Noting the recommendation made by the Expert Group on Equality in Political Participation and Decision-making, held at Vienna from 18 to 22 September 1989, that the advancement of women should be considered a priority in national decision-making and that women should be full partners in those decisions,

Gravely concerned that on average women represent a very low proportion of decision makers in all regions,

Gravely concerned also about the findings in the report of the Secretary-General concerning the low number of women throughout the United Nations system, particularly in senior policy-level and decision-making posts,

Bearing in mind that key decisions in society are taken in a large number of bodies, such as Governments, parliaments, public boards and committees, trade and industry boards, trade unions and other organizations,

Also bearing in mind that women constitute approximately half the world's population and must participate on an equal footing with men in national decision-making and in the construction of their countries,

Considering that decisions taken in society, if they are to reflect universal views, need to be based on the experience of women as well as men,

Also considering that women at all levels of society should be aware of the importance of political and other decisions to their everyday life and the potential impact of their participation in those decisions,

Aware of the need to create more flexible structures in decision-making and open practices in recruiting processes,

Noting the importance of the contribution of women's organizations and other non-governmental organizations to the work of increasing women's participation in decision-making at all levels of society,

Affirming that increasing the number of women in decision-making, in Member States as well as in the organizations of the United Nations system, is of paramount importance for the fulfilment and implementation of the Forward-looking Strategies,

1. Welcomes the recommendations of the Expert Group on Equality in Political Participation and Decision-making;

2. Urges States parties to the Convention on the Elimination of All Forms of Discrimination against Women to ensure strict implementation of the Convention and to facilitate the wide publication of its provisions;

3. Urges Governments to increase their efforts to make women full partners in national decision-making;

4. Recommends that, in order to accelerate the pace of progress towards the full participation of women in national decision-making, Governments introduce the following measures:

(a) The regular compilation and dissemination of gender-specific data on the composition of relevant bodies at various levels of national decision-making, including central and regional levels;

(b) The design of programmes and campaigns to inform women of their legal political rights, including the introduction of temporary positive action measures and the facilitation of the training of women for leadership and participation in political organizations and trade unions;

(c) The review of educational material with the aim of removing gender bias;

(d) The facilitation of research on women's opportunities to exert influence and on structural and other obstacles to women's participation in decision-making;

(e) The setting of concrete targets for the number of women in bodies whose composition is the responsibility of the Government;

5. Urges political organizations, trade unions and other relevant bodies to take appropriate measures to increase substantially the number of women who participate in decision-making in their organizations;

6. Requests the Secretary-General, as part of the regular work for the advancement of women carried out by the Organization, to disseminate on a regular basis information on the composition of the highest decision-making bodies at the national, regional and international levels, disaggregated by sex, to assist national machinery for the advancement of women in developing similar information at the central, regional and local levels, and to promote the exchange of experience between national machinery;

7. Also requests the Secretary-General urgently to intensify his efforts to increase the number of women employees throughout the United Nations system, particularly in senior policy-level and decision-making posts.

Economic and Social Council resolution 1990/4

24 May 1990

Meeting 13

Adopted without vote

Approved by Second Committee (E/1990/68) without vote, 8 May (meeting 8); draft by Commission on Status of Women (E/1990/25); agenda item 4

Women in public life

On 14 December, the General Assembly adopted resolution 45/127.

Interregional consultation on women in public life

The General Assembly,

Recalling its resolution 44/77 of 8 December 1989, in which it endorsed the convening in 1991 of an interregional consultation on women in public life,

Concerned that the level of participation by women in decision-making in almost all countries is exceedingly

Stressing the importance of the full participation of women in the political process at all levels, especially in top decision-making, as a means of achieving the objectives set in the Nairobi Forward-looking Strategies for the Advancement of Women,

Considering that the consultation would be an important event towards the preparations for the world conference on women to be held in 1995,

1. Decides that the consultation on women in public life should be an intergovernmental meeting;

2. Urges all Governments to participate actively in the consultation and for that purpose to designate as participants women who currently hold leadership positions in government and national institutions and organizations or are considered to have the potential for high public office;

3. Invites Governments and national institutions and organizations to provide extrabudgetary resources to facilitate preparations for the consultation, especially for the participation of least developed countries and for the dissemination of information about the consultation in the mass media;

4. Requests the Secretary-General to take steps to ensure the necessary servicing and support of the consultation and to transmit its conclusions in a report to the General Assembly at its forty-sixth session.

General Assembly resolution 45/127

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/45/758) without vote, 13 November (meeting 40); 19-nation draft (A/C.3/45/L.21); agenda item 102

Meeting numbers. GA 45th session: 3rd Committee 18-24,31,40; plenary 68.

Women in areas of armed conflict

Under the priority theme of peace, the Commission on the Status of Women had before it a February report of the Secretary-General on women in areas affected by armed conflicts, foreign intervention, alien and colonial domination, foreign occupation and threats to peace [E/CN.6/1990/4]. The report showed that the number of armed conflicts continued to be great; that women were disproportionately among the victims without being the decision makers; that, although special provisions for the protection of women existed in international humanitarian law, those provisions were not always applied; and that humanitarian assistance existed but was often not targeted to the special needs of women. It noted that women had an important role to play in eliminating armed conflicts, but that they were still largely excluded from official decision-making on the peace process. However, women continued to exercise their influence through non-governmental organizations and through their own initiatives in the peace movement.

Detained women and violence

On 24 May, the Economic and Social Council adopted resolution 1990/5.

Physical violence against detained women
that is specific to their sex

The Economic and Social Council,

noting with grave concern the continuing pattern of physical violence against women, cases of rape, sexual abuse and other instances of violent treatment while detained, to which the Commission on the Status of Women drew attention at its thirty-fourth session,

Considering that women are especially vulnerable to sexual violence,

Recalling its resolutions 76 (V) of 5 August 1947, 304 I (XI) of 14 and 17 July 1950, 1984/19 of 24 May 1984 and 1986/29 of 23 May 1986,

Recalling also its resolutions 198/1980/39 of 2 May 1980 and 1983/27 of 26 May 1983, by which it reaffirmed the mandate of the Commission to consider communications relating to the status of women, including the replies of Governments thereon, if any, and to draw to the attention of the Council emerging trends and patterns so that the Council might decide what action to take,

1. Calls upon all Member States that have not yet done so to take appropriate measures urgently, as necessary, to eradicate acts of physical violence against detained women;

2. Invites Member States that have not yet done so to submit to the Secretary-General a report on legislative and other measures they have taken, as applicable, to prevent physical violence against detained women that is specific to their sex, so as to enable him to report to the Commission on the Status of Women at its thirty-sixth session, in 1992;

3. Requests the Secretary-General to submit a report to the Commission at its thirty-sixth session prepared on the basis of reports received from Member States;

4. Requests the Commission to continue to consider communications relating to the status of women and to make recommendations thereon to the Council, if necessary.

Economic and Social Council resolution 1990/5

24 May 1990 Meeting 13 Adopted without vote

Approved by Second Committee (E/1990/68) without vote, 8 May (meeting 8); draft by Commission on the Status of Women (E/1990/25); agenda item 4.

Refugee and displaced women

By an 8 March resolution [E/1990/25 (res. 34/2)], the Commission on the Status of Women recommended that the scheduled report of the Secretary-General on refugee and displaced women and children, to be submitted to the Commission in 1991, should be prepared in full collaboration with the Office of the United Nations High Commissioner for Refugees, taking into account the importance of the legal and physical protection of refugee women, and the Office of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, as well as other sources. Governments and the UN system were

called on to increase efforts to respond to the specific needs of refugee women, particularly long-term refugees, and displaced women in the areas of education, health, physical safety, social services, skills training, employment and income-generating activities.

Situation of Palestinian women

By a note to the Commission on the Status of Women [E/CN.6/1990/10], the Secretary-General transmitted the report of a fact-finding mission of experts that travelled to Jordan and the Syrian Arab Republic in December 1989 to investigate the situation of Palestinian women in the occupied territories. The report analysed various aspects of the living conditions of Palestinian women and, in particular, the impact of the intifadah (see PART TWO, Chapter IV) on the Palestinian family; education; health, including the psychological well-being of women and children; economy and employment; and the changing traditional roles of women towards self-reliance and decision-making. It presented recommendations aimed at the long- and short-term improvement of the living conditions of Palestinian women.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 24 May, the Economic and Social Council adopted resolution 1990/11.

Situation of Palestinian women

The Economic and Social Council,

Having considered the note by the Secretary-General transmitting the report of a mission of experts to Jordan and the Syrian Arab Republic to investigate the condition of Palestinian women and children.

Recalling the Nairobi Forward-looking Strategies for the Advancement of Women, in particular paragraph 260 thereof,

Recalling also its resolutions 1988/25 of 26 May 1988 and 1989/34 of 24 May 1989,

Expressing concern at the persistent refusal of Israel to respect the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,

Deeply alarmed at the critical situation of Palestinian women and children in the occupied Palestinian territories, which is profoundly influenced by the consequences of continued Israeli military occupation,

Dismayed at the continuation of the oppressive practices of Israel, including collective punishment, curfews, demolition of houses, closure of schools and universities, confiscation of land and measures that are particularly harmful to the Palestinian women and children in the occupied Palestinian territory,

Deeply alarmed by the practice of Israel of settling new waves of Jewish immigrants in the territories occupied by Israel since 1967, including Jerusalem, which is illegal and contravenes the relevant provisions of the Geneva Convention,

1. Reaffirms that the basic improvement of the living conditions of the Palestinian women, their advance-

ment, full equality and self-reliance can only be achieved through an end to the occupation and the attainment of their right to return to their homes, their right to self-determination and their right to establish an independent State in accordance with United Nations resolutions;

2. Reaffirms also that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to the Palestinian people in the territories occupied by Israel since 1967, including Jerusalem;

3. Strongly condemns the oppressive Israeli measures against the intifadah and the consequent suffering experienced by Palestinian women and their families in the occupied Palestinian territory;

4. Requests the Commission on the Status of Women to monitor the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women, in particular paragraph 260, which concerns assistance to Palestinian women inside and outside the occupied Palestinian territory;

5. Requests the Secretary-General to ensure that the experts continue to monitor and investigate further the situation of Palestinian women and children inside and outside the occupied Palestinian territory, and to ensure that their report is submitted to the Commission on the Status of Women at its thirty-fifth session;

6. Requests governmental, non-governmental and intergovernmental organizations, including organizations of the United Nations system, to encourage and assist in existing income-generating activities for Palestinian women and in the creation of new jobs;

7. Requests that Palestinian women be assisted in the creation of a women's centre that would provide possibilities for child care, educational discussion, cultural activities, women's solidarity and small-scale production;

8. Requests the Secretary-General to monitor the implementation of the recommendations contained in the report of the mission of experts to Jordan and the Syrian Arab Republic in order to alleviate the situation of Palestinian women in the occupied Palestinian territory;

9. Also requests the Secretary-General to report to the Commission on the Status of Women at its thirty-fifth session on the implementation of the recommendations and conclusions contained in the report of the mission of experts, taking into consideration all available information, including reports of the United Nations, its specialized agencies and its expert missions, reports of meetings, as appropriate, and information from Governments and non-governmental organizations.

Economic and Social Council resolution 1990/11

24 May 1990 Meeting 13 39- 1-11 (recorded vote)

Approved by Second Committee (E/1990/68) by recorded vote (37-1-11).

8 May (meeting 8); draft by Commission on Status of Women (E/1990/25); agenda item 4.

Recorded vote in Council as follows:

In favour: Algeria, Bahamas, Bahrain, Brazil, Bulgaria, Burkina Faso, Cameroon, China, Colombia, Ecuador, Finland, Ghana, Greece, Guinea, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Lesotho, Liberia, Libyan Arab Jamahiriya, Mexico, New Zealand, Nicaragua, Pakistan, Rwanda, Saudi Arabia, Sweden, Thailand, Thailand and Tobago, Tunisia, Ukrainian SSR, USSR, Venezuela, Yugoslavia, Zambia.

Against: United States.

Abstaining: Canada, Czechoslovakia, France, German Democratic Republic, Germany, Federal Republic of, Ireland, Italy, Japan, Netherlands, Portugal, United Kingdom.

Women and children in Namibia

In response to Economic and Social Council resolution 1989/31 [YUN 1989, p. 664], the Secretary-General transmitted to the Commission on the Status of Women a report [E/CN.6/1990/8] on the situation of women and children in Namibia, covering the areas of education, health, economy and employment and women's participation in political affairs for the period 1985-1989. The report included statistical data and recommendations for national and international action based on the information contained in the report and gathered during missions to Namibia in 1989.

By resolution 1990/6 of 24 May, the Economic and Social Council expressed its appreciation to the Commission for its support in the struggle for Namibian independence (see PART FOUR, Chapter III). It appealed to the international community to provide financial, technical and other assistance to enable the Government of Namibia to implement measures aimed at improving the condition of women and children in that country.

Women and children under apartheid

In response to Economic and Social Council resolution 1989/33 [YUN 1989, p. 665], the Secretary-General submitted a report [E/CN.6/1990/9] to the Commission on the Status of Women on the situation of women and children living under apartheid in South Africa. The report analysed those consequences of apartheid that particularly affected women, including legal inequality, difficulties in housing and settlements, and problems related to employment, education and health. It also described measures taken by UN bodies and specialized agencies to assist women and children living under apartheid in South Africa during the period from 1 September 1985 to 30 November 1989.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 24 May, the Economic and Social Council adopted resolution 1990/13.

Women and children under apartheid

The Economic and Social Council,

Recalling its resolution 1989/33 of 24 May 1989,

Noting the concern of women throughout the world about the continuing degradation and abuse to which African women and children are subjected daily by the white minority regime of South Africa,

Recalling that this concern was expressed in the Nairobi Forward-looking Strategies for the Advancement of Women, which also contain proposals for various forms of assistance to be rendered to women and chil-

dren inside South Africa and to those who have become refugees,

Recognizing that the inhuman exploitation and dispossession of the African people by the white minority régime is directly responsible for the appalling conditions in which African women and children live.

Also recognizing that the equality of women cannot be achieved without the success of the struggle towards a united, non-racial and democratic South Africa,

1. Commends the tenacity and bravery of those women both inside and outside South Africa who have resisted oppression, who have been detained, tortured or killed, and of those whose husbands, children and other relatives have been detained, tortured or killed and who, despite this, have remained steadfast in their opposition to the racist régime;

2. Acknowledges the efforts of those Governments, intergovernmental and non-governmental organizations and individuals that have campaigned for and applied sanctions against the racist régime;

3. Welcomes recent developments in South Africa, in particular the unbanning of political organizations and the release of Nelson Mandela and other political prisoners;

4. Demands the immediate and unconditional release of all other political prisoners and detainees, among whom are many women and children;

5. Condemns unequivocally the South African régime for the imposition of the state of emergency, the forcible separation of black families and the detention and imprisonment of women and children;

6. Urges the international community not to relax sanctions against South Africa until all the provisions of the Declaration on Apartheid and its Destructive Consequences in Southern Africa, adopted by the General Assembly by its resolution S-16/1 of 14 December 1989, and contained in the annex thereto, are met;

7. Appeals to all countries to support educational, health and social welfare programmes for women and children under apartheid;

8. Appeals to the international community for increased assistance for women and children refugees in southern Africa;

9. Calls upon the international community to encourage the atmosphere for dialogue prevailing in South Africa;

10. Urges Member States and United Nations bodies, in consultation with national liberation movements, to give effect forthwith to the Nairobi Forward-looking Strategies for the Advancement of Women that deal with women and children under apartheid, giving particular attention to education, health, vocational training and employment opportunities and to the strengthening of the women's sections of liberation movements;

11. Requests the Commission on the Status of Women to work closely with women in the liberation movements in order to disseminate information and to ensure a proper assessment of the needs and aspirations of the women and children living under apartheid;

12. Requests the Secretary-General to submit to the Commission on the Status of Women at its thirty-fifth session a report on the progress made in achieving those goals.

Economic and Social Council resolution 1990/13

24 May 1990 Meeting 13 41-2-9 (recorded vote)

Approved by Second Committee (E/1990/68) by recorded vote (40-2-9). 8 May (meeting 8); draft by Commission on Status of Women (E/1990/25); agenda item 4.

Recorded vote in Council as follows:

In favour: Algeria, Bahamas, Bahrain, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, China, Colombia, Czechoslovakia, Ecuador, Finland, Ghana, Guinea, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Lesotho, Liberia, Libyan Arab Jamahiriya, Mexico, New Zealand, Nicaragua, Niger, Pakistan, Rwanda, Saudi Arabia, Sweden, Thailand, Trinidad and Tobago, Tunisia, Ukrainian SSR, USSR, Venezuela, Yugoslavia, Zambia.

Against: United Kingdom, United States.

Abstaining: France, German Democratic Republic, Germany, Federal Republic of, Greece, Ireland, Italy, Japan, Netherlands, Portugal.

Central American women

On 24 May, the Economic and Social Council adopted resolution 1990/7.

Central American women: equality, development and peace

The Economic and Social Council,

Recalling its resolution 1989/35 of 24 March 1989 on women and peace in Central America,

Bearing in mind the progress made in the implementation of the commitments reached by the Presidents of Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua at the Esquipulas II summit meeting, and the joint declarations adopted by those Presidents at Alajuela, Costa Rica, at Costa del Sol, El Salvador, and, in particular, at Tela, Honduras,

Convinced of the exceptional importance to the peoples of Central America, in particular the women, of the achievement of peace, reconciliation, development and social justice in the region, and the recognition of their economic, social, cultural, political and civil rights,

Considering that the problems connected with the economic, social and political situation of the Central American region severely affect the living conditions and welfare levels of the population in general and of women in poverty and their children, in particular,

Considering the importance of the role that Central American women play or should play in the development of the countries of the region, as well as in the peace process and the preservation of national sovereignty,

Considering also that the intensity of the crisis in the region has caused women's associations to postpone

their efforts to obtain social equality for Central American women,

Recalling General Assembly resolutions 42/231 of 12 May 1988, 43/210 of 20 December 1988 and 44/182 of 19 December 1989 on the Special Plan of Economic Co-operation for Central America,

1. Expresses its satisfaction at the progress made in the implementation of the commitments made in the agreement concluded at the Esquipulas II summit meeting and in subsequent agreements;

2. Again calls upon the Presidents of the Central American countries to persevere in their joint efforts to reach peace in Central America and to ensure favourable conditions for the full implementation in the region of the objectives of the Nairobi Forward-looking Strategies for the Advancement of Women, and requests the international community to support those efforts;

3. Urges all States to support the peace efforts, fully respecting the principles of self-determination and non-intervention;

4. Urges the Central American Governments to intensify their efforts to guarantee education, health, housing and employment to women on equal terms with men;

5. Appeals to the Central American Governments to facilitate and promote the adoption and full implementation of laws on the protection and social promotion of women;

6. Also appeals to the Central American Governments to promote the participation of women in the development of societies based on equality, peace, self-determination and social justice;

7. Recommends to the Secretary-General the reinforcement of the Special Plan on Economic Co-operation for Central America with concrete activities supporting the advancement of Central American women;

8. Urges the international community to take into consideration the specific needs and interests of Central American women in the programmes of technical, economic and financial co-operation for the region;

9. Urges women's organizations, national and international, governmental and non-governmental, to play an active role in the democratization, peace and development processes in Central America.

Economic and Social Council resolution 1990/7

24 May 1990 Meeting 13 Adopted without vote

Approved by Second Committee (E/1990/68) without vote, 8 May (meeting 8); draft by Commission on Status of Women (E/1990/25); agenda item 4.

Chapter XIV

Children, youth and aging persons

The year 1990 was one of major achievement for the world's children and the work of the United Nations Children's Fund (UNICEF), despite the enormous challenges still to be addressed in that area by the international community.

On 2 September, the Convention on the Rights of the Child entered into force, setting universal legal standards to protect children against neglect, abuse and exploitation, as well as guarantee their basic human rights. In December, the General Assembly welcomed the entry into force of the Convention as a major step in international efforts to promote universal respect for and observance of human rights and fundamental freedoms.

The United Nations World Summit for Children (New York, 29-30 September), attended by leaders from 159 countries representing 99 per cent of the world's population, adopted the World Declaration on the Survival, Protection and Development of Children and the Plan of Action for Implementing the World Declaration in the 1990s. Those historic proclamations, containing specific goals, many with measurable targets and deadlines for achievement, were accompanied by a detailed list of follow-up measures to be implemented at national and international levels. The General Assembly, in December, welcomed the adoption of the World Declaration and the Plan of Action and urged all States and other members of the international community to work for the achievement of the goals and objectives endorsed by the World Summit as an integral part of their national plans and international co-operation.

The year was also a milestone in the area of immunization, with the effective achievement of the goal of universal child immunization. Immunization coverage increased more than four-fold from less than 20 per cent in 1981 to the 1990 goal of 80 per cent. In April, the UNICEF Executive Board approved the goals and strategies for children and development as guiding principles for UNICEF's work in the 1990s and endorsed specific nutritional goals for the year 2000.

In December, the Assembly requested the Secretary-General to prepare a draft world youth programme of action towards the year 2000 and beyond. The Assembly also endorsed the action programme on aging for 1992 and beyond,

which, on the tenth anniversary of the 1982 adoption of the International Plan of Action on Aging, would serve as a catalyst for its further implementation.

Children

UN World Summit for Children

The United Nations World Summit for Children was held in New York on 29 and 30 September 1990. On 30 September, the Summit adopted the World Declaration on the Survival, Protection and Development of Children, which contained specific goals, many with measurable targets and deadlines for achievement. It also adopted the Plan of Action for Implementing the World Declaration in the 1990s, which was intended as a guide for Governments, international organizations, bilateral aid agencies, non-governmental organizations (NGOs) and all other sectors of society in formulating their own programmes of action for ensuring the implementation of the Declaration.

Representatives from 159 countries, including 71 heads of State or Government and 88 senior ministers and ambassadors, attended the Summit. On 18 October [A/45/625], the Secretary-General transmitted to the General Assembly the text of the World Declaration and the Plan of Action.

World Declaration on the Survival, Protection and Development of Children

The World Declaration on the Survival, Protection and Development of Children identified the challenges political leaders had to meet with regard to children and the tasks involved in meeting those challenges. World leaders attending the Summit committed themselves to a 10-point programme to protect the rights of children and improve their lives. By that programme they would promote earliest ratification and implementation of the 1989 Convention on the Rights of the Child [GA res. 44/25]; enhance children's health, promote Pre-natal care and lower infant and child mortality; work for optimal growth and development in childhood by eradicating hunger,

malnutrition and famine; strengthen the role of the status of women; promote respect for the role of the family in providing for children and support parents, other care givers and communities in nurturing and caring for children through adolescence; reduce illiteracy and provide educational opportunities for all children and prepare them for productive employment; ameliorate the plight of millions of children living under difficult circumstances; protect children from the scourge of war and prevent further armed conflicts to give children everywhere a peaceful and secure future; work for common measures for the protection of the environment so that children could enjoy a safer and healthier future; and work for a global attack on poverty, which would have immediate benefits for children's welfare.

The leaders decided to adopt and implement a plan of action, as a framework for more specific national and international undertakings and were prepared to make available the resources to meet those commitments, as part of the priorities of their national plans.

Plan of Action for implementing the World Declaration

The Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s set out specific actions for child survival, protection and development and identified measures for follow-up and monitoring relating to the areas of the 10-point programme contained in the Declaration. It was intended as a guide for Governments, international organizations, bilateral aid agencies, NGOs and all other sectors of society in formulating their own programmes of action for ensuring the implementation of the Declaration.

The Plan of Action called for concerted national action and international co-operation to strive for the achievement, in all countries, of the major goals for the survival, protection and development of children by the year 2000. These included reduction of 1990 mortality rates for children under five years of age by one third or to a level of 70 per 1,000 live births; reduction of maternal mortality rates to half the 1990 levels; reduction of severe and moderate malnutrition among children under five to half the 1990 levels; universal access to safe drinking water and to sanitary means of excreta disposal; universal access to basic education and completion of primary education by at least 80 per cent of primary-school-age children; reduction of the adult literacy rate to at least half its 1990 level, with emphasis on female literacy; and protection

of children in especially difficult circumstances, particularly in situations of armed conflict.

In terms of specific actions, the Plan of Action recommended that every effort be made in all countries to disseminate the Convention on the Rights of the Child and, where it had not been ratified, to promote its implementation and monitoring. It called for effective action to combat preventable childhood diseases such as measles, polio, tetanus, tuberculosis, whooping cough and diphtheria by strengthening primary health care and basic health services in all countries. There was also an urgent need to ensure that programmes for the prevention and treatment of acquired immunodeficiency syndrome (AIDS), including research on possible vaccines and cures, and information and education campaigns, received high priority for both national action and international co-operation. It was desirable and feasible, through concerted national action and international co-operation, to aim at providing all the world's children with universal access to safe drinking water and sanitary means of excreta disposal by the year 2000. An important benefit of that action would be the control of many water-borne diseases, among them elimination of dracunculiasis (Guinea-worm disease) in parts of Africa and Asia.

Concerning food and nutrition, the Plan of Action stated that with the right policies, appropriate institutional arrangements and political priority, the world was in a position to feed all children and to overcome the worst forms of malnutrition. For the young child and the pregnant woman, provision of adequate food during pregnancy and lactation, protection and support of breast-feeding and complementary feeding practices, growth monitoring with follow-up actions and nutritional surveillance were the most essential needs. Adequate diet for the growing child was a human priority. Meeting that need required employment and income-generating opportunities, dissemination of knowledge, and supporting services to increase food production and distribution. Those were key actions within broader national strategies to combat hunger and malnutrition.

Efforts for the enhancement of women's status and their role in development had to begin with the girl child. Equal opportunity should be provided for the girl child to benefit from health, nutrition, education and other basic services to enable her to grow to her full potential. To address the major risk factors of maternal mortality, which claimed the lives of 500,000 young women each year, special attention should be given to the health, nutrition and education of women. All couples should have access to information on re-

sponsible planning of family size and the advantages of child spacing. Pre-natal care, clean delivery, access to referral facilities in complicated cases, tetanus toxoid vaccination and prevention of anaemia and other nutritional deficiencies during pregnancy were other important interventions to ensure safe motherhood and a healthy start for the newborn.

All institutions of society should respect and support the efforts of parents and other care givers to nurture and care for children in a family environment. Every effort should be made to prevent the separation of children from their families. Whenever that happened, arrangements should be made for appropriate alternative family care or institutional placement, due regard being paid to the desirability of continuity in a child's upbringing in his or her own cultural milieu. Extended families, relatives and community institutions should be supported to help meet the special needs of orphaned, displaced and abandoned children. Efforts should be made to ensure that no child was treated as an outcast of society.

In fulfilment of the commitment undertaken at the World Conference on Education for All (see PART THREE, Chapter XII), specific measures should be adopted for expansion of early childhood development activities; universal access to basic education, including completion of primary education or equivalent learning achievement by at least 80 per cent of the relevant school-age children, with emphasis on reducing the disparities between boys and girls; reduction of adult literacy by half, with emphasis on female literacy; vocational training and preparation for employment; and increased acquisition of knowledge, skills and values through all educational channels to improve the quality of life of children and families. Investment in education had to be accorded high priority in national action as well as international co-operation.

The millions of children living under difficult circumstances—as orphans and street children; as refugees or displaced persons; as victims of war and man-made disasters, including such perils as exposure to radiation and dangerous chemicals; as children of migrant workers and other specially disadvantaged groups; as child workers or youth trapped in prostitution, sexual abuse and other forms of exploitation; as disabled children and juvenile delinquents; and as victims of apartheid and foreign occupation—deserved special attention, protection and assistance from their families and communities and also as part of national efforts and international co-operation.

All States should work to end exploitative child labour practices and see how the conditions and circumstances of children in legitimate employment could be protected to provide adequate op-

portunity for their healthy upbringing and development. With drug abuse emerging as a global menace to large numbers of young people and, increasingly, children, concerted action was needed by Governments and intergovernmental agencies to combat illicit production, supply, demand, trafficking and distribution to counter that tragedy. Equally important was community action and education. To prevent the degradation of the environment in industrialized and developing countries, more action was needed through changes in the wasteful consumption patterns of the affluent and by helping to meet the necessities of survival and development of the poor. Programmes for children that helped to meet their basic needs and inculcated in them respect for the environment had to figure prominently in the world's environmental agenda.

In the areas of poverty alleviation and revitalization of economic growth, more needed to be done to ensure that a solid economic base was established to meet and sustain the goals for long-term child survival, protection and development. To foster a favourable international economic environment, it was essential to continue to give urgent attention to an early, broad and durable solution to the external debt problems of developing countries; to mobilize external and domestic resources to meet increased needs for development finance; to ensure that the problem of net transfer of resources from developing to developed countries did not continue in the 1990s and that its impact was effectively addressed; to create a more open and equitable trading system to facilitate diversification and modernization of the economies of developing countries, particularly commodity-dependent economies; and to make available substantial concessional resources, particularly for the least developed countries. In all those efforts, the basic needs of children should receive high priority.

Programmes benefiting children, women and other vulnerable groups had to be protected in times of structural adjustment and other economic restructuring; for example, resources released by reductions in military expenditure should be channelled to programmes for social and economic development, including those benefiting children. The international community, including private-sector creditors, were urged to work with developing countries and relevant agencies to support debt relief for children. To match the efforts of developing countries, donor countries and international institutions should target more development assistance to primary health care, basic education, low-cost water and sanitation programmes and other interventions specifically endorsed in the Summit

Declaration and the Plan of Action. The countries of sub-Saharan Africa and many landlocked and island countries would require additional long-term international support to complement their own national efforts to meet the pressing needs of children over the 1990s.

In terms of follow-up action at the national level, the Plan of Action urged Governments to prepare, before the end of 1991, national programmes of action and to encourage and assist provincial and local governments, NGOs, the private sector and civic groups to prepare their own programmes of action to help implement the goals and objectives of the Declaration and the Plan of Action. Each country was encouraged to re-examine how it might accord higher priority to programmes for the well-being of children in general and for meeting during the 1990s the major goals of the Declaration and the Plan of Action. Each country, including donor countries, should also re-examine development assistance budget to ensure that programmes for achieving the goals for the survival, protection and development of children would have priority when resources were allocated. Every effort should be made to ensure that such programmes were protected in times of economic austerity and structural adjustments.

Families, communities, local governments, NGOs and social, cultural, religious, business and other institutions, including the mass media, were encouraged to play an active role in support of the goals of the Plan of Action. All forms of social mobilization, including the effective use of the potential of the new world information and communication capacity, should be marshalled to convey to all families the knowledge and skills required for dramatically improving the situation of children. Each country should establish mechanisms for the regular and timely collection, analysis and publication of data required to monitor social indicators relating to the well-being of children and to alert policy makers to any adverse trends to enable timely action.

Countries should re-examine arrangements for responding to natural disasters and man-made calamities which often afflicted women and children the hardest and, where they did not exist, establish plans for disaster preparedness with the support of international institutions. Progress towards the goals in the Declaration and Plan of Action could be further accelerated and solutions to problems confronting children and families facilitated through further research and development. Governments, industry and academic institutions should increase their efforts in basic and operational research, aimed at new

technical and technological breakthroughs, more effective mobilization and better delivery of existing social services.

At the international level, the Plan of Action urged international development agencies to examine how they could contribute to the achievement of the goals of the Declaration and Plan of Action as part of more general attention to human development in the 1990s, and to report their plans and programmes to their respective governing bodies before the end of 1991 and periodically thereafter. Regional institutions, including political and economic organizations, should include consideration of the Declaration and Plan of Action in the agendas of their meetings, including at the highest political level, with a view to developing agreements for mutual collaboration for implementation and ongoing monitoring.

There should be full collaboration among all relevant UN agencies and organs and other international institutions to ensure the achievement of the goals and objectives of the national plans envisaged in the Declaration and Plan of Action. Governing bodies should ensure that within their mandates the fullest possible support was given by those agencies for the achievement of those goals. Governing bodies of specialized agencies and UN organs should include a periodic review of the implementation of the Declaration and Plan of Action at their regular sessions and keep the General Assembly, through the Economic and Social Council, informed of progress and additional action required during the decade.

The United Nations was requested to institute mechanisms for monitoring implementation of the Plan of Action, and the Secretary-General to arrange for a mid-decade review of progress in implementing the commitments. UNICEF was requested to prepare, in collaboration with specialized agencies and UN organs, a consolidated analysis of the plans and actions undertaken by individual countries and the international community in support of child-related development goals for the 1990s.

Appended to the Plan was a list of detailed sectoral goals for children and development in the 1990s and specific actions to enable the attainment of the major goals of the Plan of Action.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/217.

World Summit for Children

The General Assembly,

Welcoming the adoption by the World Summit for Children, on 30 September 1990, of the World Declaration on the Survival, Protection and Development of

Children and the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s,

1. Urges all States and other members of the international community to work for the achievement of the goals and objectives endorsed in the World Declaration on the Survival, Protection and Development of Children and the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s, as an integral part of their national plans and international co-operation;

2. Urges especially the donor countries to assist developing countries in achieving the goals set out in the World Declaration and the Plan of Action by increasing their contributions to development co-operation targeted for the special needs of children;

3. Urges all relevant organs, organizations and bodies of the United Nations system to take into account the goals, strategies and recommendations of the World Declaration and the Plan of Action in carrying out their programmes, and invites the relevant governing bodies to consider specific measures, within their competence, to address the special needs of children in the light of the World Declaration and the Plan of Action;

4. Calls upon the United Nations system to ensure appropriate dissemination of the World Declaration and the Plan of Action;

5. Requests the Secretary-General to take appropriate action to ensure the implementation and monitoring by the relevant organs, organizations and bodies of the United Nations system of the provisions of the present resolution;

6. Takes note of the provisions in the Plan of Action for appropriate mechanisms in the United Nations system to monitor its implementation;

7. Decides to consider at its forty-seventh session the question of the implementation of the World Declaration and the Plan of Action, in particular the response of the United Nations system;

8. Requests the Secretary-General to report to the General Assembly at its forty-seventh session, through the Economic and Social Council at its first and second regular sessions of 1992, on the implementation of the present resolution.

General Assembly resolution 45/217

21 December 1990 Meeting 71 Adopted without vote

Approved by Second Committee (A/45/854) without vote, 7 December (meeting 52); draft by Vice-Chairman (A/C.2/45/L.74), based on informal consultations on 75-nation draft (A/C.2/45/L.62); agenda item 84.

Meeting numbers. GA 45th session: 2nd Committee 33-36, 38, 50, 52; plenary 71.

Summit preparations

The first meeting of the Planning Committee for the World Summit for Children was held in New York on 12 January [E/ICEF/1990/12 & Corr.1]. The six initiating Governments (Canada, Egypt, Mali, Mexico, Pakistan, Sweden) had invited 12 additional Governments to join them as initial members of the Planning Committee; an additional two Governments had asked to attend, and two other Governments indicated interest. The Planning Committee agreed that its membership

should be open to any State Member of the United Nations or members of its specialized agencies. It accepted the Statement of Agreement on the World Summit for Children, adopted by the initiating Governments, and the 1989 decision of the UNICEF Executive Board as its terms of reference [YUN 1989, p. 682]. The Committee authorized the UNICEF Executive Director, in consultation with the Secretary-General, to determine the dates of the Summit. On 8 February, the Secretary-General announced that the Summit would be convened on 29 and 30 September and, if necessary, on 1 October. At the request of the Planning Committee, 17 Governments and 15 international organizations and the Summit secretariat submitted suggestions on themes and topics to be included in the agenda of the Summit.

At its second meeting (New York, 19 March), the Committee endorsed the nomination of Benazir Bhutto (Pakistan) and Brian Mulroney (Canada) as Co-Chairmen of the World Summit. It established an open-ended working group on the declaration, to draft the proposed political documents of the World Summit, and an open-ended working group on its format.

The first meeting of the Working Group on the Declaration (2 April) concluded that a short political declaration of commitment for action, and a plan of action that elaborated upon specific child-related goals and strategies for the 1990s, should be proposed for adoption by the heads of State or Government participating in the World Summit. It agreed that the declaration should provide a message that could be communicated to and understood by all sectors of society and that the topics and themes submitted by Governments and agencies provided a base of issues that might be included in the plan of action, supplemented by decisions by the UNICEF Executive Board or other sources. The Working Group requested its Chairman to prepare preliminary drafts of the declaration and plan of action. The first meeting of the Working Group on Format was held on 10 April.

UNICEF consideration. At its 1990 regular session (16-27 April), the UNICEF Executive Board had before it a progress report on preparations for the World Summit [E/ICEF/1990/12 & Corr.1], which highlighted the work of the Planning Committee for the World Summit and its working groups and the financial implications of holding the Summit. An addendum to the report [E/ICEF/1990/12/Add.1] set out the suggested themes and topics for the Summit, as well as a tentative schedule for the Planning Committee and related meetings and activities. It also reported that pledges and contributions

of \$763,925 had been received for the Summit and \$500,034 for Summit-related mobilization activities. Revised budget estimates amounted to \$1,483,762 for the Summit for 1990 and totalled \$1,999,683 for mobilization activities [E/ICEF/1990/AB/L.11].

In April [E/1990/28 (dec. 1990/12)]¹, the Executive Board noted the progress made in planning and preparations for the World Summit for Children. It invited the Planning Committee and the working groups to bear in mind the views expressed by the Executive Board in carrying out their future work. The Board decided to review the preparations for the Summit at a special session in early September and appealed to those Governments, National Committees for UNICEF and others, that had not yet done so to make voluntary contributions to the special accounts for the Summit.

In a further decision [dec. 1990/24], the Board approved the revised budget estimates for the Summit as presented.

Special session. The Executive Board held its special session [E/ICEF/1990/17] in New York on 6 and 7 September to review preparations for the Summit. It had before it a progress report on the preparations for the Summit [E/ICEF/1990/16], which dealt with the process of organizing and preparing the Summit, the drafting of the final declaration and plan of action, formulation of the agenda and format of the meeting, and some of the initiatives taken at the country level in support of the Summit. Also before the Board were: a note by the Executive Director containing the draft world declaration on the survival, protection and development of children and the draft plan of action [E/ICEF/1990/L.20]; the response of the NGO Committee on UNICEF to the draft declaration and plan of action [E/ICEF/1990/NGO/8]; and revised budget estimates for the Summit and Summit-related mobilization activities [E/ICEF/1990/AB/L.16 & Corr.1].

As at 20 August, a total of \$2,015,008 in contributions and pledges had been received for the Summit meeting and \$1,563,210 for mobilization activities. Revised budget estimates were submitted amounting to \$2,994,762 for the Summit, an increase of \$1,511,000 over the amount approved by the Board in April, and \$2,139,683 for mobilization activities, an increase of \$140,000.

In September [E/ICEF/1990/17 (dec. 1990/35)]¹, the Executive Board approved the revised budget estimates for the World Summit for Children and the Summit-related mobilization activities as presented. It authorized the Executive Director to enter into commitments up to the limit of total confirmed and anticipated contributions and requested him to ensure that all unforeseen and extraordinary expenditures were financed from

the special account for the Summit. He should report on any additional expenditures in excess of the approved budget level for review by the Board at its next regular (1991) session.

Convention on the Rights of the Child

The Convention on the Rights of the Child, adopted by the General Assembly in resolution 44/25 [YUN 1989, p. 560] and opened for signature in New York on 26 January 1990, entered into force on 2 September, having received 103 signatures and 31 ratifications or accessions from 31 States as at 31 August 1990, said the Secretary-General in his report on the status of the Convention [A/45/473].

The Executive Director, in his report on 1990 activities [E/ICEF/1991/2 (Part I)], stated that the Convention set universal legal standards for the protection of children against neglect, abuse and exploitation, as well as guaranteeing their basic human rights, including survival, development, protection and participation in social, cultural, educational and other endeavours necessary for their well-being. While full implementation would take a long time, particularly in developing countries, its norms and standards would provide guiding principles for development efforts in the future.

As at 31 December 1990, the number of States parties to the Convention had risen to 62.

The General Assembly, by resolution 45/104 of 14 December, welcomed the entry into force of the Convention as a major step in international efforts to promote universal respect for and observance of human rights and fundamental freedoms. It called upon all States that had not done so to sign, ratify or accede to the Convention as a matter of priority.

UN Children's Fund (UNICEF)

During 1990, the United Nations Children's Fund (UNICEF) supported programmes in 127 countries and territories, the greatest number of which were in Africa (44), followed by Latin America and the Caribbean (35), Asia (34) and the Middle East and North Africa (14).

Programme expenditures amounted to \$584 million, of which \$250 million (43 per cent) was spent on child health; \$82 million (14 per cent) on water supply and sanitation; \$75 million (13 per cent) on planning and support; \$57 million (10 per cent) on education; \$49 million (8 per cent) on emergency operations; \$41 million (7 per cent) on community development; and \$29 million (5 per cent) on child nutrition and household food security.

In his report on 1990 activities [E/ICEF/1991/2 (Part I)], the UNICEF Executive Director stated that 1990 would be seen as a historic turning-point for the world's children. It was a year when the needs and aspirations of children received more attention in more forums at higher policy-making levels than ever before. It was a year of great promises for children, as embodied in the World Declaration on the Survival, Protection and Development of Children, the Plan of Action for Implementing the World Declaration (see above) and the Convention on the Rights of the Child (see above). Beyond promises, it was also a year of concrete, practical results, as evidenced by the effective achievement of the ambitious goal of universal child immunization (UCI), saving the lives of some 3 million children a year and protecting the health of millions more. However, 1990 was by no means a year of unqualified success for children. In certain areas, the situation of children had actually deteriorated. Sub-Saharan Africa continued to reel under persistent economic decline, natural disasters, civil strife and the ravages of AIDS, and a broad and durable solution had not yet been found to the external debt crisis in Latin America. Current rates of progress and the scale of commitments had to be surpassed if the goals for children endorsed by the World Summit for Children were to be achieved. The hope for their achievement lay in accelerating progress, galvanizing political commitment, and searching for technical breakthroughs and social mobilization to compress the work of several decades into one.

Programme policies

Medium-term plan

In April [dec. 1990/31, the Executive Board endorsed the programme objectives for UNICEF as described in the medium-term plan for the period 1990-1993 [E/ICEF/1990/3 & Corr.1].

The plan, which represented a substantive revision of the 1988-1992 plan, was prepared in the context of the goals and strategies for children in the 1990s (see below) and of foreseeable socio-economic trends [YUN 1989, p. 670]. It presented major programme areas, including specific UNICEF interventions in support of child survival and development goals. It reviewed the principal programmatic approaches and areas of concern that cut across all sectors and programme activities and presented those aspects of country programming that characterized specific regions. The strategic approaches that would guide external relations and the operations area during the period of the plan were

discussed. Also presented was a strategy for the allocation of resources among countries and by major programme sectors, including the financial plan for 1990-1993.

Development goals and strategies for children in the 1990s

In April, the Executive Director submitted proposals for goals and strategies for children and development in the 1990s [E/ICEF/1990/L.5]. The proposals were derived from an analysis of the experience of the 1980s, recommendations of several recent international commissions and conferences, and the medium- and longer-term plans and perspectives of various UN agencies, including UNICEF.

The major goals of child survival, development and protection to be achieved by the year 2000 were: the reduction of the infant mortality rate and the mortality rate of children under five in all countries by one third, or to 50 and 70 per 1,000 live births, respectively, whichever was less; the reduction of the maternal mortality rate by one third; the reduction of malnutrition among children under five by 50 per cent; universal access to safe drinking water and sanitary means of excreta disposal; universal access to basic education and completion of primary education by at least 80 per cent of primary-school-age children; the reduction of the adult illiteracy rate to at least one half of its 1990 level, with an emphasis on female illiteracy; and improved protection of children in especially difficult circumstances. Also proposed were goals in specific and sectoral areas such as maternal and child health, nutrition, safe water supply and environmental sanitation, basic education, literacy, early childhood development, and children in especially difficult circumstances.

The Executive Director noted that the goals would have to be adapted to the specific realities of each country but were technically feasible and financially affordable. He proposed a number of strategic actions to achieve the goals, including building the economic base for meeting human goals, and set out UNICEF'S operational strategies.

In April [dec. 1990/21, the Board approved the goals and strategies for children and development as the guiding principles for UNICEF work in the 1990s, while stressing the importance of maximizing their long-term development impact. The focus of UNICEF activities would be on integrated primary health care, with special emphasis on child and maternal health, including safe motherhood; food and nutrition, safe water supply and environmental sanitation; basic education, with special emphasis on girls and

women; and children in especially difficult circumstances. Those principles would guide the formulation of UNICEF's medium-term plan and the biennial budget and the setting of specific programme priorities, the proposals for the commitment of financial resources and other proposals. The country programming process had to have primacy, and goals and targets might be valuable aiming-posts and bench-marks. The Board called on States to set goals and develop and implement national, regional and international strategies for children and to support the goals and strategies for the 1990s as part of the international development strategy for the Fourth International Development Decade (see PART THREE, Chapter I). It requested all States, international development agencies and NGOs to help mobilize the financial resources and political support to help achieve the major goals and strategies, which might imply the restructuring of the allocation of resources and of the use of available means.

The Board urged all States and international and non-governmental agencies, in formulating and implementing strategies for children, to take into account the fact that strategies for children should be situated within general development strategies and should take into account, *inter alia*, national capacity-building, poverty alleviation, people's (particularly women's) empowerment and participation in planning and implementation, sustainability and environmental soundness, and co-ordinated and intersectoral policies, recognizing the necessity for adequate resources to achieve those objectives.

Strategy for improved nutrition
of children and women in developing countries

The Executive Director proposed a strategy for improved nutrition of children and women in developing countries [E/ICEF/1990/L.6]. The strategy, based on previous nutrition-oriented programmes, aimed to reduce and ultimately eliminate malnutrition in developing countries. Its overall objective was to empower families, communities and Governments to improve the nutrition of women and children on the basis of adequate information and sound analysis, implying the concepts of self-reliance, sustainability and scale. It would initiate new processes and accelerate existing ones at all levels of society in order to mobilize people and resources for improved nutrition. The two most important elements of the strategy were a method of assessment, analysis and action ("triple A approach") and a conceptual framework for the analysis of the causes of malnutrition in a specific context. The first element described how information

should be used, while the second provided a guide for discerning what information should be collected. The strategy was applicable at household, community, district and national levels. Important strategy components included the promotion of breast-feeding and attention to outreach and urbanization.

In April [dec. 1990/91], the Executive Board endorsed specific nutritional goals for the year 2000: the control of protein-energy malnutrition, including the reduction of both moderate and severe protein-energy malnutrition in children under five by one half of the 1990 levels, and the reduction of the rate of low birth weight (less than 2.5 kilograms) to less than 10 per cent; and the control of micronutrient deficiency disorders, including the reduction of iron-deficiency anaemia among women of child-bearing age by one third of the 1990 levels and the elimination of iodine-deficiency disorders and of vitamin A deficiency and its consequences, including blindness. The Board also endorsed the strategy proposed to achieve the overall objective of empowering families, communities and Governments to improve the nutrition of women and children on the basis of adequate information and analysis. It further endorsed the proposal that the strategy be implemented at household/community, district and national levels, and the proposal that the elements of the strategy in a given context would be identified through analysis and would include actions that addressed the manifestation and immediate causes of malnutrition, as well as its underlying and basic causes.

UNICEF external relations

In response to a 1989 Executive Board request [YUN 1989, p. 671], the Executive Director submitted a report on the future role of UNICEF external relations [E/ICEF/1990/L.4], which had been prepared based on an in-depth evaluation and analysis of current UNICEF external relations and an outline by the Executive Director of future trends. The report provided definitions of terms pertaining to UNICEF external relations, described the context for the work and set out the objectives, policies and priorities of future external relations. It presented proposals for improving management and planning and strengthening links between the relevant functions at headquarters and the field network and National Committees.

According to the report, the role of UNICEF external relations would continue to be to support overall UNICEF objectives through programmes of co-operation, information, advocacy, public outreach and fund-raising. Its objectives were:

advocacy, information and fund-raising efforts to improve the situation of children and mothers, particularly the specific goals for health, nutrition, water and sanitation and basic education, and the priorities embodied in the Convention on the Rights of the Child; mobilizing partners and allies at the international level and support for mobilization efforts at the country level through advocacy, information, fund-raising and other efforts; building awareness and mobilizing support for community participation and reaching the unreached as important objectives of UNICEF assistance and of other co-operation in the development process; support for the enhancement of the situation of women through advocacy in international and regional organizations, through specific-purpose fund-raising and through support for the information and communication processes that might help to empower them; and arguing strongly through international and regional advocacy and information for national capacity-building as a foundation of sustainable and self-reliant development.

Specific objectives for fund-raising and greeting card sales were identified, as well as plans for the work of the external relations division at headquarters.

The Executive Board supported [dec. 1990/14] the steps taken to improve the integration of the planning and management of UNICEF external relations, in particular reactivating the External Relations Committee and more regular meetings of the external relations division directors at headquarters. It endorsed the measures proposed to strengthen the linkages between external relations efforts at headquarters, in the field and with National Committees for UNICEF, in particular as focused on countries where UNICEF had programmes of co-operation, and urged the Executive Director to take further steps to improve the external relations function. He should review the role, functions and resources of the Geneva Office and the size and level of its staffing, to enable it, in particular, to meet the new challenges that Europe offered in the 1990s, and to present recommendations thereon to the Board in 1991. He should also report on developments and intentions in the area of external relations in his annual report. Beginning in 1992, he should include, in country programme recommendations with a significant external relations component, a section setting out external relations activities, expenditures, accomplishments, problems and future plans. Also beginning in 1992, he should make the planning of external relations and advocacy an integral part of the medium-term plan process specifying, *inter alia*,

goals, objectives, activities, outputs, staffing and resource requirements and an evaluation plan. The Executive Director should also clarify, at the Board's 1991 session, the complete role and specific functions of the external relations units.

UNICEF Maurice Pate Award

The 1990 Maurice Pate Award, established in 1966 [YUN 1966, p. 385] to commemorate the first UNICEF Executive Director, was presented to Professor Olikoye Ransome-Kuti, Minister of Health of Nigeria, for his advocacy of public health services for all; his vision and leadership in the development of a national, community-based public health-care system, which served as a model for African countries and throughout the world; and his pioneering adaptation of the principles of the Bamako Initiative (see below).

The Executive Director submitted recommendations to amend the procedure related to objectives, recipients, nominations and selection of the award. Those amendments reflected the views of Executive Board members that no government or government-related official should be nominated; that nominations should be sought from Board member Governments; that the Bureau of the Executive Board should review and evaluate all nominations; and that equitable geographical rotation should be ensured in the selection process.

In September, the Board decided that the amendments should be submitted to its 1991 organizational session for approval.

UNICEF programmes by region

Africa

In 1990, programme expenditure in Africa amounted to \$218.4 million, representing 37 per cent of total UNICEF programme expenditure.

During the year, Africa continued to struggle with many different challenges. Although there was some political progress, the economic crisis persisted and new outbreaks of violence created more refugees and displaced persons. Against a mixed backdrop of political progress and continuing economic crisis in 1990, UNICEF undertook a wide range of activities to promote child survival, protection and development in Africa and to reach the global goals for the 1990s.

In eastern and southern Africa, programmes to improve the health status of women and children remained the centre-piece of country programmes. Priority attention was devoted to achieving UCI, and efforts were continued to expand primary health care (PHC), increase access to oral rehydration therapy (ORT), control diar-

rhoeal diseases and combat acute respiratory infections (ARI).

Many countries moved beyond the traditional concept of safe motherhood-limited to pregnancy and lactation-and focused on the supply of equipment and the training of health personnel. The Safe Motherhood Conference held in Harare, Zimbabwe, in October generated renewed interest in translating the principles of safe motherhood into effective country programmes.

Two critical health problems continued to require heightened attention in the region: malaria and AIDS. In Rwanda, Sao Tome and Principe, Uganda and the United Republic of Tanzania, malaria was reported to be the major cause of death of children under five years old. UNICEF efforts to combat malaria included the provision of chloroquine in essential drug kits and promotion of the use of mosquito nets treated with insecticide.

The HIV/AIDS virus continued to spread at alarming rates. The UNICEF anti-AIDS strategy focused on using information, education and communication (IEC) aimed particularly at young people to prevent HIV transmission. The AIDS/Health Education network focused on the social problems arising from HIV/AIDS, as well as the special needs of families affected by the disease.

UNICEF supported a wide range of activities to improve the nutritional status of women and children in the region, including training health and IEC workers, educating mothers and sometimes fathers, establishing community-based growth monitoring and growth promotion activities, and strengthening the planning and management activities of key government ministries, especially those responsible for planning and health. The major challenge in the area of nutrition would be the translation of the new UNICEF nutrition strategy (see above) into actual country programming activities.

Despite some advances during the International Drinking Water Supply and Sanitation Decade (1981-1990) (see below), a wide gap remained in the region between rural and urban access to safe water and adequate sanitation. Improved sanitation lagged behind water supply, while water pollution and health education were major problems. Kenya, the United Republic of Tanzania and Zimbabwe developed and implemented national programmes to improve safe water and sanitation. In Ethiopia, UNICEF supported efforts to strengthen government capacity to plan and manage water supply and sanitation programmes, and in Uganda, it supported the development of a strong, community-based

maintenance system, including the training of personnel. The rehabilitation and construction of water sources such as springs, deep and shallow wells and, in some urban areas, running main pipelines into settlements received UNICEF support in Angola and Mozambique. In the context of decreasing government resources, cost recovery was a recurring concern and served as the theme for a workshop on community-based water supply and sanitation held in Kampala, Uganda, attended by water supply and sanitation officers from the eastern and southern and West and Central Africa UNICEF regional offices.

As a follow-up to the 1990 World Conference on Education for All (Jomtien, Thailand, 5-9 March) (see PART THREE, Chapter XII) and with UNICEF support, several countries in the region (Malawi, Rwanda, Zambia) established task forces to facilitate implementation of the Conference Declaration. Most countries re-examined their problems and worked to find innovative solutions. UNICEF supported regional seminars to examine and promulgate the principles of education for all. A consultative meeting of UNICEF programme officers and education focal points assessed the implications for UNICEF programmes.

In April [dec. 1990/91], the UNICEF Executive Board, having considered a report on UNICEF support for children and women in South Africa [E/ICEF/1990/P/L.42], expressed concern about the infant mortality rate among black children in South Africa, which was approximately ten times higher than that of white children and was one of the highest in the region. It supported UNICEF co-operation with the newly independent State of Namibia for the provision of services to the children and women of that country and UNICEF co-operation with NGOs seized with the problems relating to children and women inside South Africa. It requested UNICEF to operate in accordance with the relevant UN resolutions regarding collaboration with the South African regime, and urged the international community to continue supporting the oppressed women and children of South Africa. It requested the Executive Director to report on those activities in 1991.

The Economic and Social Council, in resolution 1990/13 of 24 May, appealed to all countries to support educational, health and social welfare programmes for women and children under apartheid.

In the West and Central Africa region, 1990 was marked by growing trends towards multi-party political systems, although some countries continued to be affected by strife. Following the outbreak of civil war in Liberia at the end of 1989, over 600,000 refugees fled to neighbouring Côte

d'Ivoire, Guinea and Sierra Leone. In Liberia, over 745,000 people were without adequate food, water, shelter or medical care. UNICEF co-operated with other members of the UN system and with NGOs to alleviate the plight of refugees, particularly those Liberian children severely traumatized by the tragedy. The African Development Bank and UNICEF held their first consultative meeting (Abidjan, Côte d'Ivoire, May) to discuss operational modalities for co-operation, joint implementation of the Bamako Initiative [YUN 1987, p. 859] and collaboration in addressing the effects of structural adjustment programmes.

The region continued to make progress in the area of immunization. Cape Verde, the Congo and the Gambia had reached UCI by 1990, and at least five other countries were expected to attain 75 per cent vaccination coverage during the year. Regional coverage was expected to average over 50 per cent for three doses of combined diphtheria/pertussis/tetanus vaccine (DPT3). At the Third Regional Conference on Dracunculiasis in Africa, held in March in Yamoussoukro, Côte d'Ivoire, strategic project options to achieve eradication of the disease in the region by 1995 were reviewed (see below).

The Bamako Initiative, adopted by the African ministers of health in 1987 [YUN 1987, p. 859] to improve the health of women and children through community-level funding and management of essential drugs, was increasingly promoted in the context of country programmes. Common constraints identified in developing the Bamako Initiative in the region included: slow progress in policy formulation and effective implementation on essential drugs, decentralization and community financing; the difficulty of upgrading the first referral level; the scarcity of foreign exchange; and pressing issues related to staff management, such as grossly insufficient remuneration and lack of incentives, difficulty in filling posts in remote areas and generally poor performance. UNICEF worked closely with all partners to develop models for sustainable health services financing and for community organization, with special focus on capacity-building at all levels.

The situation with regard to AIDS worsened in 1990, with the total number of confirmed cases increasing in some countries by 100 per cent in comparison to the previous year. The Fifth International Conference on AIDS in Africa was held in Kinshasa, Zaire, in October.

Although the targets of the International Drinking Water Supply and Sanitation Decade were not reached in the region (see below), countries did adjust their strategies according to lessons learned during the 1980s. The application

of low-cost technologies such as gravity spring systems in Nigeria and hand-dug wells in Sierra Leone and Zaire, with full community participation, helped to make greater use of financial resources.

Americas and the Caribbean

In 1990, programme expenditure in the Americas and the Caribbean amounted to \$58 million, representing 10 per cent of UNICEF's total programme expenditure.

Despite the region's structural difficulties, strides were made in almost every country towards establishing and consolidating democratic governments, with the elections in Haiti and Nicaragua in 1990 as examples of that trend. However, the region's chronic poverty and growing unrest posed threats to the democratization process in the long term. In addition, the growing level of open violence in some Latin American countries, particularly Colombia, El Salvador, Guatemala and Peru, was a further challenge in the region. Economic conditions remained bleak in 1990, with the external debt totalling \$423 billion and, for the ninth consecutive year, the region being a net exporter of capital—\$18.9 billion in 1990 alone. Thus, economic vulnerability continued to be the condition of millions of people in the region, with chronic poverty affecting some 270 million people, or 62 per cent of the population.

The region continued to make progress towards the goal of UCI. It was on the verge of reaching the goal of polio eradication; during 1990, only 10 cases of wild polio virus were confirmed. The formulation of phase II of the expanded programme of immunization (EPI) (1991-1995) was a new challenge facing both the countries of the region and UNICEF, in which success would be measured by decreases in the rates of vaccine-preventable diseases rather than by the percentages of children immunized.

All countries in the region conducted situation analyses to ascertain the number and the problems of children in especially difficult circumstances, as well as the number of those at risk. The focus on research and policy formulation reinforced the open and human approach that 16 countries in the region had implemented successfully in dealing with the problem of children in especially difficult circumstances. Effective programmes for assisting working and street children had already been initiated in most countries of the region, and future actions were to target those children not yet covered by existing programmes.

In 14 countries, the attention of the public and policy makers was called to the situation of

women, through research studies describing their problems and programme activities to generate income and improve their health and educational status. Four successful models for women's development were identified in Brazil, Chile, Ecuador and Mexico. Those case-studies were to be documented to help stimulate their replication in other countries of the region.

In April [dec. 1990/10], the Executive Board, noting the positive results achieved by the establishment of the Special Adjustment Facility for Latin America and the Caribbean (SAFLAC), requested the Executive Director to continue the development of a concrete financing mechanism to be set up in conjunction with the Inter-American Development Bank. He was asked to promote and strengthen early childhood education programmes, particularly for children under the age of six, including components for early stimulation, basic education, health, nutrition and promoting community organization and participation. He should also promote safe motherhood programmes, including the reduction of unwanted pregnancies, and promote and support the development of strategies for providing additional support to school-age children during out-of-school hours to prevent the undesired phenomena associated with truancy, such as exposure to illicit drug trafficking and all the dangers to which children were exposed in the street.

Asia and the Pacific

In 1990, programme expenditure in Asia and the Pacific amounted to \$233 million, or 40 per cent of UNICEF'S total programme expenditure.

During the 1980s, most developing countries in East Asia and Pakistan demonstrated a high level of political commitment to improving services for children and women, which led in 1990 to continued improvements in their health and educational status. However, economic instability exacerbated by the conflict between Iraq and Kuwait (see PART TWO, Chapter III), together with rapid urbanization, the increased number of female-headed households and environmental degradation, posed serious challenges for the future. Despite economic growth in much of the region and the overall improvements in women's and children's health and educational status, income distribution and access to services remained highly inequitable, with disproportionate numbers of women and children among the poorest of the poor. Although per capita income rose in Indonesia, Malaysia, Pakistan, the Philippines and Thailand, the lowest income groups were unable to improve their quality of life.

In 1990, there were considerable improvements in child survival and development in the

region, with all countries reporting increased immunization coverage. The availability and use of oral rehydration salts (ORS) increased throughout the region, with several countries becoming self-sufficient in ORS production. Safe motherhood policies had been initiated in all countries, while the infant mortality rate continued to decline. By 1990, UCI had been reached in Indonesia, the Philippines, the Republic of Korea, Thailand, Viet Nam, the Marshall Islands and five other Pacific island nations. Malaysia was close to the target, and Pakistan was making great efforts to achieve UCI by the end of the year. Impressive improvements in coverage under EPI were noted in Bangladesh, as well as in Cambodia, Kiribati, Papua New Guinea and Vanuatu. Almost all countries in the region had strengthened their health delivery systems through immunization programmes. All countries in the region also had programmes for the control of diarrhoeal diseases (CDD), which included training in case management, programme management and supervision; research into access to and use of ORS production; and supply of ORS and IEC support for CDD. UNICEF also supported the establishment of diarrhoea training units. Attempts were made throughout the region to integrate CDD activities into broader initiatives in maternal and child health (MCH) and in water supply and sanitation. In Pakistan, the national diarrhoea treatment policy emphasized prevention through the promotion of breast-feeding, measles immunization and hygiene education.

In 1990, ARIs were the leading cause of morbidity and mortality in the region, accounting for 25 per cent of all deaths of children under five years of age. Programmes for the prevention and control of ARIs were in progress in Bangladesh, Indonesia, the Lao People's Democratic Republic, Myanmar, Pakistan, the Philippines, Thailand and Viet Nam and were expanding rapidly.

The rate of malnutrition among children declined slowly in most countries. Throughout 1990, the major nutritional activities were growth monitoring, community nutrition activities and the promotion of breast-feeding and national and household food security. Growth monitoring and promotion remained an important focus of most nutrition programmes, while the prevention and control of micronutrient deficiencies, such as iodine deficiency disorders and vitamin A deficiencies, also continued to be a priority.

The number of people infected with AIDS increased dramatically during 1990. Between August 1989 and August 1990, the cases of HIV reported in the region had escalated from 9,473 to 20,604, but the actual number was much higher than officially reported. Most countries in the re-

gion had implemented short-term plans of action with assistance from various donors.

UNICEF continued to support programmes of direct benefit to women and the integration of women's concerns into other sectoral programmes. Income-generating activities for women were supported in many countries in the region. In the Lao People's Democratic Republic and in Thailand, women were trained in silkworm raising, textile weaving, animal raising and establishing rice banks; in Bangladesh, landless women were assisted by the Grameen Bank; and in Papua New Guinea, a survey was conducted of women's income-generating activities. Support was given to embroidery, sewing and dress-making in Viet Nam and to skills-training activities in Cambodia, the Lao People's Democratic Republic and Papua New Guinea. In the Philippines, UNICEF supported training in new non-formal educational methods for female functional literacy skills, and in Thailand in business skills.

Working children, child abuse, child prostitution, street children and children affected by armed conflict were growing problems in many countries of the region. Regional networks, supported by UNICEF, made important contributions in raising awareness of those problems, enhancing support for activities of NGOs and influencing public opinion. One UNICEF-supported NGO, Child Workers in Asia, published newsletters and pictorial booklets on the situation of working children. In China, the fourth Government of China/UNICEF programme of co-operation for the period 1990-1994 commenced. The major aim of the initiative was to ensure that every young child below the age of six, especially those in poor and remote areas, had access to essential services and could participate in affordable, community-based early childcare and education activities.

In South Central Asia, UCI efforts harnessed the energy of all UNICEF offices in the region in 1990. Universal coverage was achieved and verified in Maldives, Mongolia and Sri Lanka. In Bhutan, continued outreach through a network of mobile clinics achieved substantial improvements in coverage. The programme in Afghanistan realized remarkable coverage under most difficult circumstances. Nepal's major efforts in 1989 were set back over much of 1990 by political turmoil and resulting changes in Government, although 93 per cent of children received at least one vaccine. India embarked on a nationwide mobilization to achieve UCI by the end of the year.

Diarrhoeal diseases remained the main killer of young children in the region, and an extensive effort was made to expand public awareness of

ORT and to increase the availability of ORS. In Mongolia, where there were ORT units in every health institution, there was a measurable decline in deaths caused by diarrhoea. The national diarrhoea training unit established in Bhutan trained all health workers in the country in the management of diarrhoea, while in Nepal, a household survey on diarrhoeal diseases showed a decrease in diarrhoea episodes, improved feeding practices, including breast-feeding, and greater use of ORT. In Afghanistan, diarrhoea was associated with over 40 per cent of the deaths of children under two years of age. Through a public information effort, 90 per cent of refugee camp dwellers were aware of ORS, although utilization rates were much lower.

Concerted attention was paid to programmes for safe motherhood, starting with a regional meeting in Lahore, Pakistan, in March, attended by representatives of all countries in the region.

Middle East and North Africa

In 1990, programme expenditure in the Middle East and North Africa amounted to \$57 million, or 10 per cent of UNICEF's total programme expenditure.

During the closing months of 1990, the Iraq-Kuwait crisis (see PART TWO, Chapter III) and its aftermath affected all the region's economies. Oil prices doubled, hundreds of thousands of foreign workers returned home and both interregional trade and workers' remittances vanished overnight. The events overshadowed even the impending famine in the Sudan and a military confrontation in Lebanon. The upward momentum of programmes to protect children and mothers was seriously affected.

By mid-1990, the Middle East and North African countries were well on their way to achieving the goal of reducing the infant mortality rate to one half its 1990 level. However, the conflict between Iraq and Kuwait abruptly clouded that outlook. In the countries seriously affected by the crisis-especially Djibouti, Jordan and Yemen-the only clear signal in the rapidly deteriorating situation was that the recently created fragile protection for children was in danger of disintegrating.

In response to the crisis between Iraq and Kuwait, UNICEF assistance was closely co-ordinated with Jordan, UN agencies and NGOs to help to provide tents, blankets, mattresses, water supply and sanitation facilities and health supplies at six camps for refugees and evacuees entering Jordan from Iraq and Kuwait. Approximately 1.3 million refugees entered Jordan, severely straining its economy, adversely affected by the situation in the region. In mid-December, UNICEF arranged

delivery to Iraq of a shipment of paediatric medical supplies valued at approximately \$318,000, including vaccines, weighing scales and birthing kits.

During 1990, all countries in the region positioned themselves to reach the goal of 80 per cent immunization coverage by December. Lebanon and the Sudan raised their immunization coverage dramatically; war-torn Lebanon carried out its first nation-wide coverage survey, yielding the first basic indicators on child survival since the 1960s. Coverage in Egypt, Iran and Turkey stabilized at between 80 and 88 per cent, and in other countries it reached 90 per cent. The momentum of high immunization coverage could also strengthen MCH services, CDD and other areas likely to be affected by budget cuts.

Infant, child and maternal mortality reduction was another priority in the region in 1990. At a meeting in September (Damascus, Syrian Arab Republic), Arab health ministers stated that mothers managing successfully to bring their children through the dangers of early childhood must have their own health and survival ensured. The high levels of maternal mortality in Djibouti, Iraq, the Syrian Arab Republic and Yemen clearly indicated the need for interventions to improve maternal health and nutrition. New initiatives were already under way, and most countries had already begun advocating birth spacing, while Iran moved ahead in its promotion of safe, effective contraceptives.

The countries of the region developed programmes or planned to develop strategies and activities to narrow disparities between boys and girls. The Arab Council for Childhood and Development was a partner in that process, as was the League of Arab States. An indication of the success of their advocacy was the decision taken by Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates to undertake situation analyses of disparities between boys and girls so that national strategies to reduce differences could be formulated. The UNICEF regional office in Amman, Jordan, prepared a data base on sex differentials in child survival and development (CSD) indicators, and each country office undertook similar initiatives.

The Executive Board had before it a report on programme development in the Middle East and North Africa [E/ICEF/1991/10], which analysed major new trends and developments of UNICEF programme co-operation in the area, where the upward momentum of programmes to protect children and mothers was seriously affected during 1990 in the aftermath of the conflict between Iraq and Kuwait (see PART TWO, Chapter III). The report described political and socio-

economic developments affecting children in the region; presented highlights of programme, regional co-operation and management issues; outlined UNICEF'S co-operation with regional partners; described office management; and contained a section on Yemen.

Central and Eastern Europe,
CIS and the Baltic States

One of the major activities in Central and Eastern Europe, the Commonwealth of Independent States (CIS) and the Baltic States in 1990 was a round table on "Safety Nets for Children in Central and Eastern Europe", held in Warsaw, Poland, under the auspices of the Polish Government, with organizational support from UNICEF. The round table focused on adjustment mechanisms that needed to be developed by countries in the region to protect children and other vulnerable groups during the transition to a market economy when previous forms of security and protection might have been abandoned before new forms were developed and put in place. Its conclusions included recommendations to monitor the development of alternative social policies with respect to their effectiveness and to establish basic reporting systems to monitor child welfare indicators during the transitional phase. The International Child Development Centre (see below) had proposed research and information exchange projects on institutionalized child care and early child development in Central and Eastern Europe as an extension of its ongoing analytical work on children in industrialized countries.

The plight of institutionalized children in Romania aroused much concern during the year. As many as 140,000 to 200,000 children were found in extremely deprived, often shocking institutional settings. UNICEF undertook four emergency missions to the country with a focus on those children. In response to the crisis, UNICEF received funds-in-trust of approximately \$4 million from Governments and National Committees for UNICEF for emergency assistance. UNICEF'S emergency response included: providing immediate emergency requirements; catering for longer-term emergency needs; and designing policies and programmes for the deinstitutionalization of children, child protection and child development. Support for immediate emergency requirements included the delivery of pharmaceutical and medical products and equipment for the institutions for children, as well as training for professional and paraprofessional staff working in those institutions. As a longer-term objective, the emergency programme aimed to reduce the number of institutionalized children by redefining the screening criteria for child disabilities

for specialized institutional care and also by developing alternative approaches to institutionalization, including family reunion, foster home placement and adoption.

In April [dec. 1990/51], the Executive Board, noting the particular pressures on children at that time in countries of Central and Eastern Europe and the particular needs of children in the region, requested the Executive Director, during the transitional period 1990-1992, to provide technical support to rethink policies for child survival, development and protection in the context of the new situation of Central and Eastern Europe, and to respond on an exceptional basis to specific requests for support. It authorized UNICEF to spend additionally, without any diversion of support from developing countries, up to \$1 million per year from the administrative budget during 1990-1992 to support data collection on the situation of children and women, analytical studies, technical workshops, information materials and other related activities, and to cover necessary staff costs.

UNICEF programmes by sector

Immunization

Immunization coverage of infants in the developing world reached an all-time high, achieving the 1990 goal of 80 per cent. Coverage with BCC (anti-tuberculosis vaccine) reached 89 per cent, and coverage with three doses of polio vaccine and DPT3 reached 83 and 81 per cent, respectively. Measles coverage was at 78 per cent. A total of 64 countries achieved their UCI targets by the end of 1990 and an additional 16 achieved it for all antigens except measles, accounting for approximately two thirds of infants in developing countries. In accelerating immunization programmes to meet the 1990 goal, a number of significant achievements in interrelated areas were made such as extending cold-chain systems to reach all or nearly all communities in most countries, establishing or strengthening logistical systems and developing in most countries information systems for monitoring, management and evaluation. A vaccine-independence initiative was developed to provide a mechanism for developing countries to become self-reliant in vaccine procurement. The children's vaccine initiative was launched in September by UNICEF and the World Health Organization (WHO) and endorsed by the World Summit for Children (see above). A global strategy and plans of action for reaching each of the 1990 goals were elaborated by WHO and UNICEF and national plans of action were

drawn up by many countries with high coverage levels.

The success in increasing immunization coverage was a result of excellent international collaboration, as well as the commitment of developing countries to invest in building systems to reach all of their children with immunization services. More than 80 countries had given priority to accelerating immunization coverage and had been striving to achieve the 1990 goal or to maintain UCI target levels.

UNICEF provided the Executive Board with a progress report on UCI [E/ICEF/1991/L.8]. A later addendum [E/ICEF/1991/L.S/Add.1] contained an analysis of regional and country-level experiences.

In April [dec. 1990/11], the Board called on the Executive Director, in collaboration with WHO, to convene an expert group, including those from developing countries, to consider more closely the vaccine and related research needs for furthering UNICEF programme objectives, and requested him to report to the Board at the earliest opportunity on the findings and recommendations of the expert group, and to submit proposals to the Board.

Control of diarrhoeal diseases

Progress continued in CDD, with national CDD programmes existing in 112 countries. UNICEF offices collaborated with WHO and Governments in those efforts and, in many cases, UNICEF was the major source of external support. Recent data indicated continued gains in access to ORS, ORS production, ORS use rates and the use of ORT. UNICEF reviewed its experience in assisting CDD efforts at a global consultation on CDD held in New York in April, where a number of recommendations were made to further enhance the effectiveness of UNICEF work in CDD.

In several countries, UNICEF continued to play a key role in defining national CDD policies. Improving the management of diarrhoea episodes, both within the health system and at home, continued to be a major area of its assistance. Almost all UNICEF country offices had provided support to CDD training efforts. The training of ORT providers outside the health system also expanded rapidly and included church volunteers in Brazil; local government officials in Egypt and Tunisia; teachers, farmers and students in Iraq; scouts in Nepal; and traditional healers in Uganda. UNICEF involvement in the production, distribution and provision of ORS continued in almost all developing countries. Increasing emphasis was also given to stimulating production within the private sector. The emphasis of UNICEF support for ORS in several countries shifted from local

production per se to tackling other obstacles to availability, quality and access at national and local levels. In the area of communication, UNICEF assisted mass media activities, principally television and radio spots in many countries. UNICEF offices also reported extensive involvement in activities to prevent diarrhoea incidence, including co-operation with ministries and institutions outside the health sector.

Acute respiratory infections

UNICEF and WHO identified ARI control as an area of priority concern. The two organizations collaborated in developing appropriate technologies, such as 30- and 60-second respiratory rate timers and oxygen concentrators for use at the community and referral levels. UNICEF also increased efforts to strengthen its technical support and guidance related to ARI. As a result of increased support from UNICEF, WHO and other external agencies, as well as of heightened awareness of ARI as a major child health problem, 32 countries had initiated national ARI control programmes. Another 22 countries had issued technical guidelines and/or drafted plans of operation.

During 1990, UNICEF support to national ARI efforts focused on four major areas: in some countries, definition of national policies and programme direction and, in some others, formation of national task forces and/or co-ordinating committees; support to operational research with the goal of establishing base-line data on ARI-related morbidity and mortality, and of assessing the knowledge, attitudes and practices of both health providers and mothers concerning the recognition and treatment of ARI; integration of ARI control efforts into ongoing PHC programmes; and expansion of training in ARI case management, including for doctors, nurses and community health workers.

The Executive Director, in a review [E/ICEF/1990/L.7] of UNICEF's ARI policy and programmes, recommended that to reduce the morbidity and mortality caused by ARI, priority should be given to the development of sound policies and approaches, paying special attention to issues requiring further study, including strategies for involving paraprofessionals in the administration of antibiotics, techniques for diagnosing pneumonia, the nature and timing of communications efforts and the identification of risk factors and preventive measures. UNICEF would work closely with WHO, the United States Agency for International Development (USAID) and other interested organizations in developing common strategies for the control of ARI. The Executive Director

also identified the specific areas in which UNICEF would provide support.

In April ^[dec. 1990/20], the Executive Board accepted the Executive Director's recommendations and urged him, in close co-operation with WHO, to give due attention within the medium-term plan to the development and funding of strategies and pilot programmes for the control and prevention of ARI. He should complement and strengthen WHO activities in developing and testing strategies and methodologies for diagnosis and case management, in particular by encouraging the rational use of drugs. A report detailing the structure of UNICEF co-operation with WHO and other actors was requested for 1992.

Malaria control

It was estimated that there were 100 million cases of malaria each year, with the disease being responsible for 1 million to 2 million deaths annually, many of them children. In some sub-Saharan African countries, malaria was a major cause of childhood mortality. UNICEF supported operations research in the Gambia, Kenya, the Philippines, Sri Lanka, the United Republic of Tanzania, and Viet Nam to determine the efficacy of using bed nets treated with chemicals on malaria morbidity and mortality, and initial reports from the Gambia suggested that it had a substantial impact. The bed nets provided significant reduction, especially in infant mortality. In the meantime, current practice continued to be supported for the administration of prophylaxis for pregnant women and symptomatic treatment for all infants and young children in endemic cases. Active collaboration with WHO in malaria control programmes at the country level had been established in Cambodia and Viet Nam, and expanded to include the United Nations Development Programme (UNDP) in Mozambique.

At headquarters level, UNICEF and WHO established an intersecretariat technical working group to facilitate close monitoring of existing activities and the dissemination of information on effective control strategies. UNICEF also worked closely with WHO in the preparation of a global meeting on malaria, scheduled to be held at the ministerial level in the Netherlands in 1992.

Acquired immunodeficiency syndrome

The direct and indirect consequences of HIV infection and AIDS on women and children continued to escalate in many countries of Africa, Asia and the Caribbean. In its first HIV/AIDS projections relating to children, WHO estimated that there had been 400,000 cases of AIDS among in-

infants and children under five since the beginning of the pandemic about a decade earlier, with 90 per cent of them in sub-Saharan Africa. It also estimated that, by the year 2000, 10 million more infants would be infected with HIV.

In 1990, the UNICEF AIDS-prevention programme continued to work closely with the WHO Global Programme on AIDS to develop global strategies and raise global awareness about women and children and AIDS, and to assist country-level efforts. At the country level, UNICEF's main focus continued to be on AIDS-prevention education initiatives. Its country offices integrated AIDS-prevention components into other ongoing projects at low or no additional cost. Examples included adding AIDS information to the curricula of health worker training, including AIDS in school health education programmes, accelerating and expanding efforts to ensure sterilization of immunization and other skin-piercing equipment, and employing a range of other social mobilization channels for AIDS prevention, such as the book *Facts for Life*. In Rwanda, Uganda and other countries, UNICEF supported efforts to evaluate the effectiveness of school-based AIDS messages. In Haiti and elsewhere, it also targeted street children. In addition, training and materials were provided for women's, political and religious groups, and AIDS materials were translated into local languages. UNICEF assisted Governments and NGOs to develop strategies for addressing the impact of AIDS on women and children, particularly in Zaire.

In April [dec. 1990/18], the Executive Board urged the Executive Director to further mobilize UNICEF field offices to make their full contribution to the efforts of the UN system to combat the spread of AIDS within the framework of national AIDS-control programmes. It requested him to ensure a significant contribution by UNICEF, fully using its capacity for advocacy, in mobilizing social awareness in order to avoid behaviour and practices that could spread HIV, and to consider what further activities UNICEF could undertake on behalf of children orphaned by AIDS. He should report in 1991 on UNICEF's efforts to combat and alleviate the effects of AIDS, including examples of problems identified, efforts to deal with them and progress in implementation.

On 27 July, the Economic and Social Council, by resolution 1990/86, emphasizing that the prevention and control of HIV infection and AIDS for women and children called for strengthening and improvement of the primary health care system and for educational and other psychological, social and economic support programmes for women, children and families, requested the

Secretary-General, in collaboration with WHO, UNDP, UNICEF and the United Nations Population Fund (UNFPA), to mobilize technical and other relevant resources to deal with that aspect of the problem.

Maternal health and family planning

Although women's health and safe motherhood were long-standing areas of UNICEF programming, they came into sharper focus in 1990, as more than 500,000 women died as a result of pregnancy or childbirth, and all but 6,000 of them in the developing world. The World Summit for Children (see above), which endorsed the goal of reducing maternal mortality by one half between 1990 and the year 2000, succeeded in raising awareness of the problem. UNICEF activities at the country level made significant progress, particularly in respect of special attention to the girl child, improving the status of young women, preventing early marriages and pregnancies, expanding access to family planning information, and improving pre-natal and perinatal health services. Family planning was included in many UNICEF-supported health personnel training programmes. In several countries, assistance was provided for national demographic and health surveys to obtain better information on fertility, family planning practices and maternal and child health for policy makers and planners. UNICEF supported WHO research efforts to develop more culturally acceptable family planning messages and methods. In the United Republic of Tanzania, it worked with the Ministry of Health, UNFPA, WHO and Family Care International on a safe motherhood strategy to improve family planning and maternity services and on raising the status of women. UNICEF co-sponsored with the World Bank, WHO, UNDP and UNFPA a meeting on safe motherhood for South Asia (Lahore, Pakistan, March) and one for southern African countries (Harare, Zimbabwe, October).

At its regular session, the Executive Board requested [dec. 1990/7] the Executive Director to include in his annual report in 1991 a specific section on UNICEF efforts in family planning, including child spacing, as an integral part of PHC. The Board also endorsed [dec. 1990/16] the concept of safe motherhood as a means of achieving the goal of halving the 1990 maternal death rate by the year 2000 and related operational activities, including co-operation with WHO, UNFPA, UNDP, the World Bank and other agencies and organizations, in support of national, regional and global efforts.

At its special session in September [E/ICEF/1990/17 (dec. 1990/36)], the Board, noting decision

90/85 [E/1990/29] of the UNDP Governing Council, in which, among other things, it had requested UNFPA to initiate the preparation, based on specific country studies, of a joint report on collaborative programme activities with UNICEF and other organizations, requested the Executive Director to collaborate with UNFPA in the preparation of that report and to submit it to the Executive Board at its regular 1992 session.

Water supply and sanitation

In December 1990, the International Drinking Water Supply and Sanitation Decade ended, having developed awareness and workable models for programming water supply and sanitation inputs. However, one third of the world's population continued to be without access to a safe water supply and nearly one half were without access to sanitary means of excreta disposal.

During 1990, UNICEF co-operated with 90 countries in water supply and sanitation projects or activities, involving a financial input of \$82 million. A total of 104,058 water supply systems were completed during the year, including 94,494 drilled/dug wells and hand-pumps, 1,808 stand-pipes and 7,756 other types, including rain-water collection and protected springs. Some 20 million people benefited overall. Also completed in 1990 were a total of 677,681 sanitary excreta disposal facilities, which benefited some 4.4 million people.

Dracunculiasis

During 1990, significant progress was made towards the goal of eliminating dracunculiasis (Guinea worm disease) in the 1990s. Activities at the global, regional and national levels were accelerated significantly. As a first step towards elimination, national surveys were completed or were under way to identify affected villages in countries that accounted for 85 per cent of cases of the disease, with financial and technical support from UNICEF, the WHO Collaborating Center at the United States Centers for Disease Control, WHO headquarters, UNDP, Global 2000 and the Carter Center in Atlanta, United States. Other active agency collaborators included the Japanese International Co-operation Agency, USAID, the United States Peace Corps and other bilateral co-operation agencies and NGOs. During the year, UNICEF supported a consultation at WHO headquarters on establishing the criteria for certification of dracunculiasis elimination. The Third Regional Conference on Dracunculiasis in Africa was held in March in Yamoussoukro, Côte d'Ivoire, bringing together ministry officials and UNICEF programme officers from 18 endemic countries, as well as representatives of collaborat-

ing technical and supporting agencies and the Organization of African Unity (OAU).

A number of UNICEF country programmes supported health education, community-based surveillance, vector control, water supply and wound treatment activities. In India, an integrated programme, serving nearly one half of the country's endemic areas, had reduced the number of cases in the programme area by nearly 50 per cent in 1990.

Bamako Initiative

In 1990, many of the countries that constituted the core group of the Bamako Initiative-Benin, Burundi, Cameroon, Equatorial Guinea, Kenya, Mali, Mauritania, Nigeria, Rwanda, Sierra Leone and Togo made significant progress with health delivery systems based on the Initiative, which was launched in 1987 [YUN 1987, p. 1223] to ensure access to affordable essential health services, while containing costs. Their financial basis for health service delivery had been strengthened through community management of services, and the utilization of health services had risen. In terms of investment in public health systems, the level of community financing in Guinea was one and a half times that of local expenditures, including the resupply of essential drugs. Operations research had highlighted such problems as the high incidence of self-medication in Sierra Leone. Monitoring systems were being introduced or strengthened in each country to track changes in access, utilization and financing. Based on its success to date, the Initiative was viewed as a principal post-Summit strategy for revitalizing and strengthening basic health delivery systems to achieve the health goals for the 1990s. It had also led to the adaptation of its principles in six countries outside sub-Saharan Africa (Maldives, Myanmar, Nepal, Peru, Sudan, Viet Nam).

The June 1990 Pan-African Conference on the Financing of Community Health Activities, organized by the WHO Regional Office for Africa in collaboration with UNICEF, and attended by more than 150 African health experts, adopted the Kinshasa Declaration, which urged greater national and international mobilization for the Initiative as an important strategy for achieving PHC and, eventually, health care for all. UNICEF mobilized approximately \$20 million to support country action for preparation and initial implementation of the Initiative.

In April [E/1990/28 (dec. 1990/15)], the Executive Board recognized the Bamako Initiative as an important strategy in the revitalization of health systems in African countries at the community and peripheral levels and in helping to create

conditions for sustaining EPI coverage and achieving the joint WHO/UNICEF health goals for the 1990s. It reaffirmed the main thrust of the policy framework for the Initiative to make PHC/MCH services universally accessible, to promote the provision of essential drugs to ensure cost recovery, with a decentralized integrated health delivery system based on community control, and bearing in mind the need for an equitable access for the poorest of the community. The Board urged UNICEF to accelerate the process of making the Bamako Initiative the core of the health programmes with the allocation of resources within the context of ongoing and new country programmes, in addition to supplementary funding from donors. The Executive Director should place special significance on assisting African Governments in national capacity-building and in making greater use of national and regional experts in the implementation of the Initiative.

Basic education

The World Conference on Education for All (Jomtien, Thailand, 5-9 March) [E/ICEF/1990/L.14] (see PART THREE, Chapter XII) provided an opportunity for participating countries to review critically their education systems and priorities and to redefine their education goals and strategies in the light of the Conference Declaration and Framework for Action. During 1990, UNICEF played an important role in assisting many countries in that endeavour, particularly in the area of advocacy for universal primary education, girls' and women's education, and early childhood development. As follow-up to the Conference, UNICEF would work with other multilateral, bilateral, intergovernmental and non-governmental organizations in supporting national efforts to reach the goals of the Conference. It would focus on national capacity-building and would support national strategies and plans to achieve the Education for All goals.

UNICEF support for early childhood development continued in many countries, with attention paid to developing low-cost, community- and home-based early childhood stimulation and development activities. In many countries, especially in sub-Saharan Africa and South Asia, UNICEF support for primary education focused on curriculum reform, teacher training and the production and provision of educational materials.

The education of the girl child was a major focus of attention in countries of the South Asian Association for Regional Co-operation and in the Middle East and North Africa region. Initiatives undertaken focused on the need to increase the

enrolment and retention of girls in primary formal and non-formal schools. Social mobilization and communication efforts were supported, with a strong focus on girls' education, while activities in other sectors increasingly emphasized girls' and women's education as the cutting edge for women's development. Bangladesh declared that the education of girls would be free up to grade eight and that all new primary-level teaching recruits would be female. Djibouti committed itself to a goal of 80 per cent literacy for females under age 25 by 1995.

UNICEF continued to support adult literacy programmes in many countries, focusing on the qualitative improvement of teaching/learning materials, training, social mobilization and neo-literate materials. In several countries, literacy programmes for women were linked to skills training and income-generating opportunities. In China, functional literacy classes were combined with vocational training programmes for young girls. In Sri Lanka, literacy activities were combined with vocational, marketing and credit management training. In Pakistan and other countries, literacy and functional education were included as essential components of development programmes for women. UNICEF also continued to support innovative ways to promote education, such as Escuelas Nuevas (new schools) in Colombia, an initiative to reorganize primary school education to tackle problems with which rural communities were confronted.

Women in development

UNICEF-assisted programmes continued to respond to girls' and women's concerns, both in specific activities and as a part of sectoral programming. Expenditure for women-related programmes increased from 29 per cent of total expenditures in 1989 to 31 per cent in 1990. Several countries improved their situation analyses to show more clearly the conditions and constraints facing women. Several UNICEF offices reported growing concerns about the health and income status of adolescent girls, as well as the proportion of single women heading households, which had reached over 40 per cent in some countries. UNICEF strengthened its advocacy in several countries to promote the formulation of national policies providing increased attention to girls and women. Bangladesh, with the technical support of UNICEF and several collaborating UN and bilateral agencies, included women in development in its fourth five-year plan (1991-1995) and incorporated objectives, targets and budgetary allocations in all sectoral plans to meet the needs of girls and women. UNICEF continued to support credit and technical training in women's

income-generating and economic activities in many countries. Women's projects in Brazil, funded through SAFLAC, assisted small businesses with credit. Other projects targeted special groups of women, such as rural women in Egypt, Nepal and Rwanda, women heads of households in the Caribbean and indigenous Indian women in Colombia.

At its 1990 regular session [dec. 1990/17], the Executive Board endorsed the priority focus given to the girl child, and recommended that UNICEF programmes and strategies in the 1990s address explicitly the status of the girl child and her needs, particularly in nutrition, health and education, with a view to eliminating gender disparities. It requested UNICEF, in collaboration with other organizations, to ensure implementation of gender-sensitive monitoring and evaluation mechanisms to assess progress in reducing disparities between boys and girls. The Board also requested the Executive Director to highlight the girl child in the annual progress report on women in development and to submit in 1992 and every second year thereafter a progress report on the situation of the girl child.

Emergency operations

In 1990, UNICEF provided emergency assistance to 29 countries in Africa, Asia, the Americas and the Middle East and North Africa in response to natural disasters, epidemics and man-made crises. Humanitarian assistance was provided for victims of drought, famine and civil conflict in Angola, Liberia, Mozambique and the Sudan and the affected neighbouring countries of Côte d'Ivoire, Guinea and Sierra Leone. As a consequence of the conflict between Iraq and Kuwait, emergency assistance was provided to Iran, Jordan and the Syrian Arab Republic. Appeals were issued to support relief and rehabilitation interventions in the earthquake-affected countries of Iran and the Philippines. A total of \$35.9 million was mobilized in 1990 for emergency assistance. In view of the increasing number and complexity of emergency situations, the Executive Director appointed a Director for Emergency Programmes, to streamline and improve UNICEF's ability to respond to the urgent needs of children and women in emergency situations.

In April [dec. 1990/22], the Executive Board requested the Executive Director, in his 1991 progress report on emergency operations, to propose guidelines on UNICEF involvement in that area as well as an outline of the administrative framework for co-ordination and co-operation between UN agencies, NGOs and other relevant agencies.

Children in especially difficult circumstances

UNICEF efforts to assist children in especially difficult circumstances—a programme established in 1986 [YUN 1986, p. 810] for children affected by armed conflict or natural disasters or in exploitative work situations, street children and abused and neglected children—continued in 1990. There was an increased awareness and a much clearer understanding of the scale and nature of children in especially difficult circumstances, and UNICEF currently supported programmes in 45 countries, including projects for child workers and institutionalized, abused or neglected children. Programmes for street children were under way in 17 Latin American countries, including Guatemala, Honduras and Mexico, and were being replicated in other regions through intercountry and interregional exchanges. Support for national efforts to assist street children had spread to countries like India, Kenya, the Philippines, the Sudan and Thailand and, more recently, Bangladesh, Nigeria and Senegal.

Concerning child labour, UNICEF helped Brazil, Egypt, the Philippines, Thailand and Venezuela and NGOs to investigate and expose child labour, and to initiate programmes that provided protection, non-formal education and services to working children. UNICEF also worked closely with the International Labour Organisation in support of regional meetings and the development of training materials and publications to raise public awareness and stimulate action.

In April [dec. 1990/6], the Executive Board urged the Executive Director to ensure the application and development of research into efforts to protect and rehabilitate children in especially difficult circumstances or to mitigate and prevent the occurrence of those circumstances, in order to continuously analyse their causes and effects and concurrently update strategies, interventions and programmes to ensure their efficacy and cost-effectiveness.

In a decision on creating a more peaceful world for children [dec. 1990/13], the Board called upon all States of the international community, as they reduced their military expenditures, to consider how they could channel part of the resources released to support country actions to reach the goals for children in the 1990s.

On 14 December, the General Assembly, in resolution 45/115, requested Member States and the Secretary-General to formulate programmes to deal with the problem of the instrumental use of children in criminal activities.

UNICEF finances

UNICEF income in 1990 amounted to \$821 million, comprising \$536 million from general

resources and \$285 million for supplementary funds, including \$57 million in emergency supplementary funds. Contributions from Governments and intergovernmental organizations accounted for 74 per cent of total income. Expenditures amounted to \$738 million, including a total programme expenditure of \$584 million, \$81 million for programme support services, \$69 million for administrative services and \$4 million for write-offs and other charges.

The Executive Board approved [dec. 1990/8] a new allocation for programme co-operation and the replenishment of the Emergency Reserve Fund to be financed from general resources in the amount of \$263,367,153, of which \$237,651,153 represented new general resources net of available balances. It also approved new supplementary funding proposals to be financed from specific-purpose contributions in the amount of \$663,432,800. It recorded savings in the amount of \$641,314 and approved an amount of \$52,460 to cover overexpenditure.

The Board authorized [dec. 1990/26] the establishment of a reserve fund for field office accommodation and staff housing in a total maximum amount of \$22 million, of which \$16.5 million would be earmarked for accommodations relating to UNICEF participation in common premises with other UN organizations, and \$5.5 million for acquiring or renovating existing housing.

It deferred its decision on additional New York headquarters office space requirements and requested [dec. 1990/25] the Executive Director to submit in 1991, through the Advisory Committee on Administrative and Budgetary Questions, a review and analysis of those requirements, including current and future space needs, relationship to the medium-term plan, alternative locations, estimated costs and a statement of rental policies.

The Board also approved [dec. 1990/29] the medium-term plan as a framework for 1990-1993, including the preparation of up to \$585 million in programme expenditures from general resources to be submitted to the Board in 1991. It also approved [dec. 1990/27] a mock-up as the basis to revise the associated tables and annexes for the next biennium budget proposal.

The Board amended [dec. 1990/28] its financial regulation on revaluation policy and noted [dec. 1990/30] a number of financial reports.

Organizational questions

UNICEF Executive Board

The UNICEF Executive Board held its 1990 regular session from 16 to 27 April [E/1990/28] and

a special session from 6 to 7 September [E/ICEF/1990/17], both in New York. During those sessions, it adopted a total of 36 decisions.

At its regular session [dec. 1990/1], the Board decided to further improve and streamline its procedures for the schedule of meetings, submission of draft proposals, documentation, organizational sessions, and biennialization of its work programme.

Greeting Card Operation

In the 1989/90 season, the sale of 152 million cards brought in a contribution of \$61.7 million to UNICEF general resources, \$18.5 million more than the previous season.

In April [dec. 1990/32], the Executive Board approved the budgeted expenditures and noted gross budgeted income for the fiscal year 1 May 1990 to 30 April 1991. It approved the creation of a special operating account with a limit of \$1 million from event revenues in the accounts of the Greeting Card Operation (GCO). It also noted [dec. 1990/33] the GCO financial report for the 1988/89 season and the GCO provisional report on the 1989 season.

International Child Development Centre

The Executive Director submitted a progress report on the International Child Development Centre [E/ICEF/1991/L.9 & Corr.1], established in 1988 [YUN 1988, p. 649] in Florence, Italy, as a forum for international professional exchanges and to advocate innovative strategies for the benefit of children and provide training facilities. The report summarized the activities of the Centre during 1990 in its four major programme areas: national capacity-building for CSD; economic policies and mobilization of resources for children; the rights of the child; and the needs of the urban child. Italy had pledged a sum of 3.5 billion lire (approximately \$3.1 million) per year for the period 1991-1993 and had provided assurance of continuing significant financial support thereafter. There were also indications of interest on the part of other donors, especially for joint funding arrangements of some activities.

Inter-agency co-operation

In 1990, the United Nations Educational, Scientific and Cultural Organization (UNESCO)/UNICEF Joint Committee on Education (JCE) held its first (28-29 March) [E/ICEF/1990/L.11] and second (26-27 October) [E/ICEF/1991/L.13] meetings in Paris. At its March meeting, the two organizations clarified the terms of reference of JCE and reviewed their programmes of co-operation in the field of education. They also considered the

results of the World Conference on Education for All (Jomtien, Thailand, 5-9 March) (see PART THREE, Chapter XII) and proposed recommendations to the Board.

In April [dec. 1990/23], the Executive Board adopted the JCE recommendations and approved the establishment of a basic education reserve to support national, regional and international efforts, especially for innovative initiatives and for support to countries for start-up activities and for actions that were not foreseen in country programmes.

At its October meeting [E/ICEF/1991/L.13], JCE deliberated on the activities of UNESCO and UNICEF between the first and the second meetings and discussed perspectives of the UNESCO/ UNICEF co-operative programme in basic education.

In other areas, the Executive Board requested [dec. 1990/21] the Executive Director to co-operate with the Director-General for Development and International Economic Co-operation in preparing a schedule for implementation of General Assembly resolution 44/211 [YUN 1989, p. 302] on the triennial policy review of operational activities for development of the UN system. He should make available to the Director-General and the international community UNICEF experience in decentralization; accountability in a decentralized environment; the programme approach; and the value of setting objectives and international and national goals, and using them as a basis for management by objectives and for inter-agency collaboration.

The Executive Director was also requested to support active UNICEF participation in the work of the Consultative Committee on Substantive Questions (Operational Activities) (CCSQ (OPS)) of the Administrative Committee on Co-ordination and the Joint Consultative Group on Policy in order to promote the harmonization of procedures and programming cycles, common premises and the effective functioning of the resident co-ordinator system.

Following the Board decision, CCSQ (OPS) consolidated the first major revision of the resident co-ordinator system and also developed guidelines for a number of areas, including joint participation in programming processes and common elements in country programme and mid-term reviews. The Consultative Committee also began a major effort to operationalize the International Development Strategy for the Fourth United Nations Development Decade (1991-2000) (see PART THREE, Chapter I) and to help to develop common national and international goals and strategies to serve as a basis for common efforts. In addition, UNICEF pursued major inter-agency activities in 1990 with, among

other organizations, the Food and Agriculture Organization of the United Nations, the International Fund for Agricultural Development, UNDP, UNESCO, UNFPA, the World Food Programme, WHO and the World Bank.

Other matters

Noting the importance of evaluation as a management tool in improving programme effectiveness, the Executive Board, in April [dec. 1990/41], requested the Executive Director to prepare a report on the overall progress and results achieved since 1984 in the implementation of the evaluation recommendations for presentation at the 1992 Board session. A monitoring and evaluation plan and structure should be included in all country plans and major projects presented to the Board in the future.

Regarding staffing, the Board noted [dec. 1990/31] a report on the composition of all international Professional core staff by title, grade, duty station and nationality.

Also in April, the Board reviewed and noted [dec. 1990/34] the text of the model Basic Co-operation Agreement, submitted to it by the Executive Director, and authorized the secretariat to use the model Agreement as the basis for negotiating agreements with co-operating Governments where no such agreement existed. In accordance with that decision, the Executive Director, in October, resubmitted the text of the revised model Basic Co-operation Agreement [E/ICEF/1991/L.1 & Add.1 & Rev.1/Corr.1].

Youth

The Secretary-General, by a September note [E/CN.5/1991/4 & Corr. 1], transmitted to the Commission for Social Development the report of the International Symposium on the Integration of Young People into Society, held in Toledo, Spain, from 4 to 8 June. The Symposium was conducted by the United Nations Office in Vienna, Centre for Social Development and Humanitarian Affairs (UNOV/CSDHA), in close co-operation with the Instituto de la Juventud of the Ministry for Social Affairs of Spain. Its objectives were to assist Governments, particularly those of developing countries, in strengthening and improving their national capacities for the full and effective participation of youth in social life and development, and to review and assess selected national experiences, including obstacles encountered, in the process of integrating young people into society. The Symposium had reviewed and discussed the

concepts involved in the integration of young people into social life and development, and identified policy options and guidelines to assist the Commission for Social Development, at its thirty-second (1991) session, in considering the integration of young people into society.

In October, the Secretary-General submitted to the General Assembly a report on policies and programmes involving youth [A/45/422]. He reported that follow-up activities to the 1985 International Youth Year [YUN 1985, p. 978] were continuing at all levels, encouraged by the guidelines for further planning and suitable follow-up in the field of youth, adopted by the General Assembly in resolution 40/14 [YUN 1985, p. 979]. Initiatives included incorporating skills training in out-of-school programmes, identifying needs of sub-categories of youth, reviewing existing legislation, and assessing various governmental and non-governmental youth-related programmes. Two basic features of the follow-up period at the national level were enhanced efforts to formulate and implement integrated national youth policies and programmes, and the increasing recognition of the vital role of national co-ordination mechanisms in youth policy development.

UNOV/CSDHA continued to provide Governments with policy guidance and information, technical expertise and direct operational support in order to enhance national capacities. It was active also in strengthening co-ordination efforts, both within and outside the UN system. While youth-related activities were continuing at the national level, there was concern that the momentum created by the International Youth Year and the impetus to sustain follow-up activities had been declining at the international and regional levels. In order to stimulate renewed action at all levels, the observation of the tenth anniversary of the Year in 1995 presented a suitable occasion to focus global attention again on youth issues, particularly in the light of changing international political and economic situations and the effects of those changes on youth and youth-serving organizations.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/103.

Policies and programmes involving youth The General Assembly,

Recalling its resolutions 32/135 of 16 December 1977 and 36/17 of 9 November 1981, by which it adopted guidelines for the improvement of the channels of communication between the United Nations and youth and youth organizations, and its other relevant resolutions,

Recalling also its resolution 40/14 entitled "International Youth Year: Participation, Development, Peace", adopted on 18 November 1985 by the General Assembly

acting as the United Nations World Conference for the International Youth Year, by which the guidelines for further planning and suitable follow-up in the field of youth were endorsed, and its other relevant resolutions,

Recalling further its resolution 44/59 of 8 December 1989,

Noting that the year 1995 will mark the fiftieth anniversary of the Charter of the United Nations and the tenth anniversary of International Youth Year,

Recognizing that, in implementing the guidelines, priority should be given to the enjoyment by youth of human rights, including the right to education and to work, and to the resolution of other urgent problems faced by young people in the present-day world, such as hunger, drug abuse, diseases, including acquired immunodeficiency syndrome, and the deterioration of the environment,

Mindful of the Convention on the Rights of the Child, which entered into force on 2 September 1990, the World Declaration on the Survival, Protection and Development of Children and the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s, adopted by the World Summit for Children on 30 September 1990, and the International Year of the Family proclaimed by the General Assembly in its resolution 44/82 of 8 December 1989,

1. Calls upon States, all United Nations bodies, in particular the Economic and Social Council through the Commission for Social Development, the specialized agencies and the intergovernmental and non-governmental organizations concerned, in particular youth organizations, to continue to exert all possible efforts for the implementation of the guidelines for further planning and suitable follow-up in the field of youth;

2. Requests the Secretary-General to continue to promote and monitor, by using the Centre for Social Development and Humanitarian Affairs of the Secretariat as a focal point, the inclusion of youth-related projects and activities in the programmes of United Nations bodies and specialized agencies, specifically on such themes as communication, health, malnutrition, poverty, housing, culture, youth employment, illiteracy, juvenile delinquency, education, leisure-time activities, drug abuse and the environment;

3. Calls upon Member States to enable young people to obtain a modern education on such subjects as environmental issues;

4. Decides to devote a plenary meeting at its fiftieth session to youth questions, as 1995 marks the fiftieth anniversary of the Charter of the United Nations and the tenth anniversary of International Youth Year;

5. Calls upon the United Nations Postal Administration to produce commemorative United Nations stamps in 1995 to mark the tenth anniversary of International Youth Year;

6. Emphasizes the need for a review and appraisal of the progress achieved and obstacles encountered in the implementation of the guidelines and, on the basis of the evaluation, for preparation of a global youth programme of action towards the year 2000 and beyond, with a target orientation and within a specific time-frame;

7. Invites all Member States to consider preparing a national plan of action based on an analytical national evaluation of the situation and needs of youth;

8. Calls again upon Member States, United Nations bodies, the specialized agencies and other governmental and intergovernmental organizations to implement fully the guidelines for the improvement of the channels of communication between the United Nations and youth and youth organizations, adapted by the General Assembly in its resolutions 32/135 and 36/17;

9. Requests the regional commissions, as appropriate, together with regional youth and youth-serving organizations, to undertake a comprehensive review of progress achieved and obstacles encountered in the regions since 1985 and to propose draft regional youth programmes of action towards the year 2000 and beyond;

10. Requests the Secretary-General to prepare a draft world youth programme of action towards the year 2000 and beyond in accordance with proposals to be submitted by Member States, the United Nations and non-governmental youth organizations and in consultation with the specialized agencies and other organizations of the United Nations system and the relevant intergovernmental and non-governmental organizations, and to report thereon to the General Assembly at its forty-sixth session;

11. Calls upon youth mechanisms that have been set up by youth and youth organizations at the national, regional and international levels to continue to act as channels of communication between the United Nations system and youth and youth organizations and, especially, to contribute to the preparations for the tenth anniversary of International Youth Year and to the formulation of a world youth programme of action towards the year 2000 and beyond;

12. Again invites Governments to include youth representatives in their national delegations to the General Assembly and other relevant United Nations meetings, thus enhancing and strengthening the channels of communication through the discussion of youth-related issues, with a view to finding solutions to the problems confronting youth in the contemporary world;

13. Invites Governments and intergovernmental and non-governmental organizations to contribute to the United Nations Youth Fund, in order to enable it to continue its mandated role and to contribute effectively to the needs of developing countries in the field of youth;

14. Decides to consider the item entitled "Policies and programmes involving youth" at its forty-sixth session on the basis of a report of the Secretary-General on the implementation of the present resolution.

General Assembly resolution 45/103

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/45/752), 9 November (meeting 37); 5-nation draft (A/C.3/45/L.13); agenda item 96.

Sponsors: Austria, Czechoslovakia, Egypt, Netherlands, Romania.

Meeting numbers. GA 45th session: 3rd Committee 11-17,25,37; plenary 68.

Aging persons

In response to General Assembly resolution 44/67 [YUN 1989, p. 691], the Secretary-General submitted a report in October on the question of ag-

ing [A/45/420], setting out an action programme on aging for 1992 and beyond. The action programme was intended to serve as a catalyst for further implementation of the International Plan of Action on Aging, adopted in 1982 [YUN 1982, p. 1184]. The main concern of the proposed action programme was to support and promote the integration of the elderly in the economic, social and cultural life of family and community. It endeavoured to stimulate activities at the global, national and local levels that could promote a more widespread and co-operative approach to aging. The programme proposed a process of target selection during 1991 and 1992, at the global and national levels, to identify a limited set of concrete measures for activities on aging in the 1990s. It included a draft calendar of events on aging in 1991-1992 to facilitate co-operation.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/106.

Implementation of the International Plan of Action on Aging and related activities

The General Assembly,

Recalling its resolutions 44/67 and 44/76 of 8 December 1989 and reaffirming all of their relevant provisions, particularly those which endorsed the priorities set and the recommendations made by the Economic and Social Council in its resolution 1989/50 of 24 May 1989,

Noting that the Economic and Social Council recommended in its resolution 1989/50 the convening of an ad hoc working group of the Commission for Social Development at the Commission's thirty-second session to monitor preparatory activities for the tenth anniversary of the adoption of the International Plan of Action on Aging,

Noting with concern that, although in its resolution 43/93 of 8 December 1988 it recommended that aging should be considered a priority theme in the medium-term plan for the period 1992-1997, the resources assigned to subprogramme 7 (Aging) of section 8 (Activities on global social development issues) in the programme budget for the biennium 1990-1991 for the Centre for Social Development and Humanitarian Affairs of the Secretariat are not sufficient to implement the programme adequately and to give it the priority recommended,

Also noting with concern that the contributions to the United Nations Trust Fund for Aging have steadily declined since 1982, thereby reducing its resource base, and that unless this trend is reversed and the Fund strengthened, many priority requests will not be met and the implementation of the Plan of Action will be weakened where it is most needed, in developing countries,

Recognizing that the elderly are an asset to society and can contribute significantly to the development process,

Mindful of the need for innovative and effective international co-operation in the field of aging if countries are to achieve self-reliance in responding to the aging of their populations,

Recognizing also the complexity and rapidity of the aging of the world's population and the need to have a common basis and frame of reference for the protection and promotion of the rights of the elderly, including the contribution that the elderly can and should make to society,

Recalling the establishment at Dakar in 1989 of the African Society of Gerontology,

Having considered the report of the Secretary-General on the question of aging,

1. Takes note of the report of the Secretary-General on the question of aging;

2. Endorses the action programme on aging for 1992 and beyond as outlined in the report of the Secretary-General;

3. Urges Member States, the organs, organizations and bodies of the United Nations system and intergovernmental and non-governmental organizations concerned to participate in the action programme on aging for 1992 and beyond, especially in selecting targets in the field of aging, in organizing community-wide activities and in launching an information and fund-raising campaign to celebrate the tenth anniversary of the adoption of the International Plan of Action on Aging at the local, national, regional and global levels;

4. Endorses the recommendation of the Economic and Social Council in its resolution 1989/50 that an ad hoc working group of the Commission for Social Development be convened at the Commission's thirty-second session, in 1991, to monitor the activities for the tenth anniversary, especially the launching of a global information campaign, and the selection of targets that might form the basis of the third review and appraisal of the Plan of Action to be made by the Commission at its thirty-third session, in 1993;

5. Invites Member States, the United Nations and non-governmental organizations to consider innovative and effective ways of co-operating on the selection of targets in the field of aging during 1991 and 1992;

6. Recommends that the Commission for Social Development give consideration to the desirability of convening, subject to the availability of funds, regional and sectoral meetings on the selection of targets in the field of aging during 1991 and 1992 and global consultations in 1993 and 1997, to coincide with the third and fourth quadrennial reviews and appraisals of the implementation of the Plan of Action;

7. Notes with appreciation the work of the recent ad hoc inter-agency meetings on aging, and recommends that inter-agency meetings on aging be convened biennially;

8. Welcomes with appreciation the rapid progress made by the International Institute on Aging, in Malta, in establishing, in close collaboration and co-operation with the United Nations system, as well as with governmental and non-governmental institutions and organizations, programmes that promote in a practical manner the implementation of the Plan of Action, particularly through curriculum development, training courses, a global survey on training and the establishment of an information network, and requests the Secretary-General, in reporting on the question of

aging to the General Assembly at its forty-sixth session, to inform the Assembly of the activities of the Institute;

9. Takes note with satisfaction of the plans for the establishment of training institutes on aging in Argentina and Yugoslavia and in Central America and the Caribbean;

10. Requests the Centre for Social Development and Humanitarian Affairs of the Secretariat to provide, within existing resources, technical assistance to the African Society of Gerontology;

11. Welcomes global fund-raising initiatives for activities in the field of aging, particularly the proposed establishment in 1991 of an independent foundation on aging under the patronage of the United Nations, to be called the Banyan Foundation, the main goal of which will be to empower the elderly in all world regions to maintain maximum independence and the ability to contribute to society in the context of the Plan of Action, thus serving as a much-needed international fund-raising vehicle for programmes for the aging worldwide;

12. Requests the Commission on the Status of Women to consider under the priority theme "development" the positive contributions and specific roles of elderly women in the development of their societies;

13. Notes with appreciation the support given by the United Nations Population Fund to the Aging Unit of the Centre for Social Development and Humanitarian Affairs, and urges the Fund to maintain this commitment;

14. Notes with satisfaction the close collaboration of the Centre for Social Development and Humanitarian Affairs, as the United Nations focal point on aging, with intergovernmental and non-governmental organizations active in the field of aging, and encourages the Centre to continue to strengthen this collaboration;

15. Designates 1 October as International Day for the Elderly;

16. Urges Governments and non-governmental organizations to contribute to the Trust Fund for Aging;

17. Also urges Governments and non-governmental organizations to contribute human and financial resources through the Centre for Social Development and Humanitarian Affairs for the co-ordination and implementation of the action programme on aging for 1992 and beyond;

18. Urges the Secretary-General to consider increasing the human and financial resources of the Aging Unit of the Centre for Social Development and Humanitarian Affairs in order to enable it to fulfil its mandate as the United Nations focal point on aging;

19. Requests the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution;

20. Decides to include in the provisional agenda of its forty-sixth session the item entitled "Question of aging".

General Assembly resolution 45/106

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/45/755), 9 November (meeting 37): 3-nation draft (A/C.3/45/L.12/Rev.2); agenda item 99.

Sponsors: Austria, Dominican Republic, Malta.

Meeting numbers. GA 45th session: 3rd Committee 11-17,25,37; plenary 68.

Chapter XV

Refugees and displaced persons

The year 1990 marked an unprecedented deterioration in the global refugee situation—with a staggering 15 million world wide—due in large part to developments in the Horn of Africa and western Africa. The United Nations High Commissioner for Refugees (UNHCR) continued its humanitarian activities on behalf of refugees and internally displaced persons throughout the world, despite the financial constraints under which it was operating. In addition to responding to increased requests for emergency assistance to new refugees, UNHCR, in co-operation with concerned Governments and intergovernmental and non-governmental organizations, continued to seek durable solutions to refugee problems through programmes of voluntary repatriation, local integration in the country of asylum or resettlement in another country.

There were, however, many positive developments during the year. The number of new arrivals of Vietnamese “boat people” declined dramatically, and Central America’s long-standing refugee problem appeared to be diminishing, thanks to the concerted efforts of countries in the region.

Voluntary repatriations took place in a number of countries, notably in Central America, where, following a favourable political climate created by elections, some 55,000 Nicaraguans returned to their country. The Comprehensive Plan of Action, following the 1989 International Conference on Indo-Chinese Refugees, brought hope for a solution to the 16-year-old refugee situation in that area of the world. In Africa, encouraging political developments brightened prospects with regard to Angola, South Africa and Western Sahara.

In October 1990, the Executive Committee of the High Commissioner’s Programme considered refugee protection, refugee women and children, UNHCR policy on refugee women, Indo-Chinese refugees, repatriation of refugees to Cambodia, Central American refugees and the situation of refugees in Africa.

The Nansen medal—since 1954 bestowed in honour of Fridtjof Nansen, the first League of Nations High Commissioner for Refugees—was not awarded in 1990.

Thorvald Stoltenberg assumed his functions as the United Nations High Commissioner for

Refugees on 1 January 1990. He resigned from that position with effect from 2 November. On 21 December, the General Assembly, on the recommendation of the Secretary-General, elected Sadako Ogata (Japan) as his successor, for a three-year term beginning on 1 January 1991 (decision 45/319).

Regional developments

Africa

The number of refugees in Africa continued to rise, mainly due to influxes from Mozambique to Malawi, from Liberia to Côte d’Ivoire, Guinea and Sierra Leone, and from Somalia to Ethiopia. Similarly, civil disturbances in Chad, Rwanda and the Sudan created new waves of refugees seeking asylum in Cameroon, the Central African Republic, the Niger, Uganda and Zaire. The increase in numbers necessitated the launching of new emergency operations as well as the strengthening of UNHCR’s field presence. The large numbers of refugees made it difficult to continue a generous tradition of asylum-granting by African countries. Moreover, the great majority of the refugees found asylum in countries which themselves faced political or economic problems, and, in many cases, were unable to provide adequate services to their own nationals.

During 1990, expenditure in Africa under UNHCR voluntary funds totalled \$225.9 million, of which \$144.3 million was obligated under General Programmes, the greater part for care and maintenance of operations, and \$81.5 million under Special Programmes.

The UNHCR Executive Committee noted the “Khartoum Declaration” on Africa’s refugee crisis issued by the Organization of African Unity (OAU) Commission of Fifteen on Refugees on 24 September. It encouraged the follow-up contained in the Declaration, which called for the enhancement of the capacity for management and conflict resolution to eradicate the causes of refugee flows and realize durable solutions. It called on the international community to provide adequate resources to enable the High Commis-

sioner to discharge his mandate. The Committee invited host countries to promote protection, assistance and durable solutions in the most cost-effective manner.

Chad

By the end of 1989, some 107,000 voluntary returnees in Chad had benefited from UNHCR assistance, receiving blankets, household utensils, seeds and agricultural tools, as well as food and transportation, said the Secretary-General in an October report [A/45/651], submitted in response to General Assembly resolution 44/153 [YUN 1989, p. 702]. Limited repatriation continued in 1990, particularly from Cameroon, the Central African Republic, Nigeria and the Sudan. It was estimated that at the end of 1990, some 4,000 returnees benefited from UNHCR assistance.

GENERAL ASSEMBLY ACTION

The General Assembly, on 18 December 1990, adopted resolution 45/156.

Assistance to voluntary returnees and displaced persons in Chad

The General Assembly,

Recalling its resolution 44/153 of 15 December 1989 on assistance to voluntary returnees and displaced persons in Chad, as well as all its previous resolutions on this question,

Taking note of the report of the Secretary-General,

Deeply concerned about the persistence of the natural disasters that are compounding the already precarious food situation in Chad,

Considering that the large number of voluntary returnees poses serious social and economic problems for the Government of Chad,

Bearing in mind the many appeals made by the Government of Chad for international assistance to the voluntary returnees and displaced persons in Chad,

1. Endorses the appeals made by the Government of Chad for humanitarian assistance to the voluntary returnees and displaced persons in Chad;

2. Notes with satisfaction the action taken by the various organizations of the United Nations system and the specialized agencies with a view to mobilizing humanitarian assistance to the voluntary returnees and displaced persons in Chad;

3. Reiterates its appeal to all States and intergovernmental and non-governmental organizations to provide the necessary assistance to the Government of Chad in the implementation of programmes for the repatriation and resettlement of returnees and displaced persons;

4. Requests the Secretary-General to mobilize food aid for the persons displaced as a result of natural disasters;

5. Again requests the United Nations High Commissioner for Refugees and the United Nations Disaster Relief Co-ordinator to mobilize humanitarian assistance to the voluntary returnees and displaced persons in Chad;

6. Calls upon the Secretary-General, in co-operation with the United Nations High Commissioner for Refugees and the United Nations Disaster Relief Co-ordinator, to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

General Assembly resolution 45/156

18 December 1990 Meeting 69 Adopted without vote

Approved by Third Committee (A/45/838) without vote, 30 November (meeting 58); 38-nation draft (A/C.3/45/L.75); agenda item 12.

Meeting numbers. GA 45th session: 3rd Committee 48-50, 57, 58; plenary 69.

Djibouti

As requested by General Assembly resolution 44/150 [YUN 1989, p. 703], the Secretary-General reported [A/45/445] in September that the movements of refugees in the Horn of Africa had not spared Djibouti, severely straining its already inadequate social and economic infrastructure. By the end of July 1990, the country was host to an estimated 33,000 refugees, for the most part Somalis living in Djibouti-Ville. UNHCR's assistance programme for those refugees was mostly for internal transport and storage of food donated by the World Food Programme (WFP).

UNHCR co-ordinated assistance in favour of those Somali refugees who arrived in the Ali-Sabieh district in June, making available \$30,000 from its Emergency Fund to purchase food locally to supplement the basic food provided by WFP.

GENERAL ASSEMBLY ACTION

On 18 December, the General Assembly adopted resolution 45/157.

Humanitarian assistance to refugees and displaced persons in Djibouti

The General Assembly,

Recalling its resolution 44/150 of 15 December 1989 on humanitarian assistance to refugees and displaced persons in Djibouti, as well as all its previous resolutions on this question,

Having considered the report of the Secretary-General,

Deeply concerned about the recent inflow of over fifty thousand externally displaced persons, which has added considerably to the burden already being carried by Djibouti in respect of refugees in the country,

Noting that Djibouti is considered one of the least developed countries and that the recent inflow of large numbers of externally displaced persons and the continued presence of refugees have severely strained the already inadequate social and economic infrastructure,

Noting also that the situation thus created has resulted in the dispersal of the country's scarce resources and their diversion from economic development to emergency relief and precautionary measures,

Appreciating the determined and sustained efforts made by the Government of Djibouti to cope with the

growing needs of refugees and externally displaced persons,

Noting with appreciation the steps taken by the Government of Djibouti, in close co-operation with the United Nations High Commissioner for Refugees, to implement appropriate and lasting solutions with respect to the refugees and externally displaced persons in Djibouti,

Also noting with appreciation that over seven thousand refugees have already been settled and integrated in Djibouti, despite the physical, social and economic obstacles that the country faces,

Appreciating the assistance provided by Member States, the specialized agencies, intergovernmental and non-governmental organizations and voluntary agencies to relief and rehabilitation programmes for refugees and externally displaced persons,

1. Takes note of the report of the Secretary-General and appreciates the efforts of the United Nations High Commissioner for Refugees to keep the situation under constant review;

2. Welcomes the steps taken by the Government of Djibouti, in close co-operation with the High Commissioner, to implement appropriate and lasting solutions with respect to the refugees and externally displaced persons in Djibouti;

3. Expresses its appreciation to Member States, the specialized agencies, intergovernmental and non-governmental organizations and voluntary agencies for their assistance to the relief and rehabilitation programmes for the refugees and externally displaced persons in Djibouti;

4. Urges the High Commissioner to intensify his efforts to mobilize, on an emergency basis, the resources necessary to implement lasting solutions with respect to the refugees in Djibouti and the increasing inflow of externally displaced persons;

5. Calls upon all Member States, the specialized agencies and other organizations of the United Nations system, and intergovernmental and non-governmental organizations to continue to support the determined and sustained efforts made by the Government of Djibouti to cope with the urgent needs of refugees and externally displaced persons and to implement lasting solutions as regards their situation;

6. Requests the Secretary-General to report to the General Assembly at its forty-sixth session, through the Economic and Social Council, on the implementation of the present resolution.

General Assembly resolution 45/157

18 December 1990 Meeting 69 Adopted without vote

Approved by Third Committee (A/45/838) without vote, 30 November (meeting 58); 77-nation draft (A/C.3/45/L.76); agenda item 12.

Meeting numbers, GA 45th session: 3rd Committee 48-50, 57, 58; plenary 69.

Ethiopia

The presence of Ethiopian refugees in neighbouring Somalia and the Sudan was matched by the presence of an almost equal number of refugees from those countries in Ethiopia, said the Secretary-General in a September report [A/45/447], submitted pursuant to General Assembly resolution 44/154 [YUN 1989, p. 704].

At the end of 1990, Ethiopia was host to 790,000 refugees, comprising 385,000 Somalis in the east and 405,000 Sudanese in the west. In 1990, UNHCR programmes made progress in consolidating and strengthening relief assistance for those refugees, particularly in the transport, water and health/nutrition sectors, as well as for an estimated 13,000 Ethiopian returnees from neighbouring countries. In March 1990, a special appeal was launched to encourage large-scale voluntary repatriation of Ethiopians from Somalia, resulting in the registration of some 107,000 Ethiopians in southern Somalia for repatriation. Another 60,000 in north-western Somalia were also expected to register. The budget needed to assist those returnees was estimated at \$28.3 million over a two-year period.

GENERAL ASSEMBLY ACTION

On 18 December, the General Assembly adopted resolution 45/161.

Assistance to refugees and returnees in Ethiopia

The General Assembly,

Recalling all its resolutions, in particular resolution 44/154 of 15 December 1989, as well as all those of the Economic and Social Council, on assistance to displaced persons in Ethiopia,

Taking note of the report of the Secretary-General,

Having considered the report of the United Nations High Commissioner for Refugees,

Recognizing the increasing number of refugees and voluntary returnees in Ethiopia,

Deeply concerned about the massive presence of refugees and voluntary returnees in the country and the enormous burden this has placed on the country's infrastructure and meagre resources,

Deeply concerned also about the grave consequences this has entailed for the country's capability to grapple with the effects of the prolonged drought,

Aware of the heavy burden placed on the Government of Ethiopia and of the need for adequate assistance to refugees, voluntary returnees and victims of natural disasters,

1. Commends the Office of the United Nations High Commissioner for Refugees and intergovernmental organizations and voluntary agencies for their assistance in mitigating the plight of the large number of refugees and voluntary returnees in Ethiopia;

2. Appeals to Member States and to international organizations and voluntary agencies to provide adequate material, financial and technical assistance for relief and rehabilitation programmes for the large number of refugees and voluntary returnees in Ethiopia;

3. Requests the United Nations High Commissioner for Refugees to continue his efforts to mobilize humanitarian assistance for the relief, rehabilitation and resettlement of voluntary returnees and the large number of refugees 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

1991, of the implementation of the present resolution and to report thereon to the General Assembly at its forty-sixth session.

General Assembly resolution 45/161

18 December 1990 Meeting 69 Adopted without vote

Approved by Third Committee (A/45/838) without vote, 30 November (meeting 58); 62-nation draft (A/C.3/45/L.80), orally revised: agenda item 12.

Meeting numbers. GA 45th session: 3rd Committee 48-50, 57, 58; plenary 69.

Liberia

In West Africa, the refugee population grew in 1990 from 200,000 to 875,000 due to the exodus of 759,000 Liberians to Côte d'Ivoire (300,000), Ghana (8,000), Guinea (325,000), Nigeria (1,500) and Sierra Leone (125,000). Expenditures for assistance to Liberian refugees alone amounted to \$15.9 million.

GENERAL ASSEMBLY ACTION

On 14 December, the General Assembly adopted resolution 45/139.

Emergency humanitarian assistance to Liberian refugees and displaced persons

The General Assembly,

Bearing in mind the civil strife that has in the past year ravaged the West African State of Liberia, decimated its population and forced thousands of Liberians to become refugees abroad or displaced persons within their own homeland,

Having considered the report of the United Nations High Commissioner for Refugees, in which he asserts that developments in the West African subregion necessitate new emergency operations,

Deeply concerned about the mass exodus of innocent victims of the Liberian civil strife into neighbouring West African countries and the enormous burden that this movement has placed on the infrastructure and already insufficient resources of the West African countries concerned,

Aware that the majority of the refugees and displaced persons are women and children, who are particularly vulnerable to the hardship imposed on them by the unfortunate circumstances,

Noting the determined and sustained efforts being made by the Governments of the West African countries hardest hit by the crisis to cater to and restore faith and hope among the Liberian refugees in their countries,

1. Expresses its appreciation to the Secretary-General for having taken steps to encourage continued and concerted international action in favour of Liberian refugees and displaced persons;

2. Acknowledges, with grateful appreciation, the emergency humanitarian assistance provided by the United Nations High Commissioner for Refugees and the governmental and intergovernmental agencies to the thousands of Liberian refugees and displaced persons in the West African subregion;

3. Appeals to the organizations of the United Nations system, Member States and international and voluntary organizations, including non-governmental or-

ganizations in consultative status with the Economic and Social Council, to intensify urgent humanitarian and other assistance for the relief and rehabilitation of the victims of the Liberian civil strife taking refuge in neighbouring West African countries;

4. Also appeals to the organizations of the United Nations system, governmental and intergovernmental bodies, as well as non-governmental organizations, to provide the necessary material and financial assistance for the return and resettlement of the victims of the Liberian civil war;

5. Requests the High Commissioner to continue his efforts to mobilize additional resources necessary for the rehabilitation of Liberian refugees and displaced persons and to find a durable solution to the problem of Liberian refugees;

6. Requests the Secretary-General, in co-operation with the Office of the United Nations High Commissioner for Refugees, to report on the implementation of the present resolution to the General Assembly at its forty-sixth session.

General Assembly resolution 45/139

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/45/763) without vote, 28 November (meeting 55); 42-nation draft (A/C.3/45/L.63); agenda item 107.

Meeting numbers. GA 45th session: 3rd Committee 43-47, 49, 55; plenary 68.

Somalia

In Somalia, an estimated 600,000 Ethiopian refugees continued in 1990 to receive assistance from UNHCR. Some 9,000 refugees were repatriated in organized convoys to Ethiopia, with some 4,500 of that number moving from north-western Somalia under a joint International Committee of the Red Cross/UNHCR operation.

Responding to General Assembly resolution 44/152 [YUN 1989, p. 705], the Secretary-General, in a September report [A/45/508], outlined assistance provided to refugees in Somalia by organizations of the UN system. He stated that UNHCR had launched an appeal to the international community on 16 March to secure funds for the two-year special programme for durable solutions to the refugee problem, which envisaged voluntary repatriation, spontaneous local integration and assistance to refugees. In accordance with the conclusions of the tripartite commission established in 1989, a registration of refugees in all southern camps was conducted between November 1989 and February 1990 for one of those three options.

UNDP approved a \$1 million project designed to increase the effectiveness of emergency assistance programmes to displaced persons and refugees. WFP continued the general feeding of Ethiopian refugees in Somalia through its refugee operation in the south and the Secretary-General's six-month extraordinary interim emergency programme for refugees in the north-west. During 1990, that assistance covered

440,000 re-registered refugees in the south and 140,000 refugees in the north-west, in addition to 50,000 vulnerable children and mothers in the refugee camps.

GENERAL ASSEMBLY ACTION

On 18 December, the General Assembly adopted resolution 45/154.

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, 39/104 of 14 November 1984, 40/132 of 13 December 1985, 41/138 of 4 December 1986, 42/127 of 7 December 1987, 43/147 of 8 December 1988 and 44/152 of 15 December 1989 on assistance to refugees in Somalia,

Having considered the report of the Secretary-General,

Deeply concerned about the heavy burden that has been placed on the fragile economy of Somalia by the continuing presence of large numbers of refugees,

Noting with concern the decision taken by the Office of the United Nations High Commissioner for Refugees and the World Food Programme to suspend temporarily their food and other humanitarian assistance programmes for refugees in the north-west districts of Somalia, and the food shortages that have occurred in the refugee settlements as a result of the termination of the extraordinary interim emergency programme,

Considering the urgent need to reactivate the extraordinary interim emergency programme to alleviate hardship and human suffering of refugees in the affected north-west districts of Somalia,

Conscious of the fact that Somalia, as a least developed country, does not possess the economic or financial capacity to fill the gap created by the temporary suspension of humanitarian assistance programmes for refugees in the north-west districts of Somalia,

Aware of the fact that Somalia does not have the capacity to provide humanitarian assistance from its limited resources,

Noting with concern the deleterious effect of the presence of refugees on the environment, which has resulted in widespread deforestation, soil erosion and the threat of destruction to an already fragile ecological balance,

1. Takes note of the report of the Secretary-General;

2. Commends the measures that the Government of Somalia is taking to provide material and humanitarian assistance to refugees, in spite of its own limited resources and fragile economy;

3. Expresses its appreciation to the Secretary-General, the United Nations High Commissioner for Refugees, donor countries and intergovernmental and non-governmental organizations for their efforts to assist the refugees in Somalia;

4. Calls upon the Office of the United Nations High Commissioner for Refugees and the World Food Programme to resume their assistance programmes for the refugees in the north-west districts of Somalia as soon as possible;

5. Requests the Secretary-General, in close co-operation with the Office of the High Commissioner,

the World Food Programme and the donor community, to resume the interim assistance programme so as to ensure that essential food aid and other humanitarian supplies continue to reach the refugee settlements in the north-west districts of Somalia until such time as a more permanent arrangement can be made;

6. Appeals once again to Member States, international organizations and voluntary agencies to give full support to the Secretary-General in the implementation of the interim assistance programme;

7. Reiterates its appeal to Member States, international organizations and voluntary agencies to render maximum and timely material, financial and technical assistance to enable the Government of Somalia to implement the projects and activities identified in the report of the 1987 inter-agency mission annexed to the report of the Secretary-General as the basis for a comprehensive programme of action concerned with both the humanitarian and the developmental needs of refugees;

8. Requests the pertinent organizations of the United Nations system, namely, the Food and Agriculture Organization of the United Nations, the International Labour Organisation, the World Health Organization, the United Nations Educational, Scientific and Cultural Organization and the United Nations Children's Fund, as well as the United Nations Environment Programme and the World Food Programme, to prepare, in consultation with the Government of Somalia, detailed project documentation for the implementation of those projects and activities identified in the report of the Secretary-General as priority endeavours for a comprehensive programme of action;

9. Calls upon the United Nations Development Programme, the United Nations Environment Programme, the United Nations Sudano-Sahelian Office and the Food and Agriculture Organization of the United Nations to continue and expand their activities in Somalia, in co-operation with the Government of Somalia, and to protect and rehabilitate its damaged environment;

10. Recognizes the important role that the non-governmental organizations are playing with regard to programmes for the care, maintenance and rehabilitation of refugees, particularly in activities related to small-scale development projects, and in the fields of health and agriculture;

11. Requests the United Nations High Commissioner for Refugees and the Administrator of the United Nations Development Programme to apprise the Economic and Social Council, at its second regular session of 1991, of the progress made in their respective fields of responsibility with regard to those provisions of the present resolution which concern them;

12. Requests the Secretary-General, in consultation with the High Commissioner and the United Nations Development Programme, to submit to the General Assembly at its forty-sixth session a report on the progress achieved in the implementation of the present resolution.

General Assembly resolution 45/154

18 December 1990 Meeting 69 Adopted without vote

Approved by Third Committee (A/45/838) without vote, 30 November (meeting 58); 68-nation draft (A/C.3/45/L.71); agenda item 12.

Meeting numbers. GA 45th session: 3rd Committee 48-50, 57, 58; plenary 69.

Southern Africa

In 1990, UNHCR continued to provide assistance to more than 140,000 Mozambicans in Swaziland, the United Republic of Tanzania, Zambia and Zimbabwe. Some voluntary repatriation to Mozambique took place during the year. At the end of the year, UNHCR, in co-operation with the Governments concerned, organized the repatriation of 2,266 Namibian refugee children from Zambia by air. Since the middle of 1990, new waves of South African refugees had been arriving in neighbouring countries, fleeing violence in their townships. The estimated 38,000 South African refugees in the southern Africa region continued to receive UNHCR assistance, pending their repatriation when conditions permitted.

Follow-up to the 1988

Conference on refugees in southern Africa

In response to General Assembly resolution 44/136 [YUN 1989, p. 701], the Secretary-General reported [A/45/480] in September on follow-up to the 1988 International Conference on the Plight of Refugees, Returnees and Displaced Persons in Southern Africa. He summarised the activities of Member States and organizations of the UN system in implementing the Oslo Declaration and Plan of Action adopted at the Conference [YUN 1988, p. 665], which were designed to promote emergency preparedness, needs assessment and delivery assistance, recovery and development, and mobilization of resources.

GENERAL ASSEMBLY ACTION

The General Assembly, on 14 December, adopted resolution 45/137.

International Conference on the Plight of Refugees, Returnees and Displaced Persons in Southern Africa

The General Assembly,

Recalling its resolution 44/136 of 15 December 1989,

Gravely concerned about the continuous deterioration of the situation in southern Africa arising from the domination and oppression of the people of South Africa by the minority racist regime of South Africa,

Having examined the report of the Secretary-General,

Conscious of its responsibility to provide economic, material and humanitarian assistance to independent States in southern Africa in order to assist them in coping with the situation resulting from the acts of aggression and destabilization committed by the apartheid regime of South Africa,

Noting with appreciation the consultations undertaken by the Secretary-General to establish within the United Nations system a mechanism to ensure the implementation and overall co-ordination of relief programmes for internally displaced persons,

Convinced of the necessity to strengthen the capacity of the identified focal points within the United Nations system for the implementation and the overall

co-ordination of relief programmes for internally displaced persons,

Noting with indignation that South Africa's policy of apartheid and its direct and indirect acts of aggression, intimidation and destabilization through armed terrorists continue to be the main causes of refugee flows and increasing displacement of persons in southern Africa,

Convinced also that there is an urgent need for the international community to extend maximum and concerted assistance to southern African countries sheltering refugees, returnees and displaced persons and also to highlight the plight of these persons,

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

2. Reaffirms the need to continue the implementation of the Oslo Declaration and Plan of Action on the Plight of Refugees, Returnees and Displaced Persons in Southern Africa adopted by the International Conference on the Plight of Refugees, Returnees and Displaced Persons in Southern Africa, held at Oslo from 22 to 24 August 1988;

3. Expresses its gratitude to the countries and organizations that have given assistance to the countries of southern Africa to enable them to cope with the situation of refugees, returnees and displaced persons in their territories;

4. Calls upon the international community to provide increased assistance to the countries of southern Africa to enable them to strengthen their capacity to provide the necessary facilities and services for the care and well-being of the refugees, returnees and displaced persons in their territories;

5. 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 the front-line and other neighbouring States to help them to withstand the effects of the acts of aggression and destabilization committed by the apartheid regime of South Africa;

6. Notes with appreciation the efforts made by the Secretary-General, 'the Office of the United Nations High Commissioner for Refugees and the Administrator of the United Nations Development Programme to implement the specific tasks and responsibilities assigned to them in the Oslo Declaration and Plan of Action, and encourages them to continue their efforts;

7. Endorses the recommendation of the Secretary-General aimed at assigning to the United Nations resident co-ordinators the function of co-ordinating assistance for internally displaced persons, in close co-operation with Governments, local representatives of donor countries and United Nations agencies in the field;

8. Requests the Secretary-General to strengthen the capacity of the identified focal points at the field level to enable them to respond more effectively to government requests for assistance to refugees and displaced persons;

9. Once again urges all Member States, organizations of the United Nations system and governmental and non-governmental organizations to undertake the measures required of them under the Oslo Declaration and Plan of Action;

10. Decides to consider this question at its forty-sixth session on the basis of a report to be submitted by the Secretary-General.

General Assembly resolution 45/137

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/45/763) without Vote, 28 November (meeting 55); draft by Tunisia, for African Group (A/C.3/45/L.60); agenda item 107.

Meeting numbers. GA 45th session: 3rd Committee 43-47, 49, 55; plenary 68.

Student refugees

In September, the Secretary-General reported [A/45/448] that UNHCR educational assistance programmes continued in 1990 for South African and Namibian refugee students in southern Africa. The aim of the assistance was to enable young refugees to become self-reliant in their host country, and to assume leadership roles upon their return. Most of the student refugees in those programmes (some 212 Namibians and 600 South Africans) were at the primary and lower secondary levels, with smaller numbers enrolled in secondary and post-secondary educational institutions in Botswana, Lesotho, Mozambique, Swaziland and Zimbabwe. The programmes were implemented either directly by local UNHCR offices or through other agencies. Appropriation for the programmes for 1990 totalled \$207,700.

GENERAL ASSEMBLY ACTION

On 18 December, the General Assembly adopted resolution 45/171.

Assistance to student refugees in southern Africa
The General Assembly,

Recalling its resolution 44/157 of 15 December 1989, in which, inter alia, it requested the United Nations High Commissioner for Refugees, 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 South Africa and Namibia who had been granted asylum in Botswana, Lesotho, Swaziland and Zambia,

Having considered the report of the Secretary-General,

Noting with appreciation that some of the projects recommended in the report continue to be successfully implemented,

Noting with concern that the discriminatory and repressive policies that continue to be applied in South Africa cause a continued and increasing influx of student refugees into Botswana, Lesotho, Mozambique, Swaziland, Zambia and Zimbabwe,

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 Secretary-General;

2. Expresses its appreciation to the Governments of Botswana, Lesotho, Mozambique, Swaziland, Zambia and Zimbabwe for granting asylum and making educational and other facilities available to the student refugees, in spite of the pressure that the continuing influx of those refugees exerts on facilities in their countries;

3. Also expresses its appreciation to the Governments of Botswana, Lesotho, Mozambique, Swaziland, Zambia and Zimbabwe for the co-operation that they have extended to the United Nations High Commissioner for Refugees on matters concerning the welfare of the 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 South Africa, who have been granted asylum in Botswana, Lesotho, Mozambique, Swaziland, Zambia and Zimbabwe;

6. Also requests the High Commissioner, in co-operation with the Secretary-General, to continue the sponsorship of Namibian students still studying under programmes of the High Commissioner until they complete their studies;

7. 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, that were submitted to the Second International Conference on Assistance to Refugees in Africa, held at Geneva from 9 to 11 July 1984;

8. 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;

9. 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, Mozambique, Swaziland, Zambia and Zimbabwe;

10. Calls upon agencies and programmes of the United Nations systems 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;

11. 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 1991, of the current status of the programmes and to re-

port to the General Assembly at its forty-sixth session on the implementation of the present resolution.

General Assembly resolution 45/171

18 December 1990 Meeting 69 Adopted without vote

Approved by Third Committee (A/45/838) without vote, 30 November (meeting 58); 48-nation draft (A/C.3/45/L.91); agenda item 12.

Meeting numbers. GA 45th session: 3rd Committee 48-50, 57, 58; plenary 69.

Malawi

In 1990, UNHCR assisted Malawi to meet the burden of the presence of the large number of Mozambican refugees in the country, which increased by over 120,000 to a total of some 927,000. The UNHCR assistance programme continued to provide for the basic needs of refugees pending repatriation, but the financial constraints faced by the Office resulted in a cut of some \$6 million from the 1989/90 programmes. As a result, the refugees suffered a nutritional deficiency and there was a deterioration in community services and education.

The Secretary-General, in a September report [A/45/444] submitted pursuant to General Assembly resolution 44/149 [YUN 1989, p. 699], said that the inevitable reduction in the UNHCR programme in Malawi had weakened the delivery of basic care and maintenance and hampered efforts to repair the ecological damage caused by the arrival of over 800,000 persons. WFP continued to co-ordinate the supply of basic food commodities, while UNHCR purchased additional supplies. However, the long-term presence of the large and increasing refugee population in Malawi continued to affect the country seriously, diverting precious resources intended for national development. To alleviate the situation, UNHCR and the Government in May addressed the Paris World Bank Consultative Group Meeting for the first time on the refugee crisis in Malawi.

GENERAL ASSEMBLY ACTION

The General Assembly, on 18 December, adopted resolution 45/159.

Assistance to refugees and displaced persons in Malawi

The General Assembly,

Recalling its resolutions 42/132 of 7 December 1987, 43/148 of 8 December 1988 and 44/149 of 15 December 1989 on assistance to refugees and displaced persons in Malawi,

Having considered the report of the Secretary-General,

Having examined that part of the report of the United Nations High Commissioner for Refugees that deals with the situation of refugees and displaced persons in Malawi,

Gravely concerned about the continuing serious social and economic impact of the massive presence of refugees and displaced persons, as well as its far-reaching

consequences for the country's long-term development process,

Appreciating the important measures that the Government of Malawi is taking in order to provide shelter, protection, food, education and health' and other humanitarian services to thousands of refugees and displaced persons,

Recognizing the heavy burden placed on the people and Government of Malawi and the sacrifices they are making in caring for the refugees and displaced persons, given the country's limited social services and infrastructure, and the need for adequate international assistance to enable them to continue their efforts to provide assistance to the refugees and displaced persons,

Expressing its appreciation for the assistance rendered by Member States, the various organizations of the United Nations system, the Office of the United Nations High Commissioner for Refugees and other international, intergovernmental and non-governmental organizations in support of the refugee programme in Malawi,

Bearing in mind the findings and recommendations of the inter-agency mission to Malawi, particularly on the need to strengthen the country's socio-economic infrastructure in order to enable it to provide for the immediate humanitarian relief requirements of the refugees and displaced persons, as well as the long-term national development needs of the country,

Recognizing the need to view refugee-related development projects within local and national development plans,

1. Takes note of the report of the Secretary-General;
2. Commends the measures that the Government of Malawi is taking to provide material and humanitarian assistance to refugees and displaced persons, in spite of the serious economic situation it faces, and stresses the need for additional resources to lessen the impact of the presence of refugees and displaced persons on the country's long-term development process;
3. Expresses its appreciation to the Secretary-General, the United Nations High Commissioner for Refugees, donor countries and intergovernmental and non-governmental organizations for their efforts to assist the refugees and displaced persons in Malawi;
4. Expresses grave concern at the serious and far-reaching consequences of the massive presence of refugees and displaced persons in the country and its implications for the long-term socio-economic development of the whole country;
5. Appeals to Member States, the appropriate organs, organizations and bodies of the United Nations system, intergovernmental and non-governmental organizations and the international financial institutions to continue providing the Government of Malawi with the necessary resources for the implementation of development assistance projects in regions affected by the presence of refugees and displaced persons, as well as for the development programmes now being implemented;
6. Requests the Secretary-General to continue his efforts to mobilize the necessary financial and material assistance for the full implementation of ongoing projects in the areas affected by the presence of refugees and displaced persons and for programmes now being implemented;

7. Requests the High Commissioner to continue co-ordination with the appropriate specialized agencies in order to consolidate and ensure the continuation of essential services to the refugees and displaced persons in their settlements;

8. Requests the Secretary-General to report to the General Assembly at its forty-sixth session, through the Economic and Social Council, on the implementation of the present resolution.

General Assembly resolution 45/159

18 December 1990 Meeting 69 Adopted without vote

Approved by Third Committee (A/45/838) without vote, 30 November (meeting 58); 34-nation draft (A/C.3/45/L.78); agenda item 12.

Meeting numbers. GA 45th session: 3rd Committee 48-50, 57, 58; plenary 69.

Sudan

In a September report [A/45/446], the Secretary-General stated that in 1990 UNHCR assisted some 385,000 of the more than 768,000 refugees estimated to be in the Sudan. With the completion of the voluntary repatriation of Ugandan refugees in 1989, UNHCR activities in the south of the Sudan were phased out. While efforts were made to promote the voluntary repatriation of the 20,000 Chadian refugees remaining in the west, no significant return movement took place. To enhance the economic independence of Ethiopian refugees in the eastern and central regions, efforts were made towards programme rationalization. A parallel effort was made to reduce refugee dependence on direct assistance in the long term by linking assistance to national development efforts. Refugee-specific activities were linked with regional development projects being implemented by the World Bank, the European Community and bilateral donors in refugee-affected areas. Full implementation of the World Bank/UNHCR/Government of the Sudan project in South Kassala targeting small farmers, including refugees in rural settlements, unassisted refugees and nationals, was hampered by a lack of financial contributions towards the refugee component of the project. The project had to be redesigned to reduce its scope. UNHCR continued to fund projects to improve infrastructure and services in refugee-affected areas in eastern Sudan.

GENERAL ASSEMBLY ACTION

On 18 December, the General Assembly adopted resolution 45/160.

Situation of refugees in the Sudan

The General Assembly,

Recalling its resolution 44/151 of 15 December 1989 and its other previous resolutions on the situation of refugees in the Sudan,

Having considered the report of the Secretary-General and the report of the United Nations High Commissioner for Refugees,

Expressing its appreciation for the efforts made by the Government of the Sudan for the reception of the refugees and the provision of protection, shelter, food, education and health and other humanitarian services to the ever-increasing number of refugees who have been crossing the borders into the Sudan since the early 1960s,

Recognizing the heavy burden shouldered by the people and the Government of the Sudan and the sacrifices they are making to host more than one million refugees, who constitute approximately 7.5 per cent of the total population of the country,

Deeply concerned that the great majority of the refugees have settled of their own accord in various urban and rural communities throughout the country and are thus sharing with the indigenous population the already meagre resources and services,

Expressing grave concern at the devastating and far-reaching effects of the successive calamities, ranging from the drought in 1984 to the torrential rains and floods and locust infestations in 1988 and the drought and food shortage of 1990, that have afflicted the country, thus exacerbating the already deteriorating situation resulting from the presence of this great number of refugees,

Gravely concerned also that the Government of the Sudan, besides dealing with the difficult prevailing economic and social problems, has the additional task of taking care of more than 3.7 million persons displaced by successive calamities and civil strife in the south,

Recognizing the efforts undertaken by the Government of the Sudan to initiate a wide-ranging rehabilitation programme to redress the damages incurred by the natural disasters,

Considering those serious circumstances, which render the Government of the Sudan less prepared than ever to meet its obligations to its own people, and the more serious consequences, which affect the capacity of the Government of the Sudan to receive and grant asylum to additional numbers of refugees,

Expressing its appreciation for the assistance rendered by Member States and intergovernmental and non-governmental organizations in support of the refugee programme in the Sudan,

1. Takes note of the report of the Secretary-General;
2. Takes note also of the report of the United Nations High Commissioner for Refugees and, in particular, of the new trends identified in the area of refugee aid and development;

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 serious and far-reaching consequences of the presence of massive numbers of refugees on the security and stability of the country and the overall negative impact on its basic infrastructure and socio-economic development;

5. Also 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 host and assist refugees;

6. Appeals to Member States, the appropriate organs, organizations and bodies of the United Nations system, 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 particular those prepared by the United Nations Development Programme, in the regions affected by the presence of refugees;

7. Requests the Secretary-General to mobilize the necessary financial and material assistance for the full implementation of ongoing projects in the areas 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 and to explore ways and means to extend assistance to refugees who have settled of their own accord elsewhere;

9. Requests the Secretary-General to report to the General Assembly at its forty-sixth session, through the Economic and Social Council, on the implementation of the present resolution.

General Assembly resolution 45/160

18 December 1990 Meeting 69 Adopted without vote

Approved by Third Committee (A/45/838) without vote, 30 November (meeting 58); 46-nation draft A/C.3/45/L.79; agenda item 12.

Meeting numbers. GA 45th session: 3rd Committee 48-50, 57, 58; plenary 69.

Asia and Oceania

In 1990, efforts continued to implement the Comprehensive Plan of Action (CPA) adopted at the 1989 International Conference on Indo-Chinese Refugees [YUN 1989, p. 707] and aimed at achieving a durable solution to the problem of Indo-Chinese refugees in the South-East Asia region.

In Viet Nam, a mass information campaign aimed at discouraging the organization of clandestine departures was partly responsible for the dramatic decline in the number of new Vietnamese asylum-seekers in the region, from 83,700 in 1989 to 40,500 in 1990. The campaign involved close co-operation between UNHCR and the Government, as well as the media. By the end of 1990, under the Orderly Departure Programme, a total of 252,760 Vietnamese had left the country by air to over 30 countries.

UNHCR worked closely with the Governments concerned to establish status-determination procedures for asylum-seekers. Under CPA, voluntary repatriation for Vietnamese refugees continued in 1990. To help in their reintegration, returnees were paid \$30 per month over a one-year period and UNHCR staff undertook periodic visits to their home provinces and villages to monitor their progress. In China, UNHCR contributed \$3 million to support 40 projects geared towards income-generation, education, job creation and health care for the younger generation of 285,000 Vietnamese settled in China who suffered from lack of job opportunities and cultivable land.

In Thailand, there were 99,821 Indo-Chinese refugees at the end of 1990, two thirds of whom were Lao, and the rest Vietnamese and Cambodian. Under UNHCR auspices, more than 20,000 left the country for resettlement, but that was offset by new arrivals and natural population growth. UNHCR continued its programmes of care and maintenance, repatriation and resettlement assistance for refugees in Thailand, at a cost of \$24.5 million.

The fate of some 300,000 Cambodians on the border with Thailand, assisted by the United Nations Border Relief Operation, as well as of 15,000 others in Thailand and an equal number in Viet Nam, awaited a resolution of the Cambodia conflict. Preparations for the repatriation of those refugees and displaced persons were under way in anticipation of a political settlement. An inter-agency mission, led by UNHCR, visited Thailand and Cambodia in May/June 1990. Follow-up consultations were held to ensure effective co-ordination and a definition of the responsibilities of each organization involved. A memorandum of understanding was concluded between UNHCR and WFP on food assistance and a contingency plan prepared to ensure a safe return and a smooth transition of returnees.

The UNHCR Executive Committee, noting that the inter-agency mission had laid the groundwork for the repatriation operation, called on the High Commissioner to work with the Secretary-General to ensure that the financial and other requirements of the operation were addressed in UN overall planning. It appealed for a comprehensive settlement in Cambodia and called on Governments and other donors to respond rapidly. The Committee also called for the creation of a climate of security and confidence so that repatriation and reintegration could be undertaken with international monitoring. In October 1990, the Secretary-General launched an appeal for funds to cover the preparatory phase of the repatriation, which was met with a favourable initial response of more than \$10 million. Surveys were conducted in Cambodia to determine the absorption capacity of potential returnee areas.

Elsewhere in the region, in November 1990, UNHCR began an emergency relief programme for some 43,000 Sri Lankan returnees and displaced persons in Mannar District. That population had repatriated from south India since 1987, and was helped by UNHCR to resettle in their native towns and villages. However, since mid-1990 the situation in the north-east had deteriorated rapidly, and large numbers of returnees were again displaced. Due to the increase of asylum-seekers in Australia and New Zealand, the Governments of those countries requested addi-

tional help in carrying out status-determination procedures; in response, UNHCR recruited additional personnel. In both countries, persons of Indo-Chinese origin formed the majority of new asylum-seekers, with others from Europe, the Middle East, Africa and Latin America. At the end of 1990, the number of refugees in Australia stood at 97,915, and in New Zealand at 5,424.

Papua New Guinea gave permission to Irian Jayan refugees from Indonesia to settle on its territory; they were encouraged to engage in income-generating activities. However, during the year, 600 of those refugees voluntarily repatriated to their country of origin. During the same period, Nepal saw an influx of some 2,000 Bhutanese.

Total expenditures by UNHCR for the region under voluntary funds amounted to \$102 million in 1990, of which \$52.6 million was expended under General Programmes and \$49.4 million under Special Programmes. Care and maintenance programmes accounted for \$60 million of the total.

1989 Conference on Indo-Chinese Refugees

In September, the Secretary-General reported [A/45/449] on the implementation of the Comprehensive Plan of Action adopted at the 1989 International Conference on Indo-Chinese Refugees [YUN 1989, p. 707]. He said that considerable progress had been registered on all aspects of CPA, except the issue of the return of non-refugees. Concerning departures, a public information campaign was conducted in northern Viet Nam to inform inhabitants about the situation of asylum-seekers, the establishment of procedures to determine refugee status and the limitation of resettlement opportunities. That campaign contributed largely to the drastic reduction in arrivals in Hong Kong. In the rest of the region, however, no significant change was noted in the number of arrivals and a public information campaign would be undertaken in southern Viet Nam.

UNHCR conducted training/briefing sessions for government officials involved in the determination of refugee status. Special procedures were established with UNHCR assistance for unaccompanied minors and other vulnerable cases. Considerable progress was also made on resettlement of the pre-cutoff date case-load; over 80 per cent of the case-load had been accepted or had departed for resettlement. With respect to voluntary repatriation, 3,345 Vietnamese returned to Viet Nam. The Steering Committee of the Conference, at its third meeting (Geneva, 24-25 January), agreed on the principle of the return of non-refugees, but was unable to agree on a time-

table for implementation. At an informal meeting of the Steering Committee (Manila, Philippines, 17-18 May), first asylum countries issued a statement indicating that, if there was no solution for non-refugees by 1 July, they would reserve the right to take unilateral action to safeguard their national interest, including abandonment of first asylum.

The UNHCR Executive Committee emphasized the need for continued efforts to ensure full and balanced implementation of all mutually reinforcing elements of CPA, including temporary asylum and repatriation. It requested the High Commissioner and the Steering Committee to continue their multilateral co-ordinating role towards that end and urged that a consensus be reached in the near future enabling full CPA implementation.

Europe and North America

Changes taking place in Central and Eastern Europe led to a substantial increase in the activities of UNHCR in the area. The agency undertook a number of missions with a view to encouraging Governments to accede to international refugee instruments and to develop national legislation pertaining to refugees and asylum-seekers, repatriation, resettlement and family reunification. In 1990, Hungary and Yugoslavia were the only countries in the region to have acceded to the 1951 Convention relating to the Status of Refugees [YUN 1951, p. 520] and its 1967 Protocol [YUN 1967, p. 769], but almost all others had expressed their intention to do so in the near future. The number of refugees in Eastern Europe was as yet relatively small, but future mass flows were anticipated.

In Western Europe, the number of asylum-seekers continued to rise, from 290,000 in 1988 to 420,000 in 1990. That resulted in strains on reception facilities and increased expenditures for public assistance, and created a large backlog in the processing of asylum applications. At the same time, public opinion became increasingly less favourable to immigrants in general, and refugees in particular. During 1990, Albania was the largest source of new refugees: 19,852 sought asylum in Greece, 27,000 in Italy and 2,100 in Yugoslavia.

In North America, asylum applications in Canada during 1990 increased to about 36,000 from 21,745 in the previous year. However, their rate of acceptance was 70 per cent, reflecting the country's generous asylum policies. In the United States, requests for asylum during the year numbered some 74,000, the majority of which were from Cubans and Central Americans.

UNHCR worked closely with the United States Immigration and Naturalization Service in training asylum adjudicators in the new asylum regulations instituted in 1990.

UNHCR expenditures in Europe and North America amounted to \$27.3 million for 1990.

Latin America and the Caribbean

At the end of 1990, 92,773 refugees were being assisted by UNHCR in Central America and another 8,275 in South America (out of a refugee population of 29,098 in that region). The momentum created by regional peace efforts and the 1989 International Conference on Central American Refugees (CIREFCA) [YUN 1989, p. 709] served as a catalyst to find durable solutions, through voluntary repatriation or integration in host countries, to refugee problems in Central America, notably in El Salvador and Nicaragua. Following the elections in Nicaragua in March 1990 (see PART Two, Chapter II), most of the Nicaraguan refugees in Honduras expressed a desire to return home. At the request of the Secretary-General, UNHCR lent its good offices to the work of the International Support and Verification Commission. In 1990, in the largest such effort in Latin America by UNHCR, it helped in the repatriation of 35,464 refugees and 18,883 members of the Nicaraguan resistance within the framework of the Commission. It also set up seven field offices in returnee areas for rehabilitation assistance. In addition to immediate relief aid, UNHCR, in partnership with UNDP, began implementing long-term development projects for the permanent reintegration of the returnees. During the year, another 8,072 refugees were repatriated to El Salvador under UNHCR auspices, making a total of 30,000 returnees to that country since 1987; UNHCR continued to monitor the security conditions and welfare of the returnees in more than 17 communities throughout the country. Some 783 refugees were repatriated from Mexico to Guatemala in 1990—a slower rate of return than in the previous year.

In South America, following the growing trend towards voluntary repatriation, 2,500 Chileans returned under UNHCR auspices from various countries of asylum, most notably from Argentina, receiving assistance within a framework agreed upon between the Chilean Government, the International Organization for Migration and UNHCR.

With funds made available through CIREFCA projects, local integration efforts were pursued to assist those refugees who did not wish to return home. In Costa Rica, five CIREFCA projects were implemented by UNHCR to provide housing

credit, job training and education to Nicaraguan refugees. As a result of those measures, it was expected that by the end of 1991 there would be no more refugee camps in Costa Rica. In Mexico, the Government announced a new policy of "secure settlement" aimed at providing a measure of self-sufficiency for 7,000-8,000 Guatemalan refugees in the State of Chiapas.

UNHCR opened a Regional Office in Caracas, Venezuela, in April, and intensified its activities in the Caribbean. Voluntary repatriation of Haitian refugees continued and a rehabilitation project for returnees was re-opened.

Expenditures for the year in Latin America and the Caribbean amounted to \$43.4 million, of which \$24 million was obligated under General Programmes and \$19.4 million under Special Programmes.

Follow-up to the 1989

Conference on Central American Refugees

During 1990, UNHCR, in collaboration with UNDP, provided technical and material support for the finalization of development and reconstruction projects presented at the 1989 International Conference on Central American Refugees [YUN 1989, p. 709], said the Secretary-General in a September report [A/45/450]. In compliance with the Concerted Plan of Action adopted at that Conference, a governmental national committee was formed in each affected country to define priorities regarding the linkage of development projects for uprooted populations to their countries' national plans. Also in compliance with the Plan of Action, donor Governments, NGOS, the affected Governments, UNDP and UNHCR worked together in a support group which served as a forum for sharing information and viewpoints regarding project design and implementation.

The First International Meeting of the Follow-up Committee of CIREFCA was held in New York on 27 and 28 June. The Meeting reviewed the progress reports of the seven affected Governments on the application of the Concerted Plan of Action in their respective countries and showed their support for the CIREFCA process during its implementation stage. Contributions for the financing of projects totalling \$156.2 million were made or announced at the Meeting. The Meeting adopted the Declaration of the First International Meeting of the Follow-up Committee, which supported the strengthening of the mechanisms set in motion by CIREFCA and called for consideration in development-related projects for uprooted persons in the region of the participation of women, physical and intellectual development of children, conservation of ethnic

and cultural values and protection of the environment. The Meeting requested the Secretary-General, UNHCR and UNDP to support the affected Governments, in particular through the CIREFCA Joint Support Unit.

The UNHCR Executive Committee welcomed the Declaration of the First International Meeting of the Follow-up Committee. It requested the Governments in the region to strengthen the functioning of the mechanisms established under the Concerted Plan of Action at the national and international levels and asked the High Commissioner to ensure effective implementation of CIREFCA projects and reinforce his collaboration with UNDP and national support groups. The Committee appealed to the Governments of Central America, Belize and Mexico, the international community, intergovernmental organizations and NGOs to increase their efforts towards full implementation of the Concerted Plan of Action to achieve durable solutions for refugees, returnees and displaced persons.

GENERAL ASSEMBLY ACTION

On 14 December, the General Assembly adopted resolution 45/141.

International Conference on Central American Refugees

The General Assembly,

Recalling its resolutions 42/1 of 7 October 1987, 42/110 of 7 December 1987, 42/204 of 11 December 1987, 42/231 of 12 May 1988, 43/118 of 8 December 1988 and 44/139 of 15 December 1989,

Recalling also that the International Conference on Central American Refugees is related to the initiative of the Central American Presidents expressed in the procedures for the establishment of a firm and lasting peace in Central America concluded at the Esquipulas II summit meeting in August 1987, as indicated in the San Salvador communique on the Central American refugees, of 9 September 1988,

Recognizing the importance and validity of the Declaration of the International Conference on Central American Refugees, held at Guatemala City from 29 to 31 May 1989, and especially of the framework contained in the Concerted Plan of Action in favour of Central American Refugees, Returnees and Displaced Persons, adopted by the Conference,

Noting the establishment of the national and international follow-up mechanisms contemplated in the Concerted Plan of Action,

Taking into account that the Conference has become an integral part of the Special Plan of Economic Co-operation for Central America, as referred to in General Assembly resolution 42/231, thus responding to the needs of refugees, returnees and displaced persons,

Recalling the important declarations of support for the Conference process and its objectives contained in the communiqués issued by the Central American Presidents following the summit meetings at Tela, Honduras, on 7 August 1989, Montelimar, Nicaragua,

on 3 April 1990, and Antigua, Guatemala, on 17 June 1990: in General Assembly resolution 44/139 and in resolution 1021(XIX-0/89) of the General Assembly of the Organization of American States; in the conclusion adopted by the Executive Committee of the Programme of the United Nations High Commissioner For Refugees on the Guatemala Declaration and the Concerted Plan of Action; and, lastly, in the communique of the meeting between the Ministers for Foreign Affairs of the countries of the European Community and of Central America, held at Dublin on 9 and 10 April 1990,

Noting the generous support provided by the countries participating in the First International Meeting of the Follow-Up Committee of the International Conference for the proposals presented at the Meeting by the Central American countries, Belize and Mexico,

Convinced that peace, development and democracy are essential in order to solve the problem of uprooted populations in the region,

Recognizing the valuable co-operation of the Secretary-General, the Office of the United Nations High Commissioner for Refugees and the United Nations Development Programme with the affected countries through the Joint Support Unit of the Conference to ensure the follow-up of the Concerted Plan of Action and the proper implementation of the objectives and proposals contained therein,

Noting with satisfaction the progress made in the region through dialogue and national reconciliation, which contribute to the consolidation of peace and the strengthening of democratic processes,

1. Takes note of the report of the Secretary-General and the report of the United Nations High Commissioner for Refugees relating to the International Conference on Central American Refugees;

2. Welcomes with satisfaction the meetings held by the Follow-Up Committee established by the Conference as the mechanism provided in the Concerted Plan of Action in favour of Central American Refugees, Returnees and Displaced Persons, and encourages further meetings with a view to the effective follow-up of activities related to the implementation of plans and projects in favour of displaced persons of the Central American region;

3. Recognizes the efforts made by the affected countries to establish conditions conducive to resolving the problem of uprooted populations in the region;

4. Urges the affected countries, according to their capacities, to strengthen their efforts to deal with the problem of refugees, returnees and displaced persons and to adapt the solutions to national and regional development plans and programmes and to action aimed, specifically, at eradicating extreme poverty;

5. Agrees on the need for projects in favour of refugees, returnees and displaced persons to promote, inter alia;

- (a) The participation of women;
- (b) The physical and intellectual development of children;

- (c) The preservation of ethnic and cultural values;
- (d) The protection of the environment;

6. Reaffirms its conviction that the voluntary repatriation of refugees and the return of displaced persons to their countries or communities of origin is one of the

most positive signs of the progress of peace in the region;

7. Expresses its conviction that the process of return to and reintegration in the countries and communities of origin should take place in conditions of dignity and security and with the necessary guarantees to ensure that the affected populations are included in the respective national development plans;

8. Reaffirm the validity of the Concerted Plan of Action as a framework for solving the problems posed in the affected countries by the massive presence of uprooted populations of the Central American region, while recognizing that it constitutes only an initial response to the many problems to which uprootedness gives rise;

9. Expresses its appreciation for the resources committed to finance the proposals submitted by the Governments of Central America, Belize and Mexico at the First International Meeting of the Follow-Up Committee, and welcomes with satisfaction the willingness expressed by the Follow-Up Committee to give favourable consideration to future projects submitted by the affected countries within the Conference framework and to explore all possible sources for funding them;

10. Stresses in particular the need to support the Office of the United Nations High Commissioner for Refugees and the United Nations Development Programme in the discharge of the special function assigned to them by the Secretary-General within the framework of the International Support and Verification Commission in order to provide them with the resources required for assistance for and voluntary repatriation and reintegration of members of the Nicaraguan resistance and their families, as well as of the Nicaraguan refugees being repatriated voluntarily;

11. Urges Member States and organs, specialized agencies and other organizations of the United Nations system, as well as regional and subregional organizations and intergovernmental and non-governmental organizations involved in humanitarian tasks in favour of the Central American refugees, returnees and displaced persons, to continue and increase their assistance to and support for the responsible authorities of the affected countries in the implementation and follow-up of the guidelines, goals and objectives of the Concerted Plan of Action, and expresses its gratitude to all the national and international organizations engaged in assistance to the uprooted populations and in the development of the region;

12. Requests the Secretary-General, the Office of the High Commissioner and the United Nations Development Programme to continue their support for the affected countries in the implementation of the Concerted Plan of Action, especially through the activities of the joint Support Unit of the Conference;

13. Urges the responsible authorities to 'continue and strengthen measures to ensure the efficient implementation of the proposed programmes;

14. Stresses the importance of strengthening and developing the follow-up and promotion mechanisms established under the Concerted Plan of Action, in particular the support groups, in order to ensure co-ordination and co-operation between all the parties involved, and calls upon the Governments of the region to take the necessary measures to facilitate this process;

15. Recognizes the importance of the role played by non-governmental organizations, as well as by the affected populations, in identifying their needs and participating in the planning and execution of projects in co-ordination with national committees and in accordance with the Concerted Plan of Action, and urges them to continue in this humanitarian and non-political endeavour;

16. Requests the Secretary-General, in collaboration with the High Commissioner, to submit to the General Assembly at its forty-sixth session a report on the implementation of the present resolution.

General Assembly resolution 45/141

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/45/763) without vote, 28 November (meeting 55); 26-nation draft (A/C.3/45/L.65); agenda item 107.

Meeting numbers. GA 45th session: 3rd Committee 43-47, 49, 55; plenary 68.

South-West Asia, North Africa and the Middle East

In 1990, the situation of Afghan refugees in neighbouring Pakistan and Iran was the principal focus of UNHCR activities in the region, though assistance continued to pockets of refugee populations elsewhere.

The expected mass return of Afghan refugees, following the complete withdrawal of foreign armed forces from Afghanistan in February 1989, did not materialize. Although significant repatriations, involving some 300,000 persons, took place in 1989 and 1990, by the end of 1990 there were 3,185,265 Afghan refugees in Pakistan and more than 2.3 million in Iran. In Pakistan, the majority of Afghans lived in some 345 refugee villages, with women and children comprising 75 per cent of the refugee population. Most of UNHCR services were geared towards community-based activities and income-generating schemes for those refugees who had not attained economic self-sufficiency. Food aid to the refugees was provided by WFP at an estimated value of \$120 million.

Besides the 2.3 million Afghans, Iran hosted over 500,000 Iraqi refugees. Only a small percentage of the Afghan refugees lived in camps, the majority being integrated in urban centres throughout the country, where they enjoyed the right to employment and access to education and health facilities on an equal footing with Iranian citizens. UNHCR assistance was limited to health, sanitation, water, education and income generation. In the field of health, UNHCR complemented the efforts of Iran by procuring vaccines, medicines and water-distribution systems, and by providing salaries of Afghan health workers, at a cost of \$8 million. Another \$4 million was expended on similar assistance to Iraqi refugees.

In order to promote a durable solution to the problem of Afghan refugees, UNHCR took part in a Pilot Repatriation Project launched in July 1990. In Afghanistan, UNHCR continued to support the Peace Guest House project, where returnees were received and assisted with transportation to their areas of origin. Guest houses were established in Kabul, Herat and Mazari-i-Sharif, where WFP provided food aid to the returnees. By the end of 1990, UNHCR had assisted some 30,000 persons through that project.

During 1990, UNHCR voluntary funds expenditure in South-West Asia, North Africa and the Middle East totalled \$97.6 million, \$63.6 million of which was for care and maintenance.

Refugee protection and assistance

Protection issues

In 1990, there was an overall improvement in the international protection of refugees, said the High Commissioner in his annual report to the General Assembly [A/46/12]. That was evidenced by the implementation in Central America and South-East Asia of plans of action developed in 1989 to deal with the refugee situation in those regions; the setting up of a regional mechanism in Africa to contain the rapidly worsening refugee situation there; and the voluntary repatriation of refugees in several parts of the world and the consequent closure of camps set up over a decade earlier. However, that was offset by negative trends in other parts of the world. Although many States admitted the vast majority of the world's refugees, granting them temporary asylum at least and protection from refoulement, a number of countries denied entry to asylum-seekers on various grounds and concern did not lessen over violations of the principle of non-refoulement.

In August, the High Commissioner, in a note on international protection [A/AC.96/750] to the Executive Committee, gave an overview of the problems faced in the area of protection and suggested certain considerations for any broad-based approach to the refugee problem in the coming decade. The aim was to underpin suggestions for future direction for refugee policy that States and the international community might develop.

Refugee problems were identified as operational in nature, especially where there were communities of refugees for whom no lasting solution to their situation had been found; the serious and growing challenge to the institution of asylum as a main way of offering protection to refu-

gees; and the financial crisis of UNHCR which had adversely affected its ability to protect refugees.

The High Commissioner stated that the physical security of refugees during their flight and after arrival in asylum countries was of paramount concern. Military or armed attacks on refugee camps or settlements destroyed lives and property, refugees were forcibly recruited into regular and irregular armed forces and women and children were subjected to physical violence or sexual abuse. Denial by Governments of UNHCR access to refugee populations further impeded effective monitoring or intervention. A related concern was the detention of refugees and asylum-seekers in circumstances outside the guidelines agreed to in 1986 by the Executive Committee. There were also restrictions on the full enjoyment of rights of refugees guaranteed by international instruments. Protection training and promotion activities instituted by UNHCR had proved only partially effective. The institution of asylum, which was critical to refugee protection, was increasingly being undermined. Certain States expelled refugees individually and, in some instances, in large numbers. In addition, many States, some of which were among the architects of the international refugee protection structures, adopted measures denying admission and hindering access to procedures for the determination of status. As a complement to such policies, a number of States had adopted a narrow view of the scope of their responsibilities under the 1951 Convention relating to the Status of Refugees [YUN 1951, p. 520], particularly article 1 on refugee definition, so that it was held to apply to only a limited group of persons. As a result of such restrictive approaches there was a higher rejection rate. Additionally, there was the problem of the rigid adherence by some countries to the country-of-first-asylum principle. Those problems had the combined effect of making asylum less accessible. The situation was further undermined by the serious financial crisis facing UNHCR, which threatened to compromise its ability to meet the refugees' basic needs, including protection. The Office was forced to identify priorities even among mandated activities, resulting in enforced reductions affecting not only the immediate welfare of refugees, but also their protection and prospects for solutions, particularly voluntary repatriation. Concerning long-term approaches, UNHCR was of the view that an overall and global approach was required to develop asylum and refugee policies so that humanitarian and human rights concerns could be integrated and properly balanced in relation to

development, foreign policy and immigration control procedures.

In the conclusions to the report, the High Commissioner suggested that, as part of new strategies, human rights institutions and organizations should be utilized more actively and effectively to address the human rights concerns in refugee situations. International co-operation to ensure early warning of developing humanitarian emergencies and to facilitate their timely mediation should be promoted and activities strengthened. Future policies should reflect new and broadly endorsed human rights positions regarding torture and inhumane and degrading treatment. National and international development assistance agencies, in implementing policies on development aid, should promote positive human rights situations and target socio-economic difficulties causing people to leave or hindering their return to their countries of origin. States must respond to the legitimate concerns of all affected States, including the protracted nature of refugee problems in many developing countries with their own troubled economies, their limited ability to provide for substantial refugee populations, concern about waning international solidarity in sharing the burden, and the political and security difficulties. The manner in which regional bodies might more actively contribute to positive resolution of problems in their respective regions should be explored. Response strategies employing the three traditional durable solutions should include measures to broaden their acceptability. New thinking on solutions should develop the concept of State responsibility under international law, particularly as it related to the responsibilities of countries of origin. Governments should share with UNHCR the responsibility to lead and educate public opinion and to encourage positive attitudes by making public information activities an integral part of new strategies to address refugee problems. Open debate on possible new strategies should precede any final decision at the political level. Migration control should be examined with a view to assessing the appropriateness of legal migration as an alternative channel for departures for some groups, particularly those with no compelling reasons for their departure that were pertinent to refugees status. Any new strategy must contain measures to deal humanely and effectively with rejected asylum-seekers.

In an October conclusion, the UNHCR Executive Committee called for measures to ensure that refugees were effectively protected and, in that regard, reiterated the importance of the 1951 United Nations Convention relating to the Status of Refugees [YUN 1951, p. 520] and its 1967 Protocol [YUN 1967, p. 769]. It also called on the High Commissioner to continue to ensure that protection

measures were fully integrated into assistance and durable solutions programmes. The Committee noted the accomplishments of UNHCR in promoting and disseminating refugee law and called on the High Commissioner to pursue those activities within existing resources. Noting matters emphasized by the High Commissioner in his note on refugee protection, it decided to refer those matters to its Working Group on Solutions and Protection.

The Executive Committee took note of the establishment of that Working Group and requested that a further meeting of the Group be convened as soon as possible after the October 1990 session of the Committee and that a report on the Group's work be submitted in 1991.

Refugee women and children

In an August report [A/AC.96/754], the High Commissioner outlined UNHCR's policy on refugee women, which was based on the principle that the resources and needs of refugee women should be integrated into all aspects of programme planning and implementation rather than creating special women's projects. The organizational goals were to provide protection appropriate to the specific needs of women, identify durable solutions and provide assistance that would encourage the realization of their full potential and encourage their participation in preparing for the durable solution. The main policy objectives to support those goals were to recognize that refugee women represented approximately 80 per cent of UNHCR's target population and that programmes could be effective only if they were planned with an understanding of, and in consultation with, that group; to ensure that specific protection needs and the legal rights of refugee women were understood and that adequate response measures were taken; to support their efforts and ensure their participation in UNHCR's protection and assistance activities; to ensure that differing needs and resources of refugee men and women were considered in programme activities and, where necessary, for cultural and social reasons; to place particular emphasis on strategies to protect and assist refugee women; and to ensure that refugee women were equitably represented in resettlement programmes.

The Secretary-General submitted to the Commission on the Status of Women a report [E/CN.6/1991/4] on refugee and displaced women and children, based on the work of the Expert Group on Refugee and Displaced Women and Children (Vienna, 2-6 July 1990), in which he dealt with, *inter alia*, the issue of refugee protection as it related to women and children.

The report stated that women and children shared the same protection problems experienced by all refugees but they had additional legal and physical protection problems peculiar to their gender and age. Women faced special difficulties in obtaining refugee status, and few countries had an adequate number of female staff involved in the procedures for determining refugees to respond to the needs of those women. In addition, women were also underrepresented in the protection staff of UNHCR and that of implementing partners. Refugee women also experienced difficulty in registering and obtaining documentation of their refugee status and eligibility for assistance. Children also faced difficulties in establishing refugee status, particularly unaccompanied children. They frequently did not have access to information to substantiate their claims. Statelessness was one of their major problems. The physical security of refugee women and children was also at risk both during flight and after they had found asylum. Problems included rape, abduction, sexual harassment and the forced induction of children into the military. Additionally, camp design and operation contributed to physical insecurity. In urban settings, minimal assistance programmes forced many refugee women into prostitution.

In October, the UNHCR Executive Committee approved the policy on refugee women [A/AC.96/754] and urged States, relevant UN organizations and NGOs to implement the policy, including in the area of training. It called on the High Commissioner to present a progress report in 1991 on the implementation of the policy in protection and assistance activities and to develop comprehensive guidelines on the protection of refugee women and their application within the framework of the policy.

The Committee urged States, UN organizations and NGOs to ensure that the needs and resources of refugee women were fully understood and integrated into their activities and programmes and to pursue measures for improving the international protection of refugee women.

Early warning of refugee flows

Co-ordination

In October [A/45/649 & Corr.1], the Secretary-General submitted to the General Assembly the report of the Joint Inspection Unit (JIU) on the co-ordination of activities related to early warning of possible refugee flows. The report examined the policy framework for a co-ordinated

early-warning system, UN system involvement in activities relevant to early warning of possible refugee flows as a basis for co-ordination, methods and techniques to monitor early warning and co-operation and co-ordination.

The report concluded that although 10 years had passed since the importance of early warning was recognized by the General Assembly, mass exoduses of refugees continued to increase. Many organizations of the UN system had already developed techniques and methods to monitor certain factors within their mandate. However, activities related to early warning were not well co-ordinated in the light of the fragmentation and decentralization of the work of the UN system. JIU concluded that there was a need to introduce early warning as a regular component of work of the UN system in a co-ordinated manner. To that end, the report recommended that the Administrative Committee on Co-ordination (ACC) should include in the agenda of its forthcoming session an item on the subject, which it should further consider from time to time as needed; designate a central focal point of the UN system for the co-ordination and monitoring of factors related to possible refugee flows; establish a working group on early warning of refugee flows to work out modes of co-operation and procedures to develop an effective early-warning system for refugees; set up a regular inter-agency consultative mechanism to consider concrete cases and to meet urgently in case of emergencies; and make arrangements for UN resident coordinators to serve as co-ordination points for early warning of refugee flows. The Secretary-General should make administrative arrangements to increase the capacity of the Office for Research and the Collection of Information (ORCI) in early warning of refugee flows; the executive heads of relevant UN organizations should strengthen early-warning activities related to refugee flows; ORCI should develop an effective early-warning system, give priority to the finalization of specific indicators concerning the root causes of refugee flows, promote consultative discussions with relevant entities and further develop links with existing internal and external data bases; and UN research institutions should disseminate information on their work related to alert function by sending their products to the entities involved.

In November [A/45/649/Add.1], the Secretary-General submitted his comments on the JIU report. He noted that the information and observations contained therein could be useful in designing the UN arrangements for early warning and prevention of possible refugee flows. However, the report did not sufficiently emphasize

the necessity of developing an early-warning capacity at the country level and the role that could be played by the resident co-ordinators. The Secretary-General agreed that the envisaged arrangement should extend to all displaced persons, but noted that the involvement of UNHCR in early-warning activities would have to take into account the scope of its mandate. He said that he would consider arrangements to increase the capacity of ORCI in early warning of refugee flows and undertook to expedite the work related to early warning as proposed by JIU. He indicated that the comments of ACC on those recommendations with system-wide implications would be submitted to the General Assembly at a later date.

Assistance

During 1990, UNHCR continued to co-operate with concerned Governments and the international community to meet the humanitarian needs of refugees throughout the world, as well as in the pursuit of durable solutions, through programmes of voluntary repatriation, local integration and resettlement. Those efforts were affected by the financial constraints of the Office as well as by requests for emergency assistance in an increasing number of new refugee situations.

UNHCR continued its large care and maintenance programmes in Ethiopia (\$42.4 million), Malawi (\$36.3 million) and the Sudan (\$13.9 million). The deteriorating situation in Somalia considerably hampered the implementation of UNHCR activities in the latter part of the year and finally led to the evacuation of all UN personnel. Assistance was provided in neighbouring countries to refugees fleeing Somalia. The situation in Liberia throughout the year resulted in an influx of large numbers of refugees in need of assistance in Côte d'Ivoire, Guinea and Sierra Leone. Assistance provided included infrastructure in host villages, and agricultural and small income-generating projects. Large care and maintenance programmes continued throughout South-East Asia, especially in Thailand (\$21.4 million), Hong Kong (\$15.1 million) and Malaysia (\$6.1 million). In South-West Asia, the largest programme was in Pakistan in favour of Afghan refugees (\$44.1 million). In Latin America, care and maintenance programmes continued in Mexico (\$3.3 million) and Honduras (\$3.7 million).

In 1990, some \$183 million was spent under General and Special Programmes to promote durable solutions. UNHCR emphasized the need for States to create the necessary conditions to make voluntary repatriation a viable option, and in that regard advocated the establishment of tripartite

commissions whenever possible. In Africa, some 2,774 Namibians, mostly students from Zambia, were repatriated. Another 32,000 persons returned to Mozambique, including 25,800 from Malawi, 2,500 from Zimbabwe and over 3,500 from South Africa. However, the two-way repatriation to Angola and Zaire remained suspended at the end of the year for financial and security reasons. In Latin America, the repatriation of Nicaraguan refugees from Honduras and other countries in the region was successfully completed. In Asia, a new outbreak of violence in Sri Lanka disrupted ongoing repatriation activities. Under the Comprehensive Plan of Action for Indo-Chinese Refugees, some 5,462 refugees returned from Hong Kong, and smaller numbers from Indonesia, Malaysia, the Philippines, Singapore and Thailand. In addition, 1,476 persons voluntarily returned to the Lao People's Democratic Republic and projects continued to provide them with assistance for reintegration and to attain self-sufficiency. Also in 1990, 70,000 Afghans returned home through the Voluntary Repatriation Pilot Project, and an additional 30,000 spontaneous returnees from Iran were assisted through the UNHCR Guest House Programme. An estimated 100,000 Afghans also returned to their country of origin unassisted by UNHCR.

The emphasis of resettlement was on South-East Asia, where in 1990 new homes were provided for 49,313 Indo-Chinese. Some 3,600 refugees from the Middle East and South-West Asia were resettled. In Africa, the number of refugees resettled was a small portion of the total refugee population on the continent; a total of 4,274 were resettled, mainly in Canada and the United States. The number of refugees resettled in Latin America under the auspices of UNHCR was just 1,537. The historic changes in Eastern Europe resulted in a marked decline in resettlement from the region; 1,429 persons were resettled in 1990.

UNHCR also responded to numerous requests for emergency assistance. The UNHCR Emergency Fund was used for situations in Angola (\$1.6 million), Burundi and Rwanda (\$0.2 million), Ethiopia (\$0.5 million), Guatemala (\$0.2 million), the Sudan (\$1.4 million), Uganda (\$0.42 million), Zaire (\$1.4 million) and Zambia (\$0.9 million).

UNHCR promoted greater public awareness of the refugee problem by producing and distributing a variety of written and audio-visual materials. Ten editions of the magazine *Refugees* were published in English, French and Spanish, six in Japanese, five in German, four in Italian and one each in Arabic and Greek. Other activities included the further development of relations with

the media and the organization of exhibitions and special events.

In October, the Executive Committee addressed the High Commissioner's need for more flexibility to respond to a range of contingencies. Subsequently, the level of the Emergency Fund was increased from \$10 million to \$20 million and the High Commissioner was authorized to spend up to \$6 million in any one year for a given emergency. The ceiling of the Working Capital and Guarantee Fund was also raised, from \$10 million to \$50 million.

GENERAL ASSEMBLY ACTION

On 14 December 1990, the General Assembly adopted resolution 45/140 B.

The General Assembly,

Recalling its resolutions 1166(XII) of 26 November 1957, 2956 B (XXVII) of 12 December 1972, 3271 B (XXIX) of 10 December 1974 and 35/41 B of 25 November 1980 in connection with the Emergency Fund of the United Nations High Commissioner for Refugees,

Noting with appreciation the work of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees in relation to the funding and administration of programmes and projects, including those aimed at responding to emergency situations,

Authorizes the Executive Committee of the Programme of the United Nations High Commissioner for Refugees to determine in future the terms and conditions for the operation of the Emergency Fund of the United Nations High Commissioner for Refugees.

General Assembly resolution 45/140 B

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/45/763) without vote, 28 November (meeting 55); 44-nation draft (A/C.3/45/L.64); agenda item 107.

Meeting numbers. GA 45th session: 3rd Committee 43-47, 49, 55; plenary 68.

Development assistance

The presence of large numbers of refugees, displaced persons and returnees continued to cause environmental degradation and to divert scarce human and financial resources from development efforts in already fragile economies. Recognizing the need to link refugee assistance with economic development, UNHCR continued to co-operate with other agencies in supporting income-generating schemes for refugees and development projects in various host countries.

In 1990, UNHCR efforts to assist refugees and displaced persons was complemented by the development initiatives of other agencies. The technical planning for phase III of the income-generating project for refugee areas in Pakistan had begun. Joint project identification and appraisal missions were undertaken by UNHCR with

development and donor agencies. Missions were undertaken, with the European Economic Community, to Mexico, where an operational plan was drawn up for the Guatemalan refugee programme in Campeche, and to Viet Nam, for the development of projects for those Vietnamese returning home. In co-operation with the Organization of African Unity, UNHCR prepared a plan of action for the integration/reintegration of Rwandese refugees/returnees. Projects in Iran, Somalia and the Sudan were awaiting funding.

In May, the Administrator of the United Nations Development Programme (UNDP) submitted a report [DP/1990/66] to the UNDP Governing Council on the present and future role of UNDP in the field of refugee aid and development. The report reviewed the impact of the growing numbers of refugees and displaced persons on temporary and permanent host environments, creating an impediment to development; diverting scarce resources; and engendering hostile reactions as their presence created economic hardships. It focused on the role of UNDP in helping to bridge the gap between relief assistance and development. Among the future strategies recommended were inclusion of the problem of displacement as a new criterion for calculating indicative planning figure levels; co-ordination of overall UN assistance in the field; continued collaboration between UNDP and UNHCR in formulating programmes and mobilizing resources; establishment of a trust fund; promotion of the fullest participation of NGOs in refugee rehabilitation; integration of women into mainstream activities relating to refugees and development efforts; and the establishment of a focal point for UN policy on the matter.

On 22 June [E/1990/29 (dec. 90/22)], the Governing Council encouraged UNDP to assist Governments to assess the impact and take into account the problems of refugees, displaced persons and returnees in their development plans and programmes, which could help attract additional co-financing or other resources. It invited the Administrator to participate with UNHCR in rehabilitation, reconstruction and long-term development of areas affected by massive population displacements and to collaborate with UNHCR, the United Nations Children's Fund (UNICEF), the World Health Organization (WHO), the International Labour Organisation (ILO), the World Food Programme (WFP), the United Nations Population Fund and the United Nations Volunteers and NGOs in providing assistance. The Governing Council authorized the Administrator to utilize for the remainder of the fourth programming cycle (1987-1991) up to \$500,000 from the Special Programme Resources allocation for disaster-

relief activities, for the assessment of needs caused by population displacements. It requested UNDP to train its field staff and that of national Governments to react effectively in situations of population displacements and to plan rehabilitation activities. It invited the Economic and Social Council to request the Secretary-General to initiate a UN system-wide review to assess the experience and capacity of organizations of the system in assisting refugees and in supporting affected countries.

In October, the UNHCR Executive Committee called on the High Commissioner to assure greater inter-agency co-operation in responding to the needs of refugees and in seeking to complement the Office's humanitarian endeavours with development initiatives from specialized agencies. It called on member Governments to support those efforts in the governing bodies of those agencies.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 27 July, the Economic and Social Council adopted resolution 1990/78.

Refugees, displaced persons and returnees

The Economic and Social Council,

Recalling decision 90/22 adopted on 22 June 1990 by the Governing Council of the United Nations Development Programme at its thirty-seventh session,

Recalling General Assembly resolution 44/137 of 15 December 1989, in which, *inter alia*, the Assembly invited the agencies of the United Nations system, as well as all other relevant international organizations, both governmental and non-governmental, to establish as soon as possible specific mechanisms of co-operation to assure an agreed division of responsibilities and arrangements for the financing of operational activities relating to refugees, while preserving the mandate of the United Nations High Commissioner for Refugees,

Noting the substantial increase in the number of refugees, displaced persons and returnees and their impact on the development prospects of the often fragile economic infrastructure of the countries concerned,

Realizing the immense human suffering occasioned by the phenomenon of mass population movements resulting from conflict, natural and man-made disasters and war,

Recognizing that relief, rehabilitation, reconstruction and development are part of the same continuum, and stressing that the impact of refugees and displaced persons on the development prospects of affected countries is frequently severe, multifaceted and requires a system-wide approach in order to ensure that the full spectrum of their needs is covered and that serving those needs should complement the development efforts of the affected countries,

Recognizing the primacy of the mandate of the Office of the United Nations High Commissioner for Refugees in providing international protection and assistance to refugees and in seeking durable solutions to their problems, and commending the efforts being made by the Office in that regard,

1. Requests the Secretary-General to initiate a United Nations system-wide review to assess the experience and capacity of various organizations in the co-ordination of assistance to all refugees, displaced persons and returnees, and the full spectrum of their needs, in supporting the efforts of the affected countries;

2. Also requests the Secretary-General, on the basis of the system-wide review and within existing resources, to recommend ways of maximizing co-operation and co-ordination among the various organizations of the United Nations system in order to ensure an effective response by the United Nations system to the problems of refugees, displaced persons and returnees, keeping in mind the mandates of the United Nations organizations concerned;

3. Further requests the Secretary-General to report on the results of the system-wide review and on the recommendations emanating therefrom to the Economic and Social Council at its second regular session of 1991.

Economic and Social Council resolution 1990/78

27 July 1990 Meeting 37 Adopted without vote

Approved by Third Committee (E/1990/115), 24 July (meeting 17); 12-nation draft (E/1990/C.3/L.16); agenda item 9.

International instruments

As at 31 December 1990, the 1951 Convention relating to the Status of Refugees [YUN 1951, P. 520] had been ratified or acceded to by 103 States and the 1967 Protocol to the Convention [YUN 1967, p. 769] had 104 States parties as a result of the 1990 accession of Belize to both instruments.

Other intergovernmental legal instruments of benefit to refugees included the 1957 Agreement relating to Refugee Seamen and its 1973 Protocol, the 1959 European Agreement on the Abolition of Visas for Refugees, the 1969 Convention governing the Specific Aspects of Refugee Problems in Africa, the 1969 American Convention on Human Rights, Pact of San Jose, Costa Rica, and the 1980 European Agreement on Transfer of Responsibility for Refugees.

As at 31 December 1990, there were 37 States parties to the 1954 Convention relating to the Status of Stateless Persons [YUN 1954, p. 416] and 15 States parties to the 1961 Convention on the Reduction of Statelessness [YUN 1961, p. 533].

UNHCR programme and finances

Programme policy

At its forty-first session (Geneva, 1-5 October) [A/45/12/Add.1], the Executive Committee of the Programme of the United Nations High Commissioner for Refugees reaffirmed the High Commissioner's central and basic role in interna-

tional protection of refugees. It expressed concern that refugee protection was seriously jeopardized in many countries through expulsion, refoulement and threats to the security, dignity and well-being of refugees, and, noting the link between protection and resettlement, called on States to assist refugees in need of resettlement and on the international community to continue to share the burden of refugee assistance with countries of first asylum. The Committee expressed concern about the lack of adequate international protection for various groups of refugees, including a large number of Palestinians, and urged continued efforts within the UN system to address their needs.

Noting the widespread violations of the rights of refugee women, the Committee approved the UNHCR policy on refugee women and invited the Office to develop comprehensive guidelines to give effect to that policy. It urged States, relevant UN organizations and non-governmental organizations (NGOs) dealing with refugees to ensure that the needs of refugee women were integrated into their programmes and activities, and to encourage refugee women to participate in the planning and implementation of assistance programmes.

Realizing that the problem of refugees in Africa had assumed alarming proportions, and that African countries, despite their limited resources, continued to host and provide assistance to millions of refugees, the Executive Committee called on the international community to provide adequate resources to enable the High Commissioner, in co-operation with other organizations, to discharge his mandate. The Committee recognized that substantial progress had been achieved in the implementation of the Comprehensive Plan of Action of the 1989 International Conference on Indo-Chinese Refugees [YUN 1989, p. 707] and emphasized the need for continued efforts to ensure full implementation of all elements of the Plan. Concerning the repatriation of Cambodian refugees under the framework for a comprehensive political settlement of the Cambodia conflict endorsed by the Security Council in September by resolution 668(1990), the Committee called on the High Commissioner to work with the Secretary-General to ensure that the financial and other requirements for repatriation and reintegration programmes were adequately and urgently addressed in UN overall planning. The Committee noted the valuable role of various assistance programmes of repatriation and integration within the context of the 1989 International Conference on Central American Refugees (CIREFCA) [YUN 1989, p. 709], and urged the High

Commissioner to continue to support, through the CIREFCA Joint Support Unit, Governments in the region and to strengthen collaboration with the United Nations Development Programme (UNDP) in implementing development projects for refugees and returnees.

The Committee endorsed the allocation under General Programmes of \$340.9 million (including \$10 million for the Emergency Fund) for 1990, and \$345.6 million for 1991.

At its extraordinary session (Geneva, 28-30 May) [A/AC.96/747], the Executive Committee approved the revised target of General Programme activities for 1990 of \$378.9 million and adopted the report of the Temporary Working Group on Programme, Budgetary, Administrative and Organizational Matters containing recommendations on the most effective use of UNHCR funds, bearing in mind the severe financial constraints imposed on the Office (see below).

ECONOMIC AND SOCIAL COUNCIL ACTION

By decision 1990/260 of 17 July 1990, the Economic and Social Council transmitted the report of the United Nations High Commissioner for Refugees [A/45/12] to the General Assembly at its forty-fifth (1990) session.

GENERAL ASSEMBLY ACTION

On 14 December, the General Assembly adopted resolution 45/140 A.

The General Assembly,

Having considered the report of the United Nations High Commissioner for Refugees on the activities of his Office, as well as the report of the Executive Committee of the Programme of the High Commissioner on the work of its forty-first session, noting the statement made by the Officer-in-Charge of the Office of the High Commissioner on 15 November 1990, and having considered the report of the Secretary-General on the International Conference on Indo-Chinese Refugees,

Recalling its resolutions 44/137 and 44/138 of 15 December 1989,

Reaffirming the purely humanitarian and non-political character of the activities of the Office of the High Commissioner, as well as the fundamental importance of the High Commissioner's international protection function and the need for States to co-operate with the High Commissioner in the exercise of this primary and essential responsibility,

Noting with satisfaction that one hundred and seven States are now parties to the 1951 Convention and/or the 1967 Protocol relating to the Status of Refugees,

Welcoming the valuable support extended by Governments to the Office of the High Commissioner in carrying out its humanitarian tasks,

Noting with concern that refugee protection continues to be seriously jeopardized in many States, including through expulsion, refoulement and other threats to the physical security, dignity and well-being of refugees,

Commending the Office of the High Commissioner for its efforts to continue to address the special problems and needs of refugee and displaced women and children, who in many cases are exposed to a variety of difficult situations affecting their physical and legal protection as well as their psychological and material well-being,

Emphasizing the need for States to assist, on as wide a basis as possible, the efforts of the Office of the High Commissioner in its search for durable and timely solutions to the problems of refugees based on new approaches that meet the current size and characteristics of these problems and are built on respect for fundamental human rights and basic internationally agreed protection principles and concerns,

Aware of the need for the international community to continue to provide adequate resettlement opportunities for those refugees for whom no other durable solution is in sight,

Commending those States which, despite severe economic and development problems of their own, continue to admit large numbers of refugees and displaced persons of concern to the Office of the High Commissioner into their territories, and emphasizing the need to share the burden of these States to the maximum extent possible through international assistance, including development-oriented assistance,

Aware also that the application of the principle of international solidarity implies an improved sharing of responsibilities and arrangements between relevant agencies of the United Nations system and other concerned governmental and non-governmental organizations for the financing and implementation of related activities and that such activities need also include specific development assistance to avert new flows of refugees as well as to solve problems of refugees and returnees and areas hosting them,

Commending the Office of the High Commissioner and its staff for the dedicated manner in which they discharge their responsibilities, and paying tribute to those staff members who have endangered their lives in the course of their duties,

1. Strongly reaffirms the fundamental nature of the function of the Office of the United Nations High Commissioner for Refugees to provide international protection and the need for States to co-operate fully with the Office in fulfilling this function, in particular by acceding to and fully and effectively implementing the relevant international and regional refugee instruments;

2. Recognizes the urgent need to put all issues related to refugees, asylum-seekers and other migratory flows firmly on the international political agenda, especially in view of the fortieth anniversary of the Office of the High Commissioner and the 1951 Convention relating to the Status of Refugees, and in this connection welcomes initiatives to promote further awareness of and support for the Office, including accessions to this instrument;

3. Calls upon all States to refrain from taking measures that jeopardize the institution of asylum, in particular returning or expelling refugees and asylum-seekers contrary to fundamental prohibitions against these practices, and urges States to ensure proper determination procedures and to continue to give humane treatment and to grant asylum to refugees;

4. Condemns violations of the rights and safety of refugees and asylum-seekers, in particular those perpetrated by military or armed attacks on refugee camps and settlements, forced recruitment into armed forces and other forms of violence, and reiterates the conclusions on military and armed attacks on refugee camps and settlements adopted by the Executive Committee of the Programme of the United Nations High Commissioner for Refugees at its thirty-eighth session;

5. Calls upon States to give high priority to the rights of refugee children and to their survival, protection and development as reflected in the Convention on the Rights of the Child and in the World Declaration on the Survival, Protection and Development of Children and the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s, adopted by the World Summit for Children in New York on 30 September 1990;

6. Endorses the High Commissioner's policy on refugee women, which provides for the integration of refugee women into all the programmes of the Office of the High Commissioner, as well as the conclusion on refugee women and international protection adopted by the Executive Committee of the Programme of the High Commissioner at its forty-first session;

7. Urges States, relevant agencies of the United Nations system and other international intergovernmental and non-governmental organizations to support the implementation of the policy on refugee women through their own efforts;

8. Recognizes the importance of attaining durable solutions to refugee problems and, in particular, the need to address in this process the root causes of refugee movements in order to avert new flows of refugees and to facilitate the solution of existing problems;

9. Underlines the concept of State responsibility particularly as it relates to the countries of origin, including addressing root causes and facilitating voluntary repatriation and the return of their nationals who are not refugees;

10. Urges all States to support the Office of the High Commissioner in its efforts to search for durable solutions to the problem of refugees and displaced persons of concern to the Office, primarily through voluntary repatriation or return, which remain the most desirable solution to the problem of refugees, or, wherever appropriate, through integration into countries of asylum or through resettlement in third countries;

11. Welcomes the decision of the Executive Committee of the Programme of the High Commissioner at its extraordinary session in May 1990 to adopt the report of the Temporary Working Group established by the Executive Committee at its fortieth session, and calls upon all parties concerned to continue to implement the recommendations contained in that report;

12. Endorses the decisions on administrative and financial matters adopted by the Executive Committee of the Programme of the High Commissioner at its forty-first session, and notes with satisfaction the efforts under way to find an appropriate mechanism that will address the need of the High Commissioner to have a higher degree of flexibility to ensure funding of ongoing-needs under approved general programmes and of initial emergency needs under special pro-

grammes pending the receipt of contributions pledged;

13. Calls upon the High Commissioner to sustain his efforts in assuring greater inter-agency co-operation in responding to the needs of refugees and, in particular, in seeking to complement the humanitarian endeavours of the Office of the High Commissioner with development initiatives from specialized agencies so as to attain, in an effective and efficient manner, further and more concrete results towards achieving durable solutions, and calls upon the member Governments to support these efforts in the governing bodies of these agencies;

14. Welcomes Economic and Social Council resolution 1990/78 of 27 July 1990, in which, *inter alia*, the Council requested the Secretary-General, within existing resources, to initiate, with a view to recommending ways of maximizing co-operation and co-ordination among the various organizations of the United Nations system, a system-wide review to assess the experience and capacity of these organizations in the co-ordination of assistance to all refugees, displaced persons and returnees, and the full spectrum of their needs, in supporting the efforts of the affected countries, and to report on the results to the Economic and Social Council at its second regular session of 1991;

15. Endorses the conclusion on the note on international protection adopted by the Executive Committee of the Programme of the High Commissioner at its forty-first session, in which, in particular, the Executive Committee recognized the importance of human rights and humanitarian principles and recognized that the current size and characteristics of the refugee and asylum problem necessitate appropriate reassessment of international responses to the problem to date, with a view to developing comprehensive approaches to meet present realities, and at the same time noted the difference between refugees and persons seeking to migrate for economic and related reasons;

16. Also endorses, with these objectives in mind, the conclusion on solutions and protection adopted by the Executive Committee of the Programme of the High Commissioner at its forty-first session, in which the Executive Committee noted the establishment of the Working Group on Solutions and Protection, which will present a report to the Executive Committee at its forty-second session;

17. Further endorses the conclusions of the Executive Committee of the Programme of the High Commissioner at its forty-first session on the implementation of the Comprehensive Plan of Action for Indo-Chinese Refugees and on repatriation to Cambodia, welcomes the decision of the Secretary-General to designate the High Commissioner as his Special Representative to co-ordinate efforts with all parties concerned to promote the phased and orderly return of non-refugees in a manner that is fully compatible with the humanitarian mandate of his Office and under conditions of safety and dignity, and requests the Secretary-General to continue to monitor closely the progress towards the implementation of these conclusions and to report to the General Assembly at its forty-sixth session;

18. Endorses the conclusions on the International Conference on Central American Refugees and on the situation of refugees in Africa, adopted by the Execu-

tive Committee of the Programme of the High Commissioner at its forty-first session, and calls upon the Office of the High Commissioner and all other parties concerned to continue their efforts in implementing these conclusions;

19. Expresses deep appreciation for the valuable material and humanitarian response of receiving countries, in particular those developing countries which, despite limited resources, continue to admit large numbers of refugees and asylum-seekers on a permanent or temporary basis;

20. Urges the international community, including non-governmental organizations, in accordance with the principle of international solidarity and in the spirit of burden-sharing, to continue to assist the countries referred to in paragraph 19 above and the High Commissioner in order to enable them to cope with the additional burden that the care for refugees and asylum-seekers represents;

21. Calls upon all Governments to contribute to the High Commissioner's programmes and, taking into account the need to achieve greater burden-sharing among donors, to assist the High Commissioner in securing additional and timely income from traditional governmental sources, other Governments and the private sector in order to ensure that the needs of refugees, returnees and displaced persons of concern to the Office of the High Commissioner are met.

General Assembly resolution 45/140 A

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/45/763) without vote, 28 November (meeting 55); 44-nation draft (A/C.3/45/L.64), orally revised; agenda item 107.

Meeting numbers. GA 45th session: 3rd Committee 43-47, 49, 55; plenary 68.

Financial and administrative questions

The financial limitations, which UNHCR faced in 1989, continued to a greater extent in 1990 and did not allow the Office to provide the level of assistance that it otherwise would have. UNHCR total expenditure in 1990 amounted to \$544 million which, compared to 1989, represented a decrease of \$26.3 million. Some \$331.3 million was spent under General Programmes and \$212.7 million under Special Programmes and other trust funds. Total contributions for 1990 amounted to \$567.3 million.

Special appeals were made in 1990 to respond to new situations, such as the two-way, voluntary repatriation operation between Angola and Zaire, the massive exodus of Liberians into neighbouring countries, the emergency assistance required in Sri Lanka, the Comprehensive Plan of Action for Indo-Chinese Refugees and the repatriation operation from Honduras and Costa Rica to Nicaragua.

The Executive Committee in 1989 had noted the budget for 1990 General Programmes of \$414.4 million and imposed a ceiling on obligations of \$190 million for the first six months of

the year. In view of that restriction, the working budget for the 1990 General Programmes was adjusted to \$340 million.

Revised estimates for 1990 General Programmes were submitted to the extraordinary session of the Executive Committee in May [A/AC.96/747]. The Executive Committee approved the revised target of \$340.9 million (including \$10 million for the Emergency Fund), which, together with the carry-over of \$38 million from 1989, amounted to \$378.9 million.

In October, the Executive Committee approved the country and area programmes and the overall allocations for 1991 General Programmes amounting to \$345.6 million (including \$10 million for the Emergency Fund).

Contributions

Contributions to UNHCR assistance programmes in cash and kind in 1990 totalled \$567.3 million, compared to \$507.3 million in 1989. Seventy-five Governments made contributions totalling \$498.4 million, while international and non-governmental organizations contributed some \$68 million. Donor support continued to be very strong and several donors increased their total contributions by up to 60 per cent in absolute terms, with an increase of 12 per cent on the total contributions figure of \$507 million in 1989.

Government pledges of \$141 million were announced at the 20 November 1990 meeting of the Ad Hoc Committee of the General Assembly for the Announcement of Voluntary Contributions to the 1991 Programme of UNHCR.

In May, the Executive Committee, expressing concern about the serious financial problems facing UNHCR, called on the international community and UNHCR to join in common efforts to mobilize resources.

In October, it called on donors to consider urgently additional contributions to ensure timely and full funding of activities programmed for 1990 to allow UNHCR the flexibility to allocate funds according to the most pressing needs. It urged early announcement of 1991 contributions and called on non-contributing Governments to provide financial support to offset the shortfall in funds in relation to assessed needs. The Committee also called on Governments to provide the financial resources that would enable UNHCR to pursue new ways of broadening its income base. It requested the High Commissioner to continue negotiations for an increase of the UN regular budget participation in the administrative costs of UNHCR for 1992-1993. The Executive Committee noted the High Commissioner's proposal to establish a special contingency account. It recognized his need for a higher degree of flexibility to en-

sure funding of ongoing needs and of initial emergency needs pending the receipt of contributions pledged. Accordingly, it requested him to seek the advice of the Advisory Committee on Administrative and Budgetary Questions (ACABQ) on proposals for appropriate mechanisms that would address that need and to submit a proposal to the Sub-Committee on Administrative and Financial Matters for endorsement.

1989 accounts

The audited financial statements of the voluntary funds administered by UNHCR for the year ending 31 December 1989 showed total expenditures of \$570.3 million and income of \$533.6 million [A/45/5/Add.5]. The Board of Auditors recommended that UNHCR explore the possibility of obtaining guaranteed income as a complement to voluntary contributions, which were becoming unpredictable.

ACABQ in an October report [A/45/570], recommended that the purpose of funds channelled through UNHCR to refugee programmes carried out by third parties should be clearly reflected in financial documents and the purpose should be consistent with UNHCR's policies and objectives.

The General Assembly, in resolution 45/235 of 21 December, accepted the financial report and audited financial statements of UNHCR and endorsed the observations and recommendations of the Board of Auditors and ACABQ.

Administrative and personnel issues

The UNHCR Executive Committee approved the transfer in 1991 of up to \$300,000 from the General Programme Reserve to the Fund for Field Staff Housing and Basic Amenities. It urged the Office to pursue outstanding issues related to the recommendations of the Temporary Working Group and to report thereon to the Sub-Committee on Administrative and Financial Matters.

The Executive Committee supported the High Commissioner's action to phase reductions in staffing levels through retrenchment and attrition, vacancy management, redeployment within UNHCR and transfer to other UN agencies, and requested the Secretary-General to assist the High Commissioner in implementing that decision. It authorized the High Commissioner to meet the costs relating to General Programmes of the staff retrenchment exercise (estimated at between \$2.5 million and \$2.9 million) from the 1990-1991 Programme Reserve, on the understanding that such costs would be absorbed within the approved allocations for support costs.

Enlargement of Executive Committee

On 17 May 1990 [E/1990/89], the Philippines requested that the Economic and Social Council discuss, under the agenda item on the report of the High Commissioner, the membership of the UNHCR Executive Committee. The Philippines pointed to the need to enlarge the membership to include more members from South-East Asian countries, which, like the Philippines, continued to host large numbers of Indo-Chinese refugees.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 24 July, the Economic and Social Council adopted resolution 1990/55.

Enlargement of the Executive Committee of
the Programme of the United Nations
High Commissioner for Refugees

The Economic and Social Council,

Recalling General Assembly resolution 1166(XII) of 26 November 1957, in which the Assembly provided for the establishment of an Executive Committee of the Programme of the United Nations High Commissioner for Refugees, as well as Assembly resolutions 1958(XVIII) of 12 December 1963, 2294(XXII) of 11 December 1967 and 42/130 of 7 December 1987, in which it provided for subsequent increases in the membership of the Executive Committee,

Taking note of the note verbale dated 17 May 1990 from the Permanent Representative of the Philippines to the United Nations addressed to the Secretary-General regarding the enlargement of the membership of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees,

Recommends the General Assembly to take a decision at its forty-fifth session on the question of enlarging the membership of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees from forty-three to forty-four.

Economic and Social Council resolution 1990/55

24 July 1990 Meeting 34 Adopted without vote

B-nation draft (E/1990/L.38); agenda item 15.

Sponsors: Brunei Darussalam, Indonesia, Malaysia, Mauritania, Philippines, Thailand.

Meeting numbers. ESC 31, 33, 34.

On 27 September [E/1990/121], Ethiopia requested that the membership of the Executive Committee be enlarged with a view to its candidacy for membership.

In decision 1990/285 of 9 November, the Council decided to consider Ethiopia's request at its organizational session for 1991.

GENERAL ASSEMBLY ACTION

On 14 December, the General Assembly adopted resolution 45/138.

Enlargement of the Executive Committee of
the Programme of the United Nations
High Commissioner for Refugees

The General Assembly,

Taking note of Economic and Social Council resolution 1990/55 of 24 July 1990 on the enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees,

Taking note also of the note verbale dated 17 May 1990 from the Permanent Representative of the Philippines to the United Nations addressed to the Secretary-General regarding the enlargement of the Executive Committee of the Programme of the High Commissioner,

1. Decides to increase the membership of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees from forty-three to forty-four;

2. Requests the Economic and Social Council to elect the one additional member at its first regular session of 1991.

General Assembly resolution 45/138

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/45/763) without vote. 28 November (meeting 55); 20-nation draft (AC.3/45/L.61); agenda item 107.

Meeting numbers. GA 45th session: 3rd Committee 43-47, 49, 55; plenary 68.

Chapter XVI

International drug control

In 1990, the United Nations continued to address the problem of the rising trend in drug abuse and the illicit production of and trafficking in narcotics and psychotropic substances. During the year, the Organization took major steps to enhance its drug control activities.

In February, the General Assembly held its seventeenth special session, which was devoted to international co-operation relating to various drug issues. It adopted a Political Declaration and the Global Programme of Action against illicit production, supply, demand, trafficking and distribution of narcotic drugs and psychotropic substances.

The General Assembly in 1990 stated its conviction that an intensification of international co-operation and concerted action among States was the fundamental basis for confronting the problem of drug abuse and illicit trafficking, and that the extraordinary high levels of illicit consumption, cultivation and production of narcotic drugs and of illicit drug trafficking necessitated a more comprehensive approach to international co-operation in drug abuse control and counter-offensives at the national, regional and international levels. The Assembly also proclaimed the period from 1991 to the year 2000 as the United Nations Decade against Drug Abuse.

In May, the Secretary-General presented the United Nations System-wide Action Plan on Drug Abuse Control, an agenda aiming at the full implementation of all existing drug abuse control mandates of every entity of the United Nations system, identifying concrete activities that each agency should undertake. To enhance UN effectiveness in combating the scourge of illegal drugs, the General Assembly called for the creation of a United Nations International Drug Control Programme to be based in Vienna, beginning on 1 January 1991.

The International Narcotics Control Board continued to oversee the implementation of three major UN drug control conventions. In its annual report, it analysed drug abuse trends and control efforts so that Governments continued to be aware of existing and potentially dangerous situations. On 11 November, the 1988 United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances entered

into force. The General Assembly welcomed the entry into force of the Convention and urged States that had not done so to proceed as soon as possible to ratify or accede to the Convention.

The UN Commission on Narcotic Drugs-the Organization's main policy-making body on drug control matters-held its eleventh special session and adopted a number of resolutions on various drug control issues.

World drug situation

In an October report [A/45/542], the Secretary-General, in response to General Assembly resolution 34/177 [YUN 1979, p. 933], described international co-operation in drug abuse control and action to combat abuse and illicit trafficking.

The Secretary-General stated that drug abuse and its attendant illicit production, supply and trafficking were now recognized by the international community as a major problem. It was accepted that the drug problem must be dealt with at all levels-locally, regionally, nationally and internationally-and the UN system had a special role to play in addressing many aspects of the problem and in providing the forum for addressing new solutions. The core UN drug units located in Vienna were fully committed to activities that addressed the problem in all its aspects: control of supply, prevention and reduction of demand, elimination of illicit trafficking and treatment and rehabilitation. Although the United Nations had been active in that area for many years and had gained much valuable experience, to make a real impact on the problem much more needed to be done, the Secretary-General said.

Co-ordination of the activities of the three drug units in Vienna took place on an informal day-to-day basis in response to perceived needs or particular circumstances as they arose. Of special note was the co-ordinated and active participation of the three units in the preparations for and during the World Ministerial Summit to Reduce the Demand for Drugs and to Combat the Cocaine Threat (London, 9-11 April) [A/45/262].

Co-ordination was also carried out between the drug units and the other programmes at the UN

Office at Vienna, as in the case of acquired immunodeficiency syndrome (AIDS) on which that Office was working closely with the World Health Organization (WHO).

The UN System-wide Action Plan on Drug Abuse Control (seep. 870) constituted a vital new instrument, the Secretary-General said, to strengthen co-ordination of the combined drug control efforts of the UN system, promote complementarity and reduce the dangers of overlap or duplication. Progress made by specialized agencies and UN bodies was also outlined.

GENERAL ASSEMBLY ACTION

On 18 December, the General Assembly adopted resolution 45/149.

International action to combat drug abuse and illicit trafficking

The General Assembly,

Deeply concerned that the illicit demand for, production of and traffic in narcotic drugs and psychotropic substances continue to pose a serious threat to all mankind, to affect adversely the socio-economic and political structures of affected societies and to endanger the stability, national security and sovereignty of States,

A/armed by the growing connection between drug trafficking and terrorism,

Reaffirming the principle of the shared responsibility of the international community in combating drug abuse and illicit trafficking,

Reaffirming also the importance of international co-operation in the immediate implementation of all mandates and courses of action contained in the Comprehensive Multidisciplinary Outline of Future Activities in Drug Abuse Control, adopted by the International Conference on Drug Abuse and Illicit Trafficking, and the Global Programme of Action, adopted by the General Assembly at its seventeenth special session,

Taking note with interest of the reports of the Secretary-General,

Welcoming the work of the Intergovernmental Expert Group to study the Economic and Social Consequences of Illicit Traffic in Drugs, convened under General Assembly resolution 44/142 of 15 December 1989, on the impact of the social and economic consequences of drug-money transfers and conversion, which have an adverse effect on national economic systems,

Having in mind that the Intergovernmental Expert Group proposed a framework for a future in-depth study on the economic and social consequences of illicit traffic in drugs, for which reason the issue must be duly followed up,

Keeping in mind that the Secretary-General has taken note of the recommendations addressed to him by the Intergovernmental Expert Group, which will be considered in the context of the proposed programme of drug-control activities for the biennium 1992-1993,

Recognizing that the consideration by the Intergovernmental Expert Group of the financial aspects of its

mandate was more extensive than that of the economic and social aspects, and that these latter areas require further and more detailed analysis,

Welcoming the efforts made by those countries which produce narcotic drugs for scientific, medicinal and therapeutic uses to prevent the channelling of such substances to illicit markets and to maintain production at a level consistent with licit demands,

Reiterating that the transit routes used by drug traffickers change constantly and that an ever-growing number of countries in all regions of the world, and even entire regions, are particularly vulnerable to illicit transit traffic on account, inter alia, of their geographical location,

Noting with regret that the work of the secretariat of the International Narcotics Control Board and of the Division of Narcotic Drugs of the Secretariat is impeded by lack of human and financial resources and affirming that this problem must be given due consideration in the context of the restructuring of the United Nations drug control system,

Reiterating its condemnation of criminal activities that involve children in the use, production and illicit distribution of narcotic drugs and psychotropic substances, and appealing to the competent international agencies and the United Nations Fund for Drug Abuse Control to assign priority to measures designed to address this problem,

Reaffirming that the Declaration adopted by the International Conference on Drug Abuse and Illicit Trafficking, the Political Declaration adopted by the General Assembly at its seventeenth special session, the Declaration of the World Ministerial Summit to Reduce the Demand for Drugs and to Combat the Cocaine Threat, held in London from 9 to 11 April 1990, and the Comprehensive Multidisciplinary Outline of Future Activities in Drug Abuse Control and the Global Programme of Action, together with the international drug control treaties, provide a comprehensive framework for international co-operation in drug control,

Noting that in the Global Programme of Action the United Nations Fund for Drug Abuse Control is invited to elaborate for consideration by States a sub-regional strategy covering all aspects of drug abuse control and concentrating on the most affected areas where the problems are most complex and grave,

Noting with satisfaction that the regional meetings of heads of national drug law enforcement agencies and the Sub-Commission on Illicit Traffic and Related Matters in the Near and Middle East are sources of very useful recommendations for action at the regional level oriented towards solving specific problems of the various regions,

International action to combat drug abuse and illicit trafficking

1. Strongly condemns the crime of drug trafficking in all its forms and urges continued commitment and effective international action to combat it, in keeping with the principle of shared responsibility and with full respect for national sovereignty and the cultural identity of States;

2. Urges Governments and organizations to adhere to the principles set forth in the Declaration adopted by

the International Conference on Drug Abuse and Illicit Trafficking and the Political Declaration adopted by the General Assembly at its seventeenth special session, and to implement the recommendations and mandates contained in the Comprehensive Multidisciplinary Outline of Future Activities in Drug Abuse Control and in the Global Programme of Action;

3. Also urges the immediate implementation of the mandates and recommendations contained in the Comprehensive Multidisciplinary Outline of Future Activities in Drug Abuse Control and the Global Programme of Action, particularly those pertaining to, *inter alia*, demand reduction, treatment and social rehabilitation of drug addicts, eradication and substitution of illicit crops, integrated rural development, establishment of complementary employment, health, housing and education programmes, expanded opportunities for trade and investment, including international co-operation to facilitate the marketing of substitute crops, elimination of illicit trafficking, interdiction, supervision and control of precursors and essential chemicals, money-laundering and problems of licit producers;

4. Welcomes the establishment under the Commission on Narcotic Drugs of a world-wide network of regional meetings of heads of national drug law enforcement agencies, which, together with the Sub-Commission on Illicit Traffic and Related Matters in the Near and Middle East, constitute co-operation mechanisms against illicit trafficking in narcotic drugs and psychotropic substances, and the convening in Moscow from 19 to 23 November 1990 of the First Meeting of Heads of National Drug Law Enforcement Agencies, European Region;

5. Emphasizes the connection between the illicit production and supply of, demand for, sale of and traffic in narcotic drugs and psychotropic substances and the economic, social and cultural conditions of the countries affected and that solutions to these problems must take into account the differences and diversity of the problem in each country;

6. Culls upon the international community to provide increased international economic and technical co-operation to Governments, at their request, in support of programmes for the substitution of illicit crops by means of integrated rural development programmes, respecting fully the jurisdiction and sovereignty of countries and the cultural traditions of peoples;

7. Considers that a system should be established to identify the methods and routes used for transit traffic of illicit narcotic drugs and psychotropic substances, in order to enhance the interdiction capability of States along such routes;

8. Encourages all countries to take action to prevent the illicit arms trade by which weapons are provided to drug traffickers;

9. Takes note of the recommendations and conclusions of the World Ministerial Summit to Reduce the Demand for Drugs and to Combat the Cocaine Threat, notes all efforts designed to reduce and prevent the illicit demand for narcotic drugs and psychotropic substances and calls upon the United Nations and other relevant international organizations to devote greater attention to this aspect of the drug problem;

10. Urges Member States to increase substantially their voluntary contributions to the United Nations Fund for Drug Abuse Control to enable it to expand further its programmes;

11. Welcomes the initiatives of the United Nations Fund for Drug Abuse Control aimed at promoting and supporting subregional programmes as envisaged by the Global Programme of Action and urges the Governments concerned to increase their co-operation in support of such subregional strategies;

12. Strongly recommends that the necessary resources from within the regular budget and from extrabudgetary sources be made available for the implementation of the various activities for drug abuse control, and particularly for the implementation of the mandates and courses of action contained in the Comprehensive Multidisciplinary Outline of Future Activities in Drug Abuse Control and the Global Programme of Action;

13. Requests the Commission on Narcotic Drugs to study the mandates and recommendations contained in the Comprehensive Multidisciplinary Outline of Future Activities in Drug Abuse Control, the Global Programme of Action and other relevant documents, with a view to establishing a timetable for their implementation in the first five years of the United Nations Decade against Drug Abuse 1991-2000.

II

Economic and social consequences of illicit traffic in drugs and psychotropic substances

1. Requests the Secretary-General to issue the report of the Intergovernmental Expert Group to Study the Economic and Social Consequences of Illicit Traffic in Drugs as a document of the forty-fifth session of the General Assembly and to submit it to the Commission on Narcotic Drugs for consideration at its thirty-fifth session;

2. Invites the Commission on Narcotic Drugs to study the various recommendations and conclusions contained in the report of the Intergovernmental Expert Group, in particular those relating to the proposed framework for a future in-depth study on the economic and social consequences of illicit traffic in drugs, and to report thereon to the General Assembly at its forty-sixth session through the Economic and Social Council;

3. Requests the Secretary-General, in view of the provisional and preliminary nature of the study carried out by the Intergovernmental Expert Group, to consider the possibility of convening a meeting of an expert group to conclude the analysis commenced pursuant to paragraph 9 (a) of resolution 44/142. and to give due consideration to any recommendation made by the Commission on Narcotic Drugs;

4. Notes with interest the observation made by the Intergovernmental Expert Group that it is important for the United Nations to develop an integrated and unified information system to provide reliable data and information on the illicit drug trafficking chain, especially illicit production, manufacture, processing and consumption;

5. Invites the Secretary-General to report to the General Assembly at its forty-sixth session on the measures to be adopted in implementation, in a timely manner, of the recommendations made by the Intergovernmental Expert Group, as well as the relevant

recommendations made by the Commission on Narcotic Drugs;

6. Requests the Secretary-General to submit a report to the General Assembly at its forty-sixth session on the implementation of the present resolution;

7. Decides to include in the provisional agenda of its forty-sixth session the item entitled "International action to combat drug abuse and illicit trafficking".

General Assembly resolution 45/149

18 December 1990 Meeting 69 Adopted without vote

Approved by Third Committee (A/45/764) without vote, 29 November (meeting 60); 47-nation draft (A/C.3/45/L.43/Rev.1) based on informal consultations on 18-nation draft (A/C.3/45/L.38) and 44-nation draft (A/C.3/45/L.43), and orally revised; agenda item 108.

Meeting numbers. GA 45th session: 3rd Committee 28-34, 43, 57, 59, 60; plenary 69.

INCB Report

The International Narcotics Control Board (INCB) in 1990 analysed [E/INCB/1990/1] drug-abuse trends and control efforts by region, to keep Governments aware of existing and potential situations that might endanger the objectives of international drug-control treaties. A summary of the 1990 INCB report [E/1991/11] was also made available.

Africa

In 1990, INCB noted that all countries of the African continent were confronted, to one degree or another, with drug trafficking and abuse. The means of surveillance already in place had made progress possible, but it had remained tenuous in the face of the threatening way in which the situation continued to evolve. The Board regretted that 16 of the 52 African countries were not parties to any of the UN drug control conventions.

Grown clandestinely in many countries, cannabis was widely available in Africa. The most extensive cultivation continued to take place in Morocco. Seizure data showed that substantial quantities of cannabis of Moroccan origin continued to be smuggled into several European countries.

Heroin, originating principally in South-West Asia and destined for Europe and North America, continued to pass through Africa. Trafficking from the source countries was carried out by networks manned primarily by African nationals. Airports throughout the continent were increasingly used as stopover points for numerous couriers, who often held several passports or forged travel documents. Increased surveillance in West Africa caused traffickers to change their routes to countries previously not seriously affected; newly affected countries included Cameroon, Chad, the Congo, Gabon and Zaire in Central Africa

and Ethiopia, Kenya, Uganda and the United Republic of Tanzania in East Africa. Significant heroin seizures in Egypt showed that traffickers attempted to use that country as a new port of entry for heroin from South-East Asia.

The Board reported that cocaine trafficking had worsened, partly because of the recent establishment of commercial air links between some African countries (Angola, Côte d'Ivoire, Mozambique and Nigeria) and South America and also prompted by the networks already used to traffic heroin. The spread of cocaine throughout Africa was demonstrated by seizures made in all subregions of the continent.

Psychotropic substances continued to be diverted in millions of tablets to Africa during 1990. Substances most frequently seized continued to include methaqualone, secobarbital and other barbiturates, and amphetamines. Prevailing economic and social conditions and the attendant lack of health care systems had led to the development of street markets, in which a large number of those substances was available. Also, some countries did not have regulations requiring medical prescriptions for dispensing those substances. The Board said that the European and Asian manufacturing and exporting countries bore a large measure of the responsibility for the diversion of those substances and the subsequent peril for public health throughout Africa.

Americas

North America

Cannabis and its derivatives remained the primary drug of abuse in Canada with abundant supplies from both illicit foreign sources and domestic cultivation. Cocaine, originating in South America and entering the country either directly or through the United States, continued to constitute one of the most widely used drugs. The abuse of heroin was concentrated in major urban areas and was associated with the spread of AIDS. Diversion of licit pharmaceutical drugs remained a lesser although widespread problem. Substances most abused were ephedrine, pentazocine and methylphenidate; other drugs of abuse were LSD, methamphetamine, MDMA ("ecstasy") and phencyclidine ("PCP"). In 1990, Canada was in the second half of its five-year national drug strategy, "Action on Drug Abuse", which focused on community action, education and demand reduction activities. The Government investigated ways to trace and identify laundered drug money following a joint Canada-United States report which had found that hundreds of

millions of dollars of such money flowed from the United States to Canada annually.

In the United States, drug abuse continued to be widespread. In many urban areas, drug-related violence had reached unprecedented levels, and attacking the problem was considered one of the highest national priorities. The socio-economic cost of drug abuse was estimated at more than \$60 billion annually and intravenous drug abuse was a major source of new AIDS cases in the country.

Trafficking and abuse of cocaine were viewed as the most serious aspect of the drug problem; however, the widespread abuse of that drug, especially in the form of "crack", was decreasing. There was also a decline in the number of cocaine-related emergency hospital admissions as well as in cocaine-related deaths. Increased law enforcement and interdiction efforts apparently affected the availability of cocaine.

The abuse of cannabis remained at high levels, with supplies illicitly trafficked into the country or, increasingly, produced locally.

The Board noted that bumper crops in the "Golden Triangle" region of South-East Asia had resulted in ample supplies of heroin in the United States. The 50 per cent drop in the street price of the drug had led to a noticeable spread in its trafficking within the country. Heroin of South Asian origin accounted for up to one half of all heroin found in the United States, 30 per cent was believed to originate in Mexico, and Guatemala was becoming an increasingly important source of the drug.

Abuse of methamphetamine was a significant problem, especially in the western parts of the country and in the form of "ice". With the increasing interdiction efforts directed towards cocaine, there was concern that demand might increase for other stimulants illicitly manufactured in the country, such as methamphetamine and LSD.

The 1990 National Drug Control Strategy continued to stress user as well as trafficker accountability and recognized the important role of states and municipal authorities. The United States continued to co-operate with many countries on a bilateral basis as well as multilaterally, as in the case of the Declaration of Cartagena (see below). Of particular prominence was the joint action taken with a number of Governments which allowed the identification and freezing of several hundred million dollars of drug money traced to banks in the United States.

In Mexico, the Government's commitment to its comprehensive drug-control efforts was illustrated by the considerable increase in human and financial resources allocated to the campaign. Penalties for drug-related crimes were increased

and longer sentences with no provision for parole were set for convicted government officials.

While cannabis abuse was common throughout Mexico, the level of abuse of cocaine and heroin appeared to be low. Most of the opium poppy and cannabis grown in the country was cultivated by small-scale farmers. In June, a nation-wide pre-planting season campaign was conducted, which resulted in the eradication of young crops and seedling beds. The authorities seized considerable amounts of cannabis, cocaine, opium, heroin and depressants. Mexican authorities seriously disrupted several drug trafficking organizations and arrested a number of well-known traffickers. The Government was actively engaged in increasing the level of co-operation with its neighbours as well as with other countries in the region.

South and Central America and the Caribbean

The INCB report noted that 1990 was a crucial year in the fight to suppress drug trafficking in the whole of Latin America. Following the example of the Andean countries in their struggle against criminal drug organizations, other South American Governments strengthened their opposition to traffickers by implementing their national legislation with renewed vigour and increasing national and international co-operation. The people of the Andean region had answered the challenge to democratic institutions posed by drug terrorists by reaffirming the values and principles of democracy. Cocaine seizures had been more numerous than in any previous year, and major traffickers were captured, jailed and in some instances extradited to face trial.

The Board took note of the efforts made and activities implemented by the Andean Parliament, which adopted the Cochabamba Declaration emphasizing the need for alternative economic possibilities for coca bush cultivators; the Inter-American Drug Abuse Control Commission (CICAD) of the Organization of American States (OAS); and the Presidents of Bolivia, Colombia, Peru and the United States, whose meeting in February resulted in the Declaration of Cartagena, a plan of action including law enforcement, tighter control over precursors, money laundering and illicit trafficking and expanded demand reduction efforts.

The year's successes were, however, offset by unfavourable events. Cocaine production and coca bush cultivation increased steadily. The expansion of coca bush cultivation to remote zones of the Amazon posed further problems, not only for effective eradication programmes but also for the ecological equilibrium of that vital area. Easy

availability of drugs led to greater domestic abuse among both upper and middle class youth; less affluent young drug abusers inhaled glue or solvents. The consumption of coca paste smoked in combination with cannabis, and of cocaine in the form of "crack", increased in the producing areas. A new trend was the alarming growth in the consumption of psychotropic substances, which were readily available at low prices.

The results achieved in Colombia's war against drug traffickers were impressive but also very costly for the country. Drug traffickers responded to the government campaign with increased violence, including the murder of judiciary personnel, acquisition of sophisticated weaponry and recruitment of mercenaries from around the world.

Because of their proximity to Colombia and the success of the enforcement operations there, both Brazil and Ecuador were at great risk. Ecuador was emerging as a crucial transit point for illicit traffic in both precursors and narcotic drugs. Colombian traffickers smuggled chemicals into Colombia from the licit market in Ecuador and also used Ecuadorian territory for the shipment of drugs to North America. In addition, Colombian traffickers were increasingly moving their operational centres to Brazil's Amazon region.

Coca bush cultivation continued over vast areas of Peru, INCB reported. Manual eradication programmes were suspended from February 1989 to March 1990 because of an escalation of violence and terrorism. The Government decided on a double strategy of strengthened control by patrolling national territory and seeking international investments to provide alternatives to coca production, in order to combat the twin problems of drug trafficking and terrorism.

The Bahamas, Trinidad and Tobago and the coastlines and numerous islands of the whole of the Caribbean continued to be used as trans-shipment points for cocaine and cannabis destined for North America and Europe. Cannabis cultivation continued on a relatively large scale in Jamaica. Significant quantities of cocaine were trafficked through Venezuela, where seizures of coca paste had increased considerably. In Central America, traffickers continued to expand their operations as a result of stricter controls and intensified enforcement actions in several South American countries. Panama, an important location for money-laundering activities and cocaine traffic from Colombia, signed an agreement with the United States aimed at improving co-operation. The level of money laundering appeared to have decreased. Drug traffickers, lured

by banking secrecy, had gained a foothold in the banking industry of the Cayman Islands. The Board looked forward to the entry into force of a Mutual Legal Assistance Treaty between the Cayman Islands and the United States.

Asia

East and South-East Asia

Illicit opium production in South-East Asia, which had doubled in 1988/89 from the previous year's production to some 2,000 tonnes, was estimated to have remained around the same high levels during the 1989/90 growing season.

Traffickers significantly increased the movement of heroin across China's southern borders to Macao and Hong Kong; in March, a seizure of some 221 kilograms was made in a case involving traffickers of various nationalities in the region. Abuse of heroin in the southern border areas was spreading to some other parts of China and contributed to the spread of HIV infection there. Heroin traffic to Hong Kong moved through Thailand, and was increasingly transported overland via China. Substantial amounts of heroin and other drugs were trafficked onward to North America and Australia. Large cannabis shipments from the Philippines and Thailand were also detected in Hong Kong. The Board noted that the easy availability of heroin might reverse the gains previously made by the drug demand-reduction sector.

In Japan, methamphetamine abuse continued, with most of the drug being trafficked from neighbouring countries. The Board stated that the several-fold increase in cocaine seizures indicated an ominous development.

Opium and cannabis cultivation continued in the Lao People's Democratic Republic. Opium poppy was cultivated by the hill tribes that consumed opium; seizures outside the country indicated, however, that the amount of opium produced was in excess of domestic consumption. The Board expressed its concern that the easy availability of opiates, compounded by the apparent lack of control of psychotropic substances, might lead to serious abuse problems in the country.

The flow of opiates into Malaysia continued despite severe drug legislation and active enforcement. Heroin was the major abuse problem; the number of abusers was estimated at 100,000. The Government had shown an unwavering commitment to drug control, backing political will with resources.

The bulk of the opiate production in the region continued to emanate from Myanmar. Previ-

ous highly publicized poppy eradication dropped drastically, from 16,000 hectares eradicated in 1987 to 86 in 1989 and 48.5 in the first half of 1990. The apparently unhindered production was a matter of great concern to the Board. Despite legislative and administrative actions taken by the Government, the surge in opiate availability in the last two years was being felt by the surrounding countries and beyond to other continents. The ample opiate supplies would inevitably have negative repercussions also on demand reduction and the spread of HIV infection, not only in Myanmar but also in neighbouring countries.

Opium production in Thailand in 1990 was estimated to be around the level of 1989 (some 30 tonnes). Heroin laboratories continued to be active in the country and Thailand's well-developed transportation system had made it a major conduit of opiates and cannabis trafficked out of the region. The Board stated that it looked forward to the entry into force of a proposed but yet to be enacted Suppression Measures against Drug Offenders Bill in the country. The major problem of heroin abuse in Bangkok had been compounded by the associated rapid spread of the HIV infection. It was encouraging, however, that the number of newly registered abusers had been decreasing and the average age of the abuser population was increasing.

South Asia

Under the aegis of the South Asian Association for Regional Co-operation, legal experts were harmonizing drug laws for a convention to provide a framework for mutually supportive anti-drug efforts in member countries.

Drug abuse in Bangladesh, with some 50,000 abusers estimated in Dhaka, was on the rise, with increased transit traffic in heroin and cannabis. The country enacted legislation in 1990 providing very stringent sanctions, including examination of bank accounts and tax files of suspects, and established a National Narcotics Control Board.

In India, heroin and cannabis resin from the Near and Middle East moving through the country slackened. Bombay, Calcutta, Madras and New Delhi, however, the trafficking exit points from the country, witnessed a higher incidence of heroin abuse by youth. Seizure data showed that substantial methaqualone traffic to southern African countries continued, as did clandestine manufacturing within India. Opium seizures in states licensed to produce opium for licit purposes suggested that there was some diversion from licit cultivation. Eradication of illicit poppy cultivation was carried out in the north-

eastern and north-western parts of the country. Similar action was taken against increased cannabis cultivation. Law enforcement in the north-east was stepped up as trafficking of heroin and cannabis to Bangladesh and small amounts of heroin from Myanmar were detected.

In Nepal, with an estimated 20,000 drug abusers, cannabis and cannabis resin continued to be produced and trafficked to India. Other drugs available for abuse in the country included heroin and cocaine.

Sri Lanka continued to serve as a transit country for heroin from India to the West. There were an estimated 30,000 to 40,000 drug abusers in the country, the main drugs of abuse being heroin and cannabis.

Near and Middle East

INCB stated that national policies were evolving with the changing politics in the region. The new perspectives might have far-reaching implications for the production and trafficking of opiates and cannabis resin, which continued to be seized in large quantities throughout the Near and Middle East. Psychotropic substances were being trafficked into the region. The Board said that subregional co-operation among countries in which the bulk of illicit drugs was produced and trafficked was imperative to achieve significant progress.

In Afghanistan, opium production and cannabis cultivation in 1989 had markedly increased; poppy was cultivated in the provinces along the Pakistani border where heroin laboratories also operated. The political situation, with various conflicting tribal groups, coupled with easy availability of sophisticated weaponry, facilitated increased drug production and trafficking. The Government was co-ordinating at the highest level the campaign against illicit supply and demand of drugs and expressed its willingness to co-operate with all countries within and outside the region.

In Iran, where all trafficking in drugs was prohibited, the Government strictly enforced its ban on opium poppy cultivation; traffickers possessing more than 30 grams of heroin or 5 kilograms of opium faced the death penalty and the confiscation of all their property. Law enforcement activities across its eastern borders and seizures of opium, heroin, cannabis and opioid drugs continued; almost 30 tonnes of opium were seized. Nevertheless, opium and heroin, mainly from Pakistan and Afghanistan, continued to be smuggled into and through Iran. Iran signed agreements with Turkey and Pakistan to develop bilateral co-operation. During a mission to the country in September, the Board was informed

that Iran would welcome increased co-operation with neighbouring States and assistance from the United Nations to strengthen drug enforcement efforts.

Illicit opium poppy and cannabis cultivation continued in Lebanon, as did heroin production. Drugs from Lebanon were trafficked to countries within the region, especially Egypt, and to Europe and North America. The Board noted that the spread of drug abuse within Lebanon and the region would be difficult to contain if the easy availability of drugs in such large quantities continued.

In 1990, a mission of the Board visited Pakistan. Illicit poppy cultivation existed mainly in the tribal areas, with heroin laboratories located mainly along the Afghan border. Despite a ban on poppy cultivation and anti-poppy cultivation campaigns, the amount of opiates still being produced in and trafficked out of the country indicated the need for a long-term integrated approach, with a clear commitment by the Government to extend project activities in conjunction with enforcing the poppy ban. Of the estimated 2.5 million drug abusers in the country, over 1 million were reported to abuse heroin, mainly those in the younger age groups. The Board was of the opinion that a concerted approach between both federal and provincial departments was called for, not only in treatment and rehabilitation, but also for more effective law enforcement arrangements.

Due to effective control of licit production of poppy straw, no opium was produced in Turkey. The country was on the overland "Balkan route" over which heroin was trafficked from the Near and Middle East to Europe; more than a third of drugs seized in Turkey were from trucks carrying goods to Europe.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 24 May, the Economic and Social Council adopted resolution 1990/33.

Reduction of demand and prevention
of drug consumption among
young persons in the Near and Middle East

The Economic and Social Council,

Recalling General Assembly resolution 43/121 of 8 December 1988 on the use of children in the illicit traffic in narcotic drugs and rehabilitation of drug-addicted minors, in which the General Assembly called for, inter alia, the adoption of various urgent measures and national and international programmes to protect children from the illicit consumption of drugs and from involvement in illicit production and distribution,

Bearing in mind the Convention on the Rights of the Child, adopted by the General Assembly in its resolution 44/25 of 20 November 1989 and contained in the

annex thereto, and other relevant international standards and norms concerning the protection of the rights and well-being of young persons,

1. Requests the Secretary-General, as a matter of priority, to devise, within such regular or extrabudgetary resources as may become available, comprehensive policies, programmes and strategies to prevent and reduce the abuse of drugs by children:

2. Also requests the Secretary-General to design model programmes and manuals for the prevention of drug abuse among children and adolescents in the Near and Middle East;

3. Invites interested Member States to provide financial support and relevant organizations to collaborate closely with the Secretary-General in this activity.

Economic and Social Council resolution 1990/33

24 May 1990 Meeting 13 Adopted without vote

Approved by Second Committee (E/1990/67) without vote, 3 May (meeting 4); draft by Commission on Narcotic Drugs (E/1990/24); agenda item 6.

Europe

INCB reported that current political and economic changes in several Central and Eastern European countries resulted in a substantial increase in the movement of people, goods, services and capital within and outside Europe, and could make States that had generally not yet experienced major drug-related problems more vulnerable to abuse and illicit traffic. Governments of those countries had repeatedly stressed their concern over such emerging risks at international meetings. In that context, the Board welcomed the newly established participation of several States from Central and Eastern Europe in the International Criminal Police Organization (Interpol) and other international co-operation activities.

Cocaine, mostly refined in clandestine laboratories in South America (and mainly Colombia), was being trafficked into Europe in ever-increasing quantities; however, a few clandestine laboratories refining coca paste into cocaine had been detected in western Mediterranean countries, INCB said. Implementation of legislation in countries of the Americas restricting the availability of precursors might result in the establishment in Europe of more clandestine laboratories. The Board expressed its concern at reports that exports to South America of precursors, which were produced industrially in most European countries, were increasing sharply. No significant spread of the abuse of "crack" appeared to have taken place in Europe, while cocaine abuse seemed to be spreading in most European countries.

The amount of heroin seized in Europe in 1989 had again increased over the previous year but the number of seizures and persons implicated had decreased. With successful enforcement ac-

tivities in European airports, traffic routes had changed and traffickers increasingly chose to transport larger quantities of heroin in road vehicles. Two thirds of the heroin seized was trafficked via the "Balkan route". At a meeting held in Rome in March 1990, Ministers of Interior from 10 European countries most affected by heroin trafficking along that route decided to strengthen regional co-operation. Traffic routes were expected to change again as a result of closer links between Eastern and Western Europe; a sharp increase in the number of seizures of heroin transiting through Czechoslovakia, Hungary and Romania had been noticed since 1988.

Trafficking in and abuse of cannabis continued to be widespread, although law enforcement agencies had accorded cannabis lower priority than efforts against cocaine and heroin trafficking. Amphetamine abuse, widespread throughout the Scandinavian countries, had been increasingly observed in the Federal Republic of Germany and the United Kingdom. The recent discovery of clandestine manufacture of MDMA ("ecstasy") in several European countries indicated a dangerous new trend in the abuse of stimulants.

The Board noted positive trends in the Nordic countries, where the average age of drug abusers had risen and young people's interest in drugs was declining. New legislation to fight drug abuse was enacted or old legislation amended in Austria, France and Italy. In the Federal Republic of Germany, a national drug conference in 1990 adopted a plan to combat drug abuse. In the Netherlands, indicators such as the decline in the number of drug-related deaths revealed a positive trend. The Board noted, however, that the country's drug policies had led to an easy availability of cannabis as well as the influx into the Netherlands of drug abusers from other countries. In Poland, where drug abusers had become the main carriers of the HIV infection, authorities were concerned at their country's emergence as a manufacturing point for amphetamines trafficked to Western and Northern Europe. In Spain, 65 per cent of AIDS cases were reported to result from intravenous drug abuse. In the USSR, the number of drug abusers, estimated at around 140,000, had almost doubled during the last five years, and drug-related crimes accounted for 1.5 per cent of all crimes committed in the country. Main drugs of abuse were cannabis, some opiates and medically prescribed drugs obtained from local sources. International traffickers did not appear to have been able to make well-established contacts inside the country, but INCB noted that

the situation might change if the rouble became fully convertible. In the United Kingdom, a new national campaign was launched which encompassed three regional campaigns focusing on local problems. Enforcement operations had succeeded in making heroin less available, but abusers had turned to other substances, mainly diverted from the retail trade in April 1990. The United Kingdom convened the first World Ministerial Summit to Reduce the Demand for Drugs and to Combat the Cocaine Threat (see p. 867).

Oceania

In Australia, multi-kilogram heroin seizures at airports reflected the abundant 1990 South-East Asian opium crop. Cannabis plantations and cocaine smuggling attempts were again detected, and amphetamine and ephedrine abuse continued. The country's National Campaign against Drug Abuse, initiated in 1985, was extended to 1991.

The Board noted that New Zealand was being used as a trans-shipment point in drug trafficking; in February, United States authorities seized 3,357 kilograms of cannabis smuggled from Thailand via New Zealand. New Zealand hosted seminars for countries in the South Pacific region on drug enforcement measures and launched an initiative to establish a regional Pacific data base to improve co-operation among enforcement agencies.

Seventeenth special session of General Assembly

In accordance with General Assembly resolution 44/16 [YUN 1989, p. 724], by which it decided to convene a special session to consider as a matter of urgency the question of international co-operation against the production, supply, demand, trafficking and distribution of narcotic drugs, with a view to expanding the scope and increasing the effectiveness of such co-operation, the seventeenth special session took place in New York from 20 to 23 February. The special session concluded with the adoption, on the recommendation of the Ad Hoc Committee of the Seventeenth Special Session, of the Political Declaration and Global Programme of Action on international co-operation against illicit production, supply, demand, trafficking and distribution of narcotic drugs and psychotropic substances (see p. 857).

In other action, the Assembly approved the report of the Credentials Committee (resolution S-17/1). With regard to procedural matters, the Assembly adopted the agenda and allocated the agenda items (decision S-17/23); appointed members of the Credentials Committee (decision S-17/11); elected the President of the forty-fourth session of the Assembly to serve in the same capacity at the seventeenth special session (decision S-17/12); elected the Chairmen of the Main Committees (decision S-17/13); elected the Vice-Presidents of the Assembly (decision S-17/14); and elected the officers of the Ad Hoc Committee of the Seventeenth Special Session (decision S-17/15).

By decision S-17/21, the Assembly endorsed the report of the Preparatory Committee of the Whole for the Seventeenth Special Session and the recommendations contained therein [A/S-17/4].

The Preparatory Committee had held its first session in 1989 (6-7 December) and its second session from 12 to 14 February 1990 in New York. At those sessions, the Preparatory Committee adopted recommendations and decisions relating to the opening and duration of the special session, attendance, officers, adoption of the agenda and preparations for the special session.

By decision S-17/22, the Assembly decided to hear the observers of the Democratic People's Republic of Korea, the Holy See, the Republic of Korea and Switzerland during the debate in plenary.

By a 16 February letter [A/S-17/6] addressed to the Secretary-General, Denmark, Finland, Iceland, Norway and Sweden requested that a paper concerning Nordic regional co-operation on narcotic drugs be included as an official document of the seventeenth special session. By a 20 February letter [A/S-17/8] to the Secretary-General, Bolivia, Colombia, Peru and the United States requested that the 15 February 1990 Declaration of Cartagena on co-operation with respect to narcotic drugs be circulated as a document of the special session.

Addressing the special session, the Assembly President (Joseph Nanven Garba (Nigeria)) said that drug abuse world wide, with its deleterious effects, was an immense problem which affected everybody and posed an increasing threat to international peace and security. In spite of the UN treaties and conventions on narcotic drugs already in place, such as the 1961 Single Convention on Narcotic Drugs [YUN 1961, p. 382] and its Protocol of 1972 [YUN 1972, p. 397], the 1971 Convention on Psychotropic Substances [YUN 1971, p. 380] and the 1988 United Nations Conven-

tion against Illicit Trafficking in Narcotic Drugs and Psychotropic Substances [YUN 1988, p. 690], the global problem persisted. It was imperative to pursue a comprehensive campaign against drug abuse in all its aspects, concentrating not only on the eradication of supply and the suppression of illicit trafficking but also on prevention and reduction of demand. There was ground for optimism that recent world political events had given the opportunity so badly needed to tackle the war against drug abuse with real vigour and on a scale commensurate with the size of the problem.

In his statement to the special session, the Secretary-General stated that the problem of drug abuse was by its nature truly international and on the top of the list of priorities requiring urgent attention from the international community. It was vitally important to strengthen the pivotal role of the United Nations in that regard, because it served no single country and played a neutral role. The international struggle against illicit drugs amounted to a war that must be fought with the kind of resources wars commanded. Extrabudgetary resources greatly in excess of what was currently available were needed.

Preparations

On 20 February, the General Assembly established the Ad Hoc Committee of the Seventeenth Special Session.

The Ad Hoc Committee held four meetings between 20 and 23 February [A/S-17/11] to hear representatives of UN bodies, specialized agencies, intergovernmental organizations and NGOs and to consider the adoption of a political declaration and a global programme of action and the follow-up measures for the implementation of decisions to be adopted by the special session. It had before it a draft political declaration [A/S-17/AC.1/L.1] and a draft global programme of action [A/S-17/AC.1/L.2].

On 23 February, the Committee adopted its report and recommended that the Assembly adopt a draft resolution to which were annexed the Political Declaration and the Global Programme of Action on international co-operation against illicit production, supply, demand, trafficking and distribution of narcotic drugs and psychotropic substances.

Political Declaration and Global Programme of Action

GENERAL ASSEMBLY ACTION

On 23 February, the General Assembly adopted resolution S-17/2.

Political Declaration and Global Programme of Action adopted by the General Assembly at its seventeenth special session, devoted to the question of international co-operation against illicit production, supply demand, trafficking and distribution of narcotic drugs and psychotropic substances

The General Assembly

Adopts the Political Declaration and the Global Programme of Action on international co-operation against illicit production, supply, demand, trafficking and distribution of narcotic drugs and psychotropic substances annexed to the present resolution.

ANNEX

Political Declaration

We, the States Members of the United Nations,

Assembled at the seventeenth special session of the General Assembly to consider the question of international co-operation against illicit production, supply, demand, trafficking and distribution of narcotic drugs and psychotropic substances,

Deeply alarmed by the magnitude of the rising trend in the illicit demand, production, supply, trafficking and distribution of narcotic drugs and psychotropic substances, which are a grave and persistent threat to the health and well-being of mankind, the stability of nations, the political, economic, social and cultural structures of all societies and the lives and dignity of millions of human beings, most especially of young people,

Aware of the dangers posed for all countries alike by the illicit cultivation, production, supply, demand, trafficking and distribution of narcotic drugs and psychotropic substances, and aware also of the need for a comprehensive approach in combating them,

Conscious that the extraordinarily high levels of illicit consumption, cultivation and production of narcotic drugs and of illicit drug trafficking necessitate a more comprehensive approach to international co-operation in drug abuse control and counter-offensives at the national, regional and international levels,

Reaffirming our determination to combat the scourge of drug abuse and illicit trafficking in narcotic drugs and psychotropic substances in strict conformity with the principles of the Charter of the United Nations, the principles of international law, in particular respect for the sovereignty and territorial integrity of States, the principle of non-interference in the internal affairs of States and non-use of force or the threat of force in international relations, and the provisions of the international drug control conventions,

Reaffirming also the provisions set forth in the Single Convention on Narcotic Drugs of 1961, and in that Convention as amended by the 1972 Protocol Amending the Single Convention on Narcotic Drugs of 1961, the Convention on Psychotropic Substances of 1971 and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances adopted in 1988.

Reaffirming further the principle of shared responsibility in combating drug abuse and illicit traffic in narcotic drugs and psychotropic substances,

Recognizing the links between the illicit demand, consumption, production, supply, trafficking and distribution of narcotic drugs and psychotropic sub-

stances and the economic, social and cultural conditions in the countries affected by them,

Deeply concerned about the violence and corruption generated by the illicit demand, production, trafficking and distribution of narcotic drugs and psychotropic substances and the high human, political, economic and social costs of drug abuse and of the fight against the drug problem, entailing the diversion of scarce resources from other national priorities, which in the case of developing countries includes development activities,

Conscious that international co-operation for the development of the developing countries should be strengthened, allowing all countries to participate more fully in an effective fight against the drug problem,

Recognizing the links between drug abuse and a wide range of adverse health consequences, including the transmission of human immunodeficiency virus (HIV) infection and the spread of acquired immunodeficiency syndrome (AIDS),

Recognizing also that illicit trafficking in narcotic drugs and psychotropic substances is a criminal activity and that its suppression requires a higher priority and concerted action at the national, regional and international levels by all States, including rapid ratification of and accession to the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances,

Noting that the large financial profits derived from illicit drug trafficking and related criminal activities enable transnational criminal organizations to penetrate, contaminate and corrupt the structure of Governments, legitimate commercial activities and society at all levels, thereby vitiating economic and social development, distorting the process of law and undermining the foundations of States,

Recognizing that a growing number of countries, in particular developing countries, are affected by illicit transit trafficking in narcotic drugs because of their geographical location or economic situation, which imposes serious burdens on the drug law enforcement machinery of those countries and forces diversion of scarce resources from pressing developmental needs and other national priorities,

Convinced that the fight against illicit trafficking in narcotic drugs and psychotropic substances has to comprise effective measures aimed, inter alia, at eliminating illicit consumption, cultivation and production of narcotic drugs and psychotropic substances; preventing the diversion from legitimate uses of precursor chemicals, specific substances, materials and equipment frequently used in the illicit manufacture of narcotic drugs and psychotropic substances; and preventing the use of the banking system and other financial institutions for the laundering of proceeds derived from illicit drug trafficking by making such activities criminal offences,

Alarmed at the growing link between illicit trafficking in narcotic drugs and terrorist activities, which is aggravated by insufficient control of commerce in arms and by illicit or covert arms transfers, as well as by illegal activities of mercenaries,

Mindful of the results already achieved by the United Nations in the field of drug abuse control, including the Declaration and the Comprehensive Multidisciplinary

nary Outline of Future Activities in Drug Abuse Control, adopted at the International Conference on Drug Abuse and Illicit Trafficking, as well as the United Nations Convention against Illicit Trafficking in Narcotic Drugs and Psychotropic Substances,

Convinced that action against drug abuse and illicit production of and trafficking in narcotic drugs and psychotropic substances should, as a shared responsibility, be accorded a higher priority by the international community and convinced also that the United Nations should be the main focus for concerted action and should play an enhanced role in that field,

Considering that the goals of intensified international co-operation and increased efforts of States in that direction would be served by the proclamation of a United Nations decade against drug abuse,

Agree on the following:

1. We resolve to protect mankind from the scourge of drug abuse and illicit trafficking in narcotic drugs and psychotropic substances;

2. We affirm that the fight against drug abuse and illicit trafficking in narcotic drugs and psychotropic substances should be accorded high priority by Governments and by all relevant regional and international organizations;

3. We are determined to take the necessary actions to combat the drug problem, taking into account the fundamental responsibility resting with each State in that regard;

4. We shall expand the scope and increase the effectiveness of international co-operation against illicit demand, production, supply, trafficking and distribution of narcotic drugs and psychotropic substances, with strict respect for the sovereignty and territorial integrity of States and the principle of non-interference in their internal affairs;

5. We shall increase our efforts and resources in order to intensify international co-operation and concerted action, based upon the principle of shared responsibility, including the necessary co-operation and assistance to affected States, when requested, in the economic, health, social, judicial and law enforcement sectors in order to strengthen the capabilities of States to deal with the problem in all its aspects;

6. We shall pursue strategies that are comprehensive and multidisciplinary in scope and that comprise measures to eliminate illicit demand for narcotic drugs and psychotropic substances, cultivation of illicit crops and illicit drug trafficking, to prevent the misuse of the financial and banking systems and to promote effective treatment, rehabilitation and social reintegration;

7. We commend the efforts made by some States in the fight against illicit drug production, trafficking and consumption and urge that current levels of international co-operation be increased and strengthened;

8. We condemn the crime of illicit drug trafficking in all its forms and reaffirm our political commitment to concerted international action;

9. We are convinced that the international fight against illicit drug trafficking should be pursued in full conformity with the principles of non-interference in internal affairs and respect for the territorial integrity of States and free from unrelated political motivations;

10. We shall continue our national efforts in the simultaneous fight on all levels against the phenomenon

of illicit drug trafficking, with special emphasis on the need for stronger measures to eliminate illicit demand for narcotic drugs and psychotropic substances;

11. We shall reinforce our policies aiming at the prevention, reduction and elimination of illicit demand;

12. We shall intensify our efforts in the fields of health, education and public information, including well-targeted campaigns involving the relevant United Nations specialized agencies and non-governmental organizations, as an essential measure to reduce illicit demand;

13. We urge the international community to increase economic and technical co-operation to developing countries and to facilitate trade flows in support of viable alternative income schemes, such as crop-substitution programmes, by means of integrated rural development strategies, including facilitation of appropriate efficient marketing and sound economic policies, so as to eliminate illicit cultivation and production of narcotic drugs;

14. We call for international co-operation to assist and support transit countries, in particular developing transit-countries, by implementing appropriate programmes of technical and financial assistance through competent international or regional organizations for the purpose of expanding and strengthening the infrastructure needed for effective control and prevention of illicit drug trafficking;

15. We stress the need for effective action to prevent the diversion for illicit purposes of precursors and other chemicals, materials and equipment frequently used in the illicit manufacture of narcotic drugs and psychotropic substances;

16. We urge the international community to strengthen international co-operation under mutually agreed conditions through bilateral, regional and multilateral mechanisms;

17. We stress that all initiatives undertaken within the United Nations in the field of international drug abuse control shall take into consideration the competence of its organs as defined in the Charter of the United Nations;

18. We shall further develop and utilize, to the maximum extent, existing bilateral and other international instruments or arrangements for enhancing international legal and law enforcement co-operation;

19. We reaffirm the principles set forth in the Declaration of the International Conference on Drug Abuse and Illicit Trafficking and undertake to apply, as appropriate, the recommendations of the Comprehensive Multidisciplinary Outline of Future Activities in Drug Abuse Control;

20. We urge States to ratify or accede to the United Nations conventions in the field of drug abuse control and illicit trafficking and, to the extent they are able to do so, to apply provisionally the terms of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances;

21. We commend the important work carried out by the organizations of the United Nations system in the field of international drug abuse control with regard to combating the abuse and production of and trafficking in illicit drugs and psychotropic substances, as well as the work done in other multilateral forums;

22. We commend also the positive action undertaken by the Division of Narcotic Drugs of the Secretar-

iat, the International Narcotics Control Board and its secretariat, and the United Nations Fund for Drug Abuse Control;

23. We call upon the United Nations, the specialized agencies and other organizations of the United Nations system to give higher priority in their programmes of work, in accordance with existing procedures, to international measures to combat illicit production, supply, demand, trafficking and distribution of narcotic drugs and psychotropic substances;

24. We emphasize the importance of the development and implementation of a United Nations system-wide action plan aimed at the fulfilment of all existing mandates for drug abuse control and the implementation of subsequent decisions of intergovernmental bodies throughout the United Nations system;

25. We shall strengthen and enhance the capability of the United Nations to achieve more effective and co-ordinated co-operation at the international, regional and national levels against the threats posed by illicit production and illicit trafficking and abuse of narcotic drugs and psychotropic substances;

26. We stress the need to reinforce United Nations structures for drug abuse control in order to increase their effectiveness and status;

27. We recognize the need for additional financial and human resources, which shall be made available for United Nations activities in the area of drug abuse control, bearing in mind the Organization's additional responsibilities in that regard;

28. We attach high priority to the speedy and effective implementation of the Global Programme of Action;

29. We proclaim the period from 1991 to 2000 the United Nations Decade against Drug Abuse, to be devoted to effective and sustained national, regional and international actions to promote the implementation of the Global Programme of Action, taking into account and paying due consideration to the guidelines for international decades recommended by the Economic and Social Council in its resolution 1988/63 of 27 July 1988;

30. We resolve to keep under constant review the activities set out in the present Declaration and in the Global Programme of Action.

Global Programme of Action

I. Introduction

1. The international community confronts a dramatic problem of drug abuse and the illicit cultivation, production, processing, distribution and trafficking of narcotic drugs and psychotropic substances, insufficiently effective controls over or monitoring of specific chemical substances and monitoring of the economic benefits of drug trafficking. States are not in a position to deal with this scourge individually. Therefore, international solidarity and the concerted, collective and simultaneous action of the international community are required.

2. An important aspect of the fight against drug abuse has been the elaboration of international legal instruments. The adoption of the Single Convention on Narcotic Drugs of 1961 and of that Convention as amended by the 1972 Protocol Amending the Single Convention on Narcotic Drugs of 1961 and of the Con-

vention on Psychotropic Substances of 1971 were first important steps in that direction.

3. By its resolution 40/122 of 13 December 1985, the General Assembly decided to convene an International Conference on Drug Abuse and Illicit Trafficking. The Conference took place at Vienna from 17 to 26 June 1987 and adopted a Declaration and a Comprehensive Multidisciplinary Outline of Future Activities in Drug Abuse Control.

4. In order to reinforce and supplement the measures provided in existing legal instruments and to counter the new magnitude and extent of illicit drug trafficking and its grave consequences, a United Nations plenipotentiary conference, held at Vienna from 25 November to 20 December 1988, adopted the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances.

5. The General Assembly, in its resolution 44/16 of 1 November 1989, decided to convene a special session of the Assembly to consider, as a matter of urgency, the question of international co-operation against illicit production, supply, demand, trafficking and distribution of narcotic drugs, with a view to expanding the scope and increasing the effectiveness of such co-operation.

6. Cognizant of the above, and following extensive deliberations at its seventeenth special session, the General Assembly, in order to achieve the goal of an international society free of illicit drugs and drug abuse, adopts the present Global Programme of Action and commits itself to its full and speedy implementation, where necessary following due consideration of the modalities by the competent technical bodies.

7. In adopting the Global Programme of Action, and without prejudice to the existing procedures, the General Assembly also decides to accord, within the United Nations system, a higher priority to the allocation of the necessary financial, personnel and other resources. There is a need for all parts of the United Nations system to galvanize efforts to improve international co-operation to stamp out the scourge of illicit drugs and drug abuse. The requirement for additional resources for that purpose is explicitly recognized, in the full expectation that that will be reflected as a high priority in the medium-term plan for the period 1992-1997 and in the programme budget for the biennium 1992-1993, as well as future medium-term plans and biennial budgets. The General Assembly also recognizes that the effective implementation of the Global Programme of Action will require examination of the structure of the existing drug control units based at the United Nations Office at Vienna with a view to enhancing their effectiveness and status in the system.

II. Activities of the Global Programme of Action

8. The Comprehensive Multidisciplinary Outline of Future Activities in Drug Abuse Control shall be used by national authorities and interested organizations as a basis for developing and translating into action, at the national, regional and international levels, to the widest extent possible, balanced strategies aimed at combating all aspects of drug abuse and illicit trafficking. Those strategies shall include, in particular, the aspects described below.

- A. Prevention and reduction of drug abuse with a view to elimination of the illicit demand for narcotic drugs and psychotropic substances

9. States shall give higher priority to prevention and reduction of drug abuse with a view to elimination of the illicit demand for narcotic drugs and psychotropic substances at the national and international levels. National strategies, plans and programmes for combating drug abuse shall be elaborated, adopted and implemented through the necessary policy and legislative adjustments, including the allocation of appropriate resources and services for prevention, treatment, rehabilitation and social reintegration.

10. The causes generating illicit demand for narcotic drugs and psychotropic substances, including its recent increase, shall be analysed and the necessary measures shall be identified in order to combat drug abuse at the root of the problem. In this regard, special attention shall be given to the social causes underlying the drug problem, which should be adequately reflected in national social policies.

11. Information and education programmes shall be used to prevent the abuse of narcotic drugs and psychotropic substances and to increase awareness of their harmful effects. In this context, States, relevant specialized agencies and non-governmental organizations shall co-ordinate and exchange information with a view to initiating well-targeted campaigns in this field.

12. The role of the United Nations as an advisory centre for collecting, analysing and disseminating information and experience in the field of reduction of illicit demand, for reviewing and evaluating national scientific programmes in the field of combating drug abuse and for co-ordinating efforts of States concerning those activities shall be further enhanced. Bodies of the United Nations system such as the United Nations Educational, Scientific and Cultural Organization, the United Nations Children's Fund (including its national committees), the United Nations Development Programme, the World Health Organization, the International Labour Organisation and the United Nations information centres shall play a more active role in collecting and disseminating information and exchanging experience.

13. States shall establish and promote national systems to assess the extent of drug abuse and to collect data on trends of abuse. For that purpose, they shall establish data bases that should be based on the international drug abuse assessment system being developed by the Division of Narcotic Drugs of the Secretariat with financial support from the United Nations Fund for Drug Abuse Control. The Division, in collaboration with other United Nations drug control bodies and the World Health Organization, shall assist Governments in establishing such data bases and shall work to establish a data base concerning the nature and extent of drug abuse at the international level.

14. The Division of Narcotic Drugs shall publish and update periodically a digest listing national focal points that deal with various aspects of the drug problem, including information on direct channels of communication.

15. In order to assess the level of national and international progress towards prevention and reduction of the demand for narcotic drugs and psychotropic substances with a view to its elimination, and in imple-

menting the seven targets set out in chapter I of the Comprehensive Multidisciplinary Outline of Future Activities in Drug Abuse Control, the Division of Narcotic Drugs shall submit, by 31 December each year: a succinct questionnaire to all Governments, regional intergovernmental organizations, and non-governmental organizations in consultative status with the Economic and Social Council. The questionnaire shall request details of action taken in this regard at the national and regional levels, the results achieved by the measures taken, and details of any practical difficulties encountered. The Secretary-General is requested to prepare a report, in collaboration with the International Labour Organisation, the United Nations Educational, Scientific and Cultural Organization and the World Health Organization, to be submitted to the Commission on Narcotic Drugs at its regular and special sessions analysing the information submitted and assessing, in particular, the best means of providing assistance to States in furthering demand-reduction strategies.

16. States and regional intergovernmental organizations shall co-operate fully in the preparation of that report by providing in good time the information required by the questionnaire.

17. In the light of the experience of operating that questionnaire and reporting system, the Commission on Narcotic Drugs shall consider the necessity and feasibility of elaborating, under the auspices of the United Nations, an International instrument that would deal especially with the reduction of the illicit demand for drugs and that would provide, *inter alia*, comprehensive and specific measures for the control and elimination of illicit demand for narcotic drugs and psychotropic substances, as well as for treatment and rehabilitation of drug addicts.

18. The recommendations of all international high-level meetings aimed at the reduction and eventual elimination of illicit demand for narcotic drugs and psychotropic substances, including those of the World Ministerial Summit to Reduce Demand for Drugs and to Combat the Cocaine Threat, to be held in London from 9 to 11 April 1990, shall be submitted to States for reference, if requested, in order to make it possible for them to consider such recommendations in the elaboration of their national anti-drug campaigns and policies.

19. The United Nations Educational, Scientific and Cultural Organization, in collaboration with the World Health Organization and other appropriate United Nations bodies, shall be encouraged to solicit, compile and analyse information on effective prevention strategies, including public information, education programmes and professional training, and on programme evaluation techniques and to disseminate that material to States upon request.

20. The United Nations Children's Fund shall be encouraged to give financial support to developing countries in order to enhance their campaigns to prevent drug abuse by children and the use of children for the illicit production and traffic in narcotic drugs and psychotropic substances, as well as for implementing programmes to rehabilitate such children.

21. The International Labour Organisation shall be invited to provide, upon request, advice on education

programmes to reduce drug abuse in the work-place and monitor their effectiveness.

22. Measures for the prevention of drug abuse shall be developed and included to the extent possible in the curricula of all educational institutions if circumstances so require. The expertise of relevant United Nations bodies should be made available to all countries, in particular developing countries, in order to assist them in elaborating such curricula.

23. Information on the rational prescribing and use of narcotic drugs and psychotropic substances and pharmaceutical preparations containing such substances shall be incorporated into the curricula of training institutions for health-care personnel.

24. The World Health Organization, in collaboration with United Nations drug control bodies, non-governmental organizations and other organizations involved in the rational use of pharmaceutical preparations containing narcotic drugs and psychotropic substances, shall be encouraged to assist national educational authorities in developing training materials and conducting training courses to ensure that medical practitioners and other health personnel are well trained in rational prescribing and use of narcotic drugs and psychotropic substances.

25. The mass media shall be encouraged to publish and disseminate information in support of national and international strategies for the elimination of illicit demand for narcotic drugs and psychotropic substances.

26. The establishment of national committees or other ad hoc structures aimed at mobilizing public support and the participation of communities and at co-operating in and implementing the activities emanating from the Global Programme of Action shall be considered.

27. States shall, as appropriate, promote increased co-operation with and involvement of non-governmental organizations in the field of reduction of illicit demand, thus encouraging initiatives and programmes at the grass-roots level.

28. Appropriate United Nations bodies shall be invited to collaborate with non-governmental organizations with special expertise in the field of narcotic drugs and psychotropic substances to identify and make available technical expertise on strategies and methods for reduction of illicit demand.

29. The United Nations shall undertake a review of activities of the United Nations system and the specialized agencies for the reduction of illicit demand in order to identify the needs for intensified action consistent with the principles of the Global Programme of Action.

B. Treatment, rehabilitation and social reintegration of drug addicts

30. National strategies in the health, social, legal and penal fields shall contain programmes for the social reintegration, rehabilitation and treatment of drug abusers and drug-addicted offenders. Such programmes shall be in conformity with national laws and regulations and be based on respect for basic human rights and the dignity of the individual, showing due regard for the diverse needs of individual drug addicts.

31. The United Nations shall act as a clearing-house for information on effective policies and techniques,

programme modalities and resource materials for the treatment, rehabilitation and occupational reintegration of former drug addicts. The World Health Organization and the International Labour Organisation, in collaboration with other organizations of the United Nations system and non-governmental organizations, shall be encouraged to contribute to that end.

32. The relevant United Nations bodies should render assistance to interested States, in particular developing countries, in their programmes for treatment and rehabilitation of drug abusers.

33. Training programmes relating to the latest developments and techniques in the field of treatment of drug addiction and rehabilitation and reintegration of former addicts shall be conducted more regularly at the national, regional and international levels. Governments, the relevant United Nations bodies, the specialized agencies, intergovernmental organizations and non-governmental organizations in a position to do so shall, upon request, provide advice, information and proposals on existing training programmes, new methods and techniques and other general guidelines for States wishing to develop their training programmes further.

34. The World Health Organization shall be encouraged to work with Governments with a view to facilitating access to drug-treatment programmes and to strengthening the capacity of primarily health care to respond to drug-related health problems.

35. The World Health Organization shall be encouraged to continue to explore with Governments the development of health education programmes and policies for the reduction of risk and harm of drug abuse as a means of preventing the transmission by drug abusers of the human immunodeficiency virus (HIV) and of securing appropriate treatment and counselling for drug abusers who are HIV-positive or who have developed acquired immunodeficiency syndrome (AIDS), and to report thereon.

36. The International Labour Organisation should prepare and publish guidelines for programmes to re-integrate former addicts into occupational activities or vocational training.

37. States shall, as appropriate, facilitate and promote the involvement of non-governmental organizations in all areas of treatment and rehabilitation and intensify their co-operation with the relevant United Nations bodies.

C. Control of supply of narcotic drugs and psychotropic substances

1. Eradication and substitution of illicit production of narcotic drugs, and eradication of illicit processing of such drugs and of illicit production and diversion of psychotropic substances

38. States shall consider, at the national and international levels, means by which the internal sector of those economies that are affected by the illicit production and processing of narcotic drugs and psychotropic substances might be strengthened, in order to support and strengthen the implementation, by competent national authorities, of effective anti-drug programmes, including the following measures:

(a) Prompt identification, eradication and substitution of illicit cultivation of narcotic plants, taking into account the need to protect the environment; for the

purpose of crop surveys and monitoring efforts, such technologies as high-resolution satellite imagery and aerial photography could be used when agreement has been reached with the Government concerned;

(b) Further development and implementation of comprehensive and well-articulated reduction programmes with a view to eliminating illicit production of narcotic drugs and psychotropic substances in countries affected by illicit production, taking particular account of traditional licit uses of such cultivation;

(c) Identification and provision of further incentives for crop substitution;

(d) Assessment and study, by the United Nations Environment Programme, of effects on the environment of the expanding cultivation and production of narcotic drugs and the use and disposal of chemical substances related to those activities, as well as methods used for the eradication of illicit production of narcotic drugs;

(e) Extension of the scope of economic and technical co-operation in support of crop substitution and integrated rural development programmes and other economic and technical programmes aimed at reducing illicit production and processing of narcotic drugs and psychotropic substances;

(f) Establishment of complementary programmes in the fields of employment, health, housing and education;

(g) Elaboration and implementation of programmes for agro-industrial development;

(h) Elaboration and implementation of programmes for economic recovery of the social and economic sectors in countries that are adversely affected by the diversion for supply-reduction programmes of resources that would otherwise be used for development.

39. The external sectors of those economies that are affected by illicit production and processing of narcotic drugs and psychotropic substances shall be strengthened in order to support and strengthen the implementation by competent national authorities of effective anti-drug programmes by the following means:

(a) Consideration of measures to strengthen international co-operation to facilitate trade flows, in particular measures to create expanded opportunities for trade and investment in order to provide access to international markets for crop-substitution products and other goods produced by countries affected by the illicit production and processing of narcotic drugs;

(b) Consideration by States of entering into multi-lateral, bilateral or regional agreements with countries affected by illicit drug production and processing, with a view to facilitating access by those countries to international markets and to assisting them in strengthening and adapting their internal capacity to produce exportable goods;

(c) Consideration of economic and other forms of co-operation with developing countries directly affected by the illicit transit of narcotic drugs through their territories, including measures to create expanded opportunities for trade and investment;

(d) Regular submission by States to the relevant United Nations drug control bodies of information on the extent of the manufacture, availability and abuse of illicit synthetic drugs in their territories.

2. Licit production, manufacture and supply of narcotic drugs and psychotropic substances

40. A balance shall be maintained between demand and supply of raw materials, intermediates and final products for legitimate uses, including medical and scientific purposes.

41. International co-operation, solidarity and assistance are called for to overcome the problem of excess stock of opiate raw materials in traditional supplier countries. This may include international assistance, particularly to developing countries, to help them establish the necessary opiate drug management regime to enable them to meet their potential legitimate need for opiates.

3. Co-operation on the multilateral level

42. The United Nations Fund for Drug Abuse Control, in collaboration, where appropriate, with the United Nations Development Programme and other United Nations bodies, is invited to elaborate for consideration by States a subregional strategy covering all aspects of drug abuse control and concentrating on the most affected areas where the problems are most complex and grave. States shall increase their co-operation with the Fund in support of such a subregional strategy.

43. States should endeavour to obtain the support of international, regional and national financial institutions, within their respective areas of competence, with the goal of identifying alternative development and crop-substitution programmes to support countries so that they can carry out sound economic policies and effective programmes against illicit drugs. States should also encourage those institutions to consider the economic and social consequences of drug trafficking when analysing the economic systems of those countries. In this regard, those institutions should consider availing themselves of assistance from and co-operation with the United Nations Fund for Drug Abuse Control.

44. Specialized agencies and other United Nations bodies such as the United Nations Development Programme and the Food and Agriculture Organization of the United Nations, as well as the international financial institutions, in accordance with their mandates, should consider the possibility of undertaking further activities in the field of prevention and substitution of illicit production of narcotic drugs.

4. Monitoring and control mechanisms

45. States shall take all necessary measures, such as the conclusion of bilateral and regional agreements, to establish monitoring and control systems to prevent diversion from legitimate purposes of specific chemical substances, materials and equipment frequently used in the illicit manufacture of narcotic drugs and psychotropic substances, in particular through the application of articles 12 and 13 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances adopted in 1988.

46. Consideration shall be given to the convening of an international conference on the production and distribution of chemical products used in the illicit production of narcotic drugs and psychotropic substances, in order to co-ordinate efforts for more effective prevention of the diversion of precursor chemicals, specific substances, materials and equipment for illicit

purposes. It is desirable that States include representatives of manufacturing and distribution enterprises in their delegations to that conference..

47. The World Health Organization, in collaboration with the Division of Narcotic Drugs and the International Narcotics Control Board, should assist national drug regulatory authorities in developing and strengthening their pharmaceutical administrations and control laboratories in order to enable them to control pharmaceutical preparations containing narcotic drugs and psychotropic substances.

48. Governmental, intergovernmental and non-governmental organizations and the United Nations shall be encouraged to co-operate in measures within the guidelines set out in the Comprehensive Multidisciplinary Outline of Future Activities in Drug Abuse Control to strengthen national and international systems of control of narcotic drugs and psychotropic substances, in particular those established under the Single Convention on Narcotic Drugs of 1961, and that Convention as amended by the 1972 Protocol Amending the Single Convention on Narcotic Drugs of 1961 and the Convention on Psychotropic Substances of 1971.

49. The International Narcotics Control Board is invited to advise States, at their request, and to extend its technical co-operation activities with a view to furthering the aims of the Single Convention on Narcotic Drugs of 1961 and that Convention as amended by the 1972 Protocol Amending the Single Convention on Narcotic Drugs of 1961, the Convention on Psychotropic Substances of 1971 and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances adopted in 1988.

50. Special attention shall be paid to co-operation that will enable States to strengthen their drug detection and pharmaceutical control laboratories, as well as their police and customs activities in the field of drug control.

D. Suppression of illicit trafficking in narcotic drugs and psychotropic substances

1. Traffic

51. States shall proceed rapidly and make every effort to ratify or accede to the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, adopted in 1988, in order to enable the entry into force of the Convention, preferably by the end of 1990.

52. The United Nations, in particular the Division of Narcotic Drugs, the International Narcotics Control Board and the United Nations Fund for Drug Abuse Control, shall provide expertise and assistance to States, at their request, to enable them to establish the legislative and administrative measures for the ratification and effective implementation of the United Nations Convention.

53. States shall, to the extent and where they are able to do so, apply provisionally the measures set forth in the United Nations Convention.

54. Consistent with the United Nations Convention, consideration shall be given to the conclusion of bilateral, regional and multilateral agreements and other arrangements aimed at suppressing illicit trafficking in narcotic drugs and psychotropic substances.

55. States that have not yet done so shall consider ratification of or accession to the Single Convention on

Narcotic Drugs of 1961 and that Convention as amended by the 1972 Protocol Amending the Single Convention on Narcotic Drugs of 1961 and the Convention on Psychotropic Substances of 1971.

56. States in a position to do so and the organizations of the United Nations system, in particular the United Nations Fund for Drug Abuse Control, shall provide appropriate technical and financial support to enable States, at their request, to establish effective mechanisms against illicit trafficking in narcotic drugs and psychotropic substances. Particular attention shall be given, in that regard, to the strengthening of interdiction capabilities of transit States, including control of land, sea and air boundaries. To that end, States should undertake an analysis of the methods and routes used for illicit transit traffic in narcotic drugs and psychotropic substances, and should monitor them in their respective territories on a continuing basis, bearing in mind that the routes and methods used change frequently and affect a growing number of States. States shall consider appropriate information-sharing in this respect on a bilateral, regional or multilateral basis.

57. Interested States may consider, in conformity with international law and the Charter of the United Nations, the possibility of jointly establishing border inspection check-points, with a view to suppressing illicit trans-boundary movement of narcotic drugs and psychotropic substances, without affecting the national sovereignty and territorial integrity of States.

58. Specialized agencies such as the International Civil Aviation Organization and the International Maritime Organization, in collaboration with member States and intergovernmental and non-governmental organizations, shall be invited to expand the development of programmes whereby such organizations and member States work with the transportation industry to suppress illicit trafficking in narcotic drugs and psychotropic substances.

59. States shall make increased use of the meetings of Heads of National Drug Law Enforcement Agencies and other intergovernmental organizations, such as the Customs Co-operation Council and the International Criminal Police Organization (Interpol), regional co-operation arrangements and other relevant institutional frameworks, for the purpose of coordinating co-operation in law enforcement and expanding programmes of training for law enforcement personnel in investigative matters and methods, interdiction and narcotics intelligence.

60. The United Nations, in particular the United Nations Fund for Drug Abuse Control, should assist States, at their request, in equipping and strengthening their law enforcement authorities and criminal justice systems.

2. Distribution

61. States shall strengthen their national efforts to curb and eradicate domestic illicit commerce and distribution of narcotic drugs and psychotropic substances.

E. Measures to be taken against the effects of money derived from, used in or intended for use in illicit drug trafficking, illegal financial flows and illegal use of the banking system

62. Priority shall be accorded to the implementation of the United Nations Convention against Illicit

Traffic in Narcotic Drugs and Psychotropic Substances, adopted in 1988, and the conclusion of bilateral, regional and multilateral agreements on tracing, freezing and seizure and forfeiture or confiscation of property and proceeds derived from, used in or intended for use in illicit drug trafficking.

63. Mechanisms shall be developed to prevent the banking system and other financial institutions from being used for the processing and laundering of drug-related money. To this end, consideration should be given by States to entering into bilateral, regional and multilateral agreements and developing mechanisms to trace property and proceeds derived from, used in or intended for use in drug-related activities through the international banking system, facilitate access to banking records and provide for the exchange of information between law enforcement, regulatory or investigative agencies concerning the financial flow of property or proceeds related to illicit drug trafficking.

64. The Division of Narcotic Drugs of the Secretariat, in co-operation with the Customs Co-operation Council and the International Criminal Police Organization (Interpol), should promote bilateral or regional exchanges of information between governmental regulatory or investigative agencies concerning the financial flow of illicit drug proceeds.

65. The Division of Narcotic Drugs and Interpol shall be invited to develop a repository of laws and regulations on money laundering, currency reporting, bank secrecy and forfeiture of property and proceeds, as well as procedures and practices designed to prevent banking systems and other financial institutions from money laundering, and shall make this information available to States, at their request.

66. States shall consider enacting legislation to prevent the use of the banking system for the processing and laundering of drug-related money, inter alia, through declaring such activities criminal offences.

67. States shall consider enacting legislation to permit the seizure and forfeiture of property and proceeds derived from, used in or intended for use in illicit drug trafficking. To that end, consideration should be given by States to concluding bilateral and multilateral agreements to enhance the effectiveness of international co-operation, taking into particular account article 5, paragraph 5, of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances.

68. States shall encourage international, regional and national financial associations to develop guidelines to assist their members in co-operating with government authorities in identifying, detecting, tracing, freezing and seizing proceeds and property related to illicit trafficking in narcotic drugs and psychotropic substances.

69. The elaboration of international agreements providing for stringent controls on money derived from, used in or intended for use in drug-related activities and penalizing the laundering of such money might be considered. Such instruments might also deal with the forfeiture or confiscation of funds, proceeds and property acquired through revenues deriving from drug-related activities.

70. States shall consider measures on an international level, including the feasibility of a United Na-

tions facility to strengthen the gathering, collation and exchange of information on the financial flow from drug-related funds, giving particular emphasis to principles, rules and national law concerning the protection of ongoing law enforcement investigations and of individuals with regard to automatic processing of personal data.

71. States should encourage international, regional and national financial institutions, within their respective areas of competence, to pay special attention, in their analyses of the economies of States, to the characteristics and magnitude of the conversion and transfer of drug-related monies in order to contribute to international efforts aimed at counteracting the negative economic and social consequences of the drug problem.

72. States shall consider the possibility of using forfeited property and proceeds for activities to combat drug abuse and illicit trafficking. In that context, the possible use of such proceeds and property or their equivalent value for United Nations drug-related activities shall also be taken into consideration.

73. All measures and proposals on possible action to prevent the use of the banking systems and financial institutions for money laundering, such as the conclusions arising from the study undertaken by the Financial Action Task Force, established at the Summit of seven major industrial nations, held in Paris from 14 to 16 July 1989, shall be made available to all States for information.

F. Strengthening of judicial and legal systems, including law enforcement

74. States shall, as soon as possible, ratify or accede to the United Nations conventions in the field of drug abuse control and illicit trafficking.

75. States in a position to do so and the United Nations, strengthening their action in co-ordination with the regional institutes of the United Nations with mandates in this sphere, shall provide advice and legal and technical assistance to enable States, at their request, to adapt their national legislation to international conventions and decisions dealing with drug abuse and illicit trafficking.

76. States are invited to give consideration to the model treaties on mutual assistance in criminal matters and on extradition, which contain specific provisions related to illicit traffic in narcotic drugs and psychotropic substances and are to be dealt with by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders.

77. States shall encourage international and regional organizations to elaborate model agreements on co-operation among customs officials, law enforcement agencies and other interested organs in the field of combating drug abuse and illicit trafficking.

78. The scope of international co-operation in support of technical assistance programmes aimed at the strengthening of judicial, legal and law enforcement systems, in particular in the field of the administration of justice, shall be extended. Particular attention shall be given to the training of personnel at all levels.

79. Measures to protect the judiciary from any form of exposure and intimidation threatening its independence and integrity shall be studied and promoted.

80. The United Nations shall act as a clearing-house for information on training programmes in drug law enforcement, including training for national narcotics agents in investigative methods, interdiction and narcotics intelligence.

81. Consideration shall be given to establishing a capability within the United Nations system to co-ordinate the provision by States of training and equipment to other States, at their request, for their own anti-drug operations, within their territories, to inhibit the use, interdict the supply and eliminate the illicit trafficking of drugs.

82. Since the International Law Commission has been requested to consider the question of establishing an international criminal court or other international trial mechanism with jurisdiction over persons alleged to be engaged in illicit trafficking in narcotic drugs across national frontiers, the Administrative Committee on Co-ordination shall consider, in its annual adjustments to the United Nations system-wide action plan on drug abuse control requested by the General Assembly in its resolution 44/141 of 15 December 1989, the report of the International Law Commission on the question.

83. States shall consider the appropriateness of establishing arrangements, on the basis of bilateral, regional and multilateral agreements, which would allow them to benefit from one another's criminal justice system in dealing with similar drug-related offences.

84. Consideration shall be given to establishing a register of anti-drug expertise and services, under the supervision of the Division of Narcotic Drugs, which could be made available to States, at their request.

85. A review should be undertaken of international and regional law enforcement activities funded or sponsored by the United Nations, as well as those of other intergovernmental organizations and regional arrangements, to ensure a coherent approach to law enforcement activities within the overall context of the Global Programme of Action.

G. Measures to be taken against the diversion of arms and explosives and illicit traffic by vessels, aircraft and vehicles

86. States shall consider the adoption of measures, within their territories, to strengthen arrangements for controlling or monitoring the licit transportation of narcotic drugs and psychotropic substances, including the vessels, aircraft and vehicles being used for that purpose, so as to prevent their misuse for the illicit transportation of narcotic drugs and psychotropic substances.

87. Effective measures should be taken to prevent illicit and covert transfers of arms and explosives and their diversion to illicit drug traffic-related activities.

88. Alarmed by the growing link between illicit traffic in narcotic drugs, illegal activities of mercenaries and subversive and terrorist activities, States shall take prompt measures on their prevention.

89. States shall take strict measures to prevent private aircraft, vessels and vehicles registered in their territory from engaging in illicit drug trafficking and related activities.

H. Resources and structure

90. There is need both for optimum utilization of existing resources of the United Nations drug-related

units and for additional resources to be allocated to those units in order to enable them fully to implement their mandates, bearing in mind their increased responsibilities.

91. A higher priority shall be accorded to United Nations drug control activities in the medium-term plan for the period 1992-1997 and in the corresponding biennial budgets, and the General Assembly, at its forty-fifth session, is invited to take appropriate action in this regard, in accordance with existing procedures.

92. Priority shall be given to providing, on both a short-term and long-term basis, extrabudgetary support to enhance the efficiency of the United Nations structure for drug abuse control and to achieve and promote a truly comprehensive global programme of action.

93. Intensification of efforts at the national level and increased intergovernmental co-operation require a commensurate strengthening of the United Nations drug control organs and their secretariats. Against this background, the functioning of the United Nations structure for drug abuse control needs to be reviewed and assessed, in accordance with the mandate given to the Secretary-General by the General Assembly in paragraph 4 of its resolution 44/141, for the purpose of identifying alternative structural possibilities, the end result being the establishment of a stronger, more efficient United Nations drug control structure with enhanced status, with a report to be made to the General Assembly at its forty-fifth session.

94. Attention shall be given to the need for (a) coherence of actions within the United Nations drug-related units and co-ordination, complementarity and non-duplication of all drug-related activities across the United Nations system; (b) Integration of drug-related information within the United Nations system; (c) integration of the reduction of illicit demand in United Nations programming; (d) integration of law enforcement field expertise in United Nations programmes; (e) compliance with all non-discretionary obligations mandated by the three drug control conventions; and (f) an estimate of resources necessary to carry out these mandates successfully.

95. More States should contribute financial and other resources to the operational activities of the United Nations Fund for Drug Abuse Control in order to enable the Fund to expand its technical co-operation programmes and to develop an operational structure capable of assisting States in joint efforts on the sub-regional level.

III. Follow-up measures

96. States should take the necessary measures to promote and implement the Global Programme of Action and to translate it into practical action to the widest possible extent at the national, regional and international levels. The United Nations and its relevant bodies and specialized agencies, other relevant intergovernmental organizations and non-governmental organizations should extend their co-operation and assistance to States in the promotion and implementation of the Global Programme of Action.

97. The Commission on Narcotic Drugs and the United Nations drug control bodies should continuously monitor the progress on the implementation of the Global Programme of Action, and the Secretary-General should report annually to the General Assembly

on all activities relating to the Global Programme of Action and the efforts of Governments.

98. The Secretary-General shall, in consultation with all Member States, identify, whenever necessary, a limited number of experts, from different regions of the world, on various aspects pertaining to the drug problem to advise him and existing United Nations drug control units and other bodies and specialized agencies on specific issues dealt with in the Global Programme of Action that may require further elaboration. These experts shall be funded exclusively from voluntary contributions.

99. The United Nations Decade against Drug Abuse, covering the years 1991 to 2000, as proclaimed by the General Assembly in the Political Declaration adopted at its seventeenth special session, is a period for intensifying and sustaining international, regional and national efforts in the fight against drug abuse on the basis of the measures contained in the Global Programme of Action.

100. The International Day against Drug Abuse and Illicit Trafficking, 26 June, as proclaimed by the General Assembly in its resolution 42/112 of 7 December 1987, shall be observed in the continuing effort to raise public awareness of the fight against drug abuse and illicit trafficking in narcotic drugs and psychotropic substances, as well as to promote preventive measures.

General Assembly resolution S-17/2

23 February 1990 Meeting 8 Adopted without vote

Draft recommended by Ad Hoc Committee (A/S-17/11); agenda items 14 and 15.

CPC action. The Committee for Programme and Co-ordination (CPC) [A/45/16], at the first part of its thirtieth session (New York, 7 May- 11 June), recommended approval of programme 28, International drug control, of the proposed medium-term plan for 1992-1997 on the understanding that the programme be revised to reflect all recent mandates contained in the Global Programme of Action adopted by the General Assembly at its seventeenth special session.

The Committee recommended that the Secretary-General prepare a statement of programme budget implications for implementation of the mandates contained in the Global Programme of Action for submission to the Assembly at its forty-fifth session.

ECONOMIC AND SOCIAL COUNCIL ACTION

The Economic and Social Council, on 27 July, adopted resolution 1990/84.

Implementation of the Global Programme of Action adopted by the General Assembly at its special session devoted to the question of international co-operation against illicit production, supply, demand, trafficking and distribution of narcotic drugs

The Economic and Social Council,

Recalling General Assembly resolution 44/141 of 15 December 1989 and decision 44/410 of 14 November 1989,

Noting that the Committee for Programme and Co-ordination, at the first part of its thirtieth session, recommended, inter alia, that General Assembly resolution S-17/2 of 23 February 1990 be fully reflected in the proposed medium-term plan,

Reaffirming the fundamental importance of the Global Programme of Action adopted by the General Assembly in its resolution S-17/2,

1. Strongly affirms the need for the full implementation of all the mandates and activities included in the Global Programme of Action adopted by the General Assembly at its seventeenth special session and for the effective follow-up thereof;

2. Requests the Secretary-General to submit a statement of the programme budget implications of all mandates and activities included in the Global Programme of Action, in a timely manner, to the relevant committees of the General Assembly at its forty-fifth session, in accordance with the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation, in order to provide Member States with a detailed and precise specification of the mandates and activities of the United Nations drug control units and the extent and nature of the resources required to fully implement their responsibilities.

Economic and Social Council resolution 1990/84

27 July 1990 Meeting 37 Adopted without vote

Approved by Third Committee (E/1990/117) without vote. 20 July (meeting 15); draft by Austria (E/1990/C.3/L.21); agenda item 11.

In October, the Secretary-General submitted to the forty-fifth session of the General Assembly a report [A/45/536] on the Global programme of Action against illicit narcotic drugs, in which he reported on plans for monitoring implementation of the Global Programme of Action by the UN system and Governments.

The Secretary-General said that the System-wide Action Plan (see p. 870), which had been amended at the request of the Economic and Social Council in resolution 1990/87 of 27 July, detailed the actions that had been taken by the UN system to implement the mandates of the Global Programme of Action and identified those activities mandated but not yet or not fully carried out and the resources needed to implement fully all existing and new mandates. In addition, the 1990 annual report [A/45/542] on international co-operation in drug abuse control had been presented in a modified format to reflect the actions taken by the UN system to implement the recommendations contained in the Comprehensive Multidisciplinary Outline of Future Activities in Drug Abuse Control, adopted by the 1987 International Conference on Drug Abuse and Illicit Trafficking [YUN 1987, p. 901], and those taken to implement the mandates of the Global Programme of Action.

With respect to UN action to monitor implementation of the Global Programme of Action by

Governments, the Secretary-General suggested that the Assembly keep in mind the already cumbersome obligations of Governments to answer questionnaires on their activities pursuant to drug control treaties and the Comprehensive Multidisciplinary Outline and request the Commission on Narcotic Drugs at its forty-fourth session to review existing questionnaires with a view to reducing their number through consolidation and simplification.

Also in October, pursuant to the July request of the Economic and Social Council, the Secretary-General submitted a statement of programme budget implications of all mandates and activities included in the Global Programme of Action [A/C.5/45/27]. The Secretary-General requested an appropriation of \$911,900 for activities in 1991 (net of staff assessment).

By a 20 April letter [A/45/262] addressed to the Secretary-General, the United Kingdom transmitted the text of the London Declaration of the World Ministerial Summit to Reduce the Demand for Drugs and to Combat the Cocaine Threat, and requested that it be circulated as an official document of the General Assembly. The World Ministerial Summit was held in association with the United Nations in London (9-11 April).

GENERAL ASSEMBLY ACTION

On 18 December, the General Assembly adopted resolution 45/148.

Implementation of the Global Programme of Action against illicit production, supply, demand, trafficking and distribution of narcotic drugs and psychotropic substances

The General Assembly,

Recalling its resolutions 44/16 of 1 November 1989 and 44/141 of 15 December 1989, and taking note of Economic and Social Council resolution 1990/84 of 27 July 1990,

Fully aware that the international community is confronted with the dramatic problem of drug abuse and the illicit cultivation, production, demand, processing, distribution and trafficking of narcotic drugs and psychotropic substances and that States need to work at the international level as well as individually to deal with this scourge,

Stressing the important role of the United Nations, its relevant bodies and the specialized agencies in the fight against drug abuse at the national, regional and international levels,

Recalling the Political Declaration and the Global Programme of Action adopted by the General Assembly at its seventeenth special session on 23 February 1990,

Recognizing the continuing importance and validity of the Declaration and the Comprehensive Multidisciplinary Outline of Future Activities in Drug Abuse Control, as adopted by the International Conference

on Drug Abuse and Illicit Trafficking, and the Declaration adopted at the World Ministerial Summit to Reduce the Demand for Drugs and to Combat the Cocaine Threat, held in London from 9 to 11 April 1990,

1. Reaffirms the commitment expressed in the Global Programme of Action and the Comprehensive Multidisciplinary Outline of Future Activities in Drug Abuse Control;

2. Calls upon States to take all possible steps to promote and implement individually and in co-operation with others the mandates and recommendations contained in the Global Programme of Action, with a view to translating the Programme into practical action to the widest possible extent at the national, regional and international levels;

3. Requests the Commission on Narcotic Drugs and the United Nations drug control programme, once established, to promote and continuously monitor the progress on the implementation of the Global Programme of Action;

4. Requests the Secretary-General to report annually to the General Assembly on all activities relating to the Global Programme of Action, including those of Governments;

5. Calls upon the United Nations and its relevant bodies and specialized agencies, other relevant inter-governmental organizations and non-governmental organizations to extend their co-operation and assistance to States in the promotion and implementation of the Global Programme of Action;

6. Requests the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

General Assembly resolution 45/148

18 December 1990 Meeting 69 Adopted without vote
Approved by Third Committee (A/45/764) without vote, 29 November (meeting 57); 40.nation draft (A/C.3/45/L.41); agenda item 108.

Meeting numbers. GA 45th session: 3rd Committee 26-34,43,57; plenary 69.

UN mechanisms

Conventions

INCB reported that, as at 31 December 1990, 129 States were parties to the 1961 Single Convention on Narcotic Drugs [YUN 1961, p. 382] in its original form or amended by the 1972 Protocol [YUN 1972 p. 397]. During the year, four States (Bahrain, Cape Verde, Malta and Suriname) became parties to the Convention, and two States (New Zealand and Suriname) became parties to the 1972 Protocol.

The number of parties to the 1971 Convention on Psychotropic Substances [YUN 1971, p. 380] stood at 103 as at 31 December. During the year, 10 countries became parties to the Convention: Bahrain, Bangladesh, Cape Verde, Ghana, Guinea, Japan, Malta, New Zealand, Singapore and Suriname.

INCB urged Governments that had not done so to become parties to the Conventions. The Board expressed its hope that those countries which had announced their intention to that effect a number of years ago would become parties without further delay. A request for ratification of or accession to the Conventions was also formulated in paragraph 55 of the Global Programme of Action (resolution S-17/2, above), adopted by the General Assembly at its special session in February.

On 11 November, the 1988 United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances [YUN 1988, p. 690] entered into force. As at 31 December, 31 States and the European Economic Community were parties to the Convention.

During the year, 27 States and the European Economic Community ratified, acceded to or approved the Convention. Those States were: Bahrain, Bangladesh, Bhutan, Bolivia, the Byelorussian SSR, Canada, Chile, Cyprus, Ecuador, France, Ghana, Grenada, Guinea, India, Italy, Jordan, Mexico, Nicaragua, Paraguay, Qatar, Spain, Togo, Tunisia, Uganda, the USSR, the United Arab Emirates and the United States.

INCB welcomed the entry into force of the Convention as a further demonstration of the determination of the international community to fight against the trafficking menace. It urged all States which had not already done so to become parties at the earliest possible time. The Board also urged all States to respond affirmatively to the resolutions of the General Assembly and the Economic and Social Council recommending that they provisionally apply the provisions of the Convention to the greatest extent possible even before formally becoming parties. It reiterated the urgent need for Governments to impose appropriately stringent penalties on traffickers, as well as to apply provisions of the 1988 Convention relating to money laundering, seizure of assets and extradition.

In an October report [A/45/495], the Secretary-General noted that in April the Division of Narcotic Drugs had launched a special campaign for adherence to international drug-control treaties, in response to General Assembly resolution 44/140 [YUN 1989, p. 716] and as contained in the Global Programme of Action. Notes had been sent out to all States not parties to one or more drug-control treaties, recalling their individual situations and offering to provide them with model forms of accession and to assist them in overcoming procedural and substantive difficulties.

The Commission on Narcotic Drugs, on 29 January, decided to include alpha-methylthiofentanyl, para-fluorofentanyl, beta-hydroxyfentanyl, beta-hydroxy-3-methylfentanyl, thiofentanyl and 3-methylthiofentanyl in Schedules I and IV of the 1961 Single Convention.

GENERAL ASSEMBLY ACTION

On 18 December, the General Assembly adopted resolution 45/146.

Implementation of the United Nations 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, 338/93 and 38/122 of 16 December 1983, 39/141 and 39/143 of 14 December 1984, 40/120, 40/121 and 40/122 of 13 December 1985, 41/125, 41/126 and 41/127 of 4 December 1986, 42/111, 42/112 and 42/113 of 7 December 1987, 43/120 of 8 December 1988 and 44/140 of 15 December 1989 and other relevant provisions,

Reaffirming the importance of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 for improving international co-operation in that field and further strengthening the existing international instruments for the control of narcotic drugs and psychotropic substances, namely, the Single Convention on Narcotic Drugs of 1961, and that Convention as amended by the 1972 Protocol, and the Convention on Psychotropic Substances of 1971,

Welcoming the entry into force of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 on 11 November 1990, the necessary number of ratifications and accessions having been reached,

Expressing its satisfaction with the work thus far done by the Division of Narcotic Drugs of the Secretariat relating to the establishment of various measures to assist States to become parties to the Convention and provisionally implement its provisions, as well as with the inclusion of legal and technical assistance to States to these ends in the programme of work of the Division for the biennium 1990-1991,

Taking note of the Political Declaration and the Global Programme of Action adopted by the General Assembly at its seventeenth special session, held from 20 to 23 February 1990, as well as the Declaration of the World Ministerial Summit to Reduce the Demand for Drugs and to Combat the Cocaine Threat, held in London from 9 to 11 April 1990,

Bearing in mind the Ministerial Meeting on the Consumption, Production and Traffic of Illicit Drugs, held at Ixtapa, Mexico, from 17 to 20 April 1990.

Taking note of the report of the commission on Narcotic Drugs on its eleventh special session, held at Vienna from 29 January to 2 February 1990, and in particular of the measures adopted by this United Nations standard-setting body relating to the entry into force and the provisional application of the Convention,

1. Urges States that have not yet done so to proceed as soon as possible to ratify or accede to the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, in order to make its provisions more universally effective;

2. Also urges states to establish the necessary legislative and administrative measures so that their internal juridical regulations may be compatible with the spirit and the scope of the Convention;

3. Invites States, to the extent that they are able to do so, to apply provisionally the measures set forth in the Convention, pending its entry into force for each of them, and, in particular, to bear in mind the advisory services available for this purpose from the Division of Narcotic Drugs of the Secretariat;

4. Once again urges all States that have not yet done so to ratify or accede to the Single Convention on Narcotic Drugs of 1961, and that Convention as amended by the 1972 Protocol, and the Convention on Psychotropic Substances of 1971;

5. Requests the Secretary-General to assign appropriate priority to providing the Division of Narcotic Drugs and the secretariat of the International Narcotics Control Board with the necessary financial, technical and human resources that would enable them to carry out their additional responsibilities under the Convention for the biennium 1990-1991 without prejudice to the provisions of any resolution authorizing a reform of the United Nations structure for international drug abuse control;

6. Once again request the Secretary-General, within existing resources and drawing, in particular, on funds available to the Department of Public Information of the Secretariat, to provide, facilitate and encourage public information activities relating to the Convention;

7. Requests the Secretary-General to report to the General Assembly at its forty-seventh session on the implementation of the present resolution.

General Assembly resolution 45/146

18 December 1990 Meeting 69 Adopted without vote
Approved by Third Committee (A/45/764) without vote, 30 November (meeting 59); 63-nation draft (A/C.3/45/L.39/Rev.1); agenda item 108.
Meeting numbers. GA 45th session: 3rd Committee 28.34,43,59; plenary 69.

International Narcotics Control Board

In its 1990 report [E/INCB/1990/1], INCB provided a comprehensive overview of illicit production, trafficking and abuse of drugs and summarized the operations of the international drug control system (see p. 850).

In carrying out its specific responsibilities under international treaties, the Board acted in co-operation with Governments and maintained a continuous dialogue with them to further the aims of the treaties. The information provided by Governments enabled the Board to study the licit movement of narcotic drugs, thereby ensuring that the provisions of the drug control conventions were strictly observed. The information, published annually by the Board, was used by

Governments to verify whether they had adequately applied the conventions' provisions.

In its annual report, the Board drew attention to gaps and weaknesses in national control and in treaty compliance, and made suggestions and recommendations for improvements at both the national and international levels.

The Board collaborated with other international bodies concerned with drug control, including not only the Economic and Social Council and its Commission on Narcotic Drugs but also relevant UN specialized agencies, especially the World Health Organization (WHO), and bodies outside the UN system such as the International Criminal Police Organization (Interpol). Daily co-operation took place with the Division of Narcotic Drugs and the United Nations Fund for Drug Abuse Control (UNFDAC).

The report stated that illicit production, trafficking and abuse of drugs, together with attendant escalating violence, continued seriously to imperil not only public health in virtually all countries but also the very lives of political leaders, public officials and private citizens in some countries. During the year, well-financed and heavily armed criminal-trafficking organizations wantonly murdered presidential candidates and scores of innocent victims, many of them children. Despite those developments, the democratic institutions in two countries under siege by traffickers, Colombia and Peru, had survived. Trafficking organizations, often in conjunction with terrorists, continued to forge links within countries, within regions and interregionally.

The Board reiterated that the response of the international community to the traffickers must be even more forceful, comprehensive and innovative. Priority should be accorded to enacting and vigorously pursuing comprehensive measures to contain and reduce the illicit demand for drugs; denying traffickers opportunities to launder their ill-gotten gains; preventing drug traffickers from acquiring chemical precursors, arms, sophisticated weaponry, aircraft and ships; and providing large-scale integrated rural development assistance to enable cultivators of illicit crops to make their living through licit agricultural or other enterprises and expanding marketing possibilities and establishing fair export prices for alternative economic activities.

INCB expressed its concern about the increasing number of AIDS cases related to intravenous drug abuse, mainly in metropolitan areas in a number of countries, and the mounting number of congenital HIV infection in the newborn. It was essential to adopt measures that might decrease the sharing of hypodermic needles among

intravenous drug abusers to reduce the spread of AIDS.

The Economic and Social Council, by decision 1990/220 of 24 May, took note of the report of the Board for 1989 [E/INCB/1989/1].

System-wide Action Plan

In February, the Secretary-General, pursuant to General Assembly resolution 44/141 [YUN 1989, p. 720], reported to the seventeenth special session of the Assembly on the ongoing work towards the development of a system-wide plan of action on drug abuse control [A/S-17/2 & Corr.1]. He stated that consultations were held between the Division of Narcotic Drugs of the Secretariat, INCB and its secretariat and UNFDAC to develop a draft framework for the plan of action. A preliminary draft outline was circulated to all agencies participating in the Administrative Committee on Co-ordination in January 1990.

The plan was reviewed by the Ad Hoc Inter-Agency Meeting on Co-ordination in Matters of International Drug Abuse Control (Vienna, 5 February) [ACC/1990/PG/1], which agreed that it be revised to take account of the views expressed at that meeting, and the decisions to be taken by the General Assembly at its seventeenth special session as contained in the Global Programme of Action (see above). Consultations were again held in March with participating entities, and comments received by 21 March were taken into account in the preparation of the text.

Report of Secretary-General. In a 1 May report [E/1990/39 & Corr.1,2], the Secretary-General presented the United Nations System-wide Action Plan on Drug Abuse Control. The Plan was to strengthen international co-operation and the UN response in an area where the Organization had a unique leading role. Its aim was the full implementation of all existing drug control mandates of every entity of the UN system and of subsequent decisions of intergovernmental bodies through the UN system. The Plan consisted of two parts. The first dealt with operational activities, in particular those of UNFDAC. The second part outlined the roles of substantive drug control units of the UN Secretariat, of other UN entities and of the specialized agencies. It addressed five areas: strengthening the licit drug control system; prevention and reduction of the illicit demand for drugs; treatment and rehabilitation; elimination of the supply of drugs from illicit sources; and suppression of illicit drug traffic. Concrete activities that each agency should undertake were identified, as well as a time-frame for implementation and an assessment of

the resources available and of additional resources required.

The Secretary-General said that to achieve the goal of an international society free of illicit drugs and drug abuse, a comprehensive and balanced approach should be followed. Both the illicit supply of drugs and the illicit demand for drugs should be reduced and eventually eliminated. Vigorous action should be taken to break the distribution link between demand and supply—that is, illicit traffic. He stressed that an important deterrent to both the demand for and the supply of illicit drugs, as well as drug trafficking, was the presence of effective and enforceable legal sanctions at the national level, between States and at the international level. The response of the UN system must be multidisciplinary in character and considered within the socio-economic context of each country, while also taking into account the national, cultural and social settings. Accordingly, Governments might find it advisable, in so far as they had not already done so, to set up co-ordinating mechanisms or to strengthen existing machinery by establishing a national drug-abuse control strategy.

CPC action. On 31 May, at its thirtieth session [A/45/16], the Committee for Programme and Co-ordination (CPC) considered the UN System-wide Action Plan on Drug Abuse Control. The Committee decided to transmit the Plan to the Economic and Social Council and called the attention of the Council to the need for a revised version fully incorporating all mandates and activities included in the Global Programme of Action for timely submission to the General Assembly at its forty-fifth session.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 27 July 1990, the Economic and Social Council adopted resolution 1990/87.

United Nations System-wide Action Plan on Drug Abuse Control

The Economic and Social Council,

Recalling General Assembly resolution 44/141 of 15 December 1989, in which the Assembly requested the Secretary-General, in his capacity as Chairman of the Administrative Committee on Co-ordination, to co-ordinate at the inter-agency level the development of a United Nations system-wide action plan on drug abuse control aimed at the full implementation of all existing mandates and subsequent decisions of intergovernmental bodies throughout the United Nations system,

Noting that the Administrative Committee on Co-ordination has presented the United Nations System-wide Action Plan on Drug Abuse Control to all Member States,

Noting also that the Committee for Programme and Co-ordination considered the United Nations System-wide Action Plan on Drug Abuse Control at the first

part of its thirtieth session, held from 7 May to 11 June 1990,

Recognizing the commendable efforts of the Secretary-General in the development of the United Nations System-wide Action Plan on Drug Abuse Control as an instrument to facilitate co-ordination, complementarity and non-duplication in drug control activities within the United Nations system and recognizing also that further efforts are needed to improve the methodology used for its preparation and updating,

Recognizing further that the United Nations System-wide Action Plan on Drug Abuse Control should adequately reflect the balance achieved in the Global Programme of Action adopted by the General Assembly in its resolution S-17/2 of 23 February 1990,

Recalling that the Secretary-General has appointed a group of experts to advise and assist him in order to enhance the efficiency of the United Nations structure for drug abuse control, as requested in General Assembly resolution 44/141, and thus the United Nations System-wide Action Plan on Drug Abuse Control may need to be updated in the light of further relevant decisions that may be made by the General Assembly,

1. Takes note of the report of the Secretary-General on the United Nations System-wide Action Plan on Drug Abuse Control;

2. Endorses the conclusions and recommendations contained in the report of the Committee for Programme and Co-ordination with regard to the United Nations System-wide Action Plan on Drug Abuse Control;

3. Stresses the need to revise the United Nations System-wide Action Plan on Drug Abuse Control in time for the forty-fifth session of the General Assembly in order to incorporate fully all the mandates and activities contained in the Global Programme of Action adopted by the Assembly in its resolution S-17/2 and to comply with the guidelines set out by the Assembly in its resolution 44/141.

Economic and Social Council resolution 1990/87

27 July 1990 Meeting 37 Adopted without vote

Approved by Third Committee (E/1990/116) without vote, 20 July (meeting 151); 37-nation draft (E/1990/C.3/L.12/Rev.1), orally revised; agenda item 10.

Responding to the request of the Council, the Ad Hoc Inter-Agency Meeting on Co-ordination in Matters of International Drug Abuse Control (Geneva, 12-14 September) [Acc/1990/PG/7] agreed on proposals for amending the Plan. It also agreed that the Plan could be used for intensifying inter-agency co-operation in key areas and the linkages between related programmes.

In October, the Secretary-General submitted the proposed revisions to the Council in an addendum [E/1990/39/Add.1] to his May report.

In resolution 45/179 of 21 December (see p. 874), the General Assembly requested the Secretary General to review the revised System-wide Action Plan in the light of the structural changes decided on in that resolution, which included the creation of a single drug-control pro-

gramme to be called the United Nations International Drug Control Programme.

United Nations Fund for Drug Abuse Control

During the year, UNFDAC continued to support Governments' efforts to prevent and control the various manifestations of drug abuse [E/CN.7/1991/10], and the marked expansion and intensification of UNFDAC activities in recent years continued. The 1990 budget of \$69.3 million enabled the provision of financial and technical assistance to 67 countries through 118 national-level drug-control projects. The Fund's work programme for 1990 also included 41 regional and global projects supporting a broad range of drug-control activities such as specialized training, advisory services, research, exchange of information and meetings. Of the total annual budget, 39 per cent was allocated to reducing the supply of illicit drugs; 28.5 per cent to reducing illicit demand; 25 per cent to strengthening control measures; 4.5 per cent to working arrangements with the United Nations Development Programme (UNDP); 2.5 per cent to administration and programme evaluation; and 0.5 per cent to research.

The continued expansion of UNFDAC's work programme required the adoption of measures to strengthen its management and evaluation. Those measures centred on: the early involvement of potential donor countries in the assistance for project design, formulation and evaluation; the extension and strengthening of electronic data processing systems for advancing office automation; the strengthening of the UNFDAC field advisers network in countries and regions where major multisectoral programmes supported by UNFDAC were under way; extended collaboration with UNDP, which was providing general support services to UNFDAC on the basis of the 1987 Working Arrangement; and extensive recourse to the United Nations Industrial Development Organization (UNIDO), which was providing administrative support for a number of projects. UNFDAC further strengthened its evaluation capacity with the creation of an evaluation unit, and continued the co-ordination of operations with other bilateral and multilateral drug-control activities, with attention to the involvement and support of UN entities and specialized agencies.

Among UNFDAC activities in 1990 in Latin America and the Caribbean were: a project to extend treatment and rehabilitation services in both State and private institutions in Argentina; a dairy farming and community development

project in Bolivia's Cochabamba and Chapare areas and a \$21.8-million programme of agricultural diversification and agro-industrial development at Los Yungas of La Paz; a \$12-million project in Brazil involving both supply and demand reduction; and prevention projects targeted at young people in Chile and Costa Rica. In Colombia, a new \$35.4-million project was launched encompassing sub-projects to prevent the spread of drug abuse and acquired immunodeficiency syndrome (AIDS); a treatment and rehabilitation project working with "street children" in Bogota; and two projects to halt the deteriorating drug abuse situation in metropolitan areas. In the supply-reduction sector, three integrated rural development projects were approved.

Among UNFDAC's activities in Asia and the Pacific were the improvement of roads and other physical infrastructure, agricultural training and applied research, and the provision of health services in the Lao People's Democratic Republic; supply- and demand-reduction projects in Malaysia; and a mission to Nepal to assess drug abuse problems and needs. In India, a \$20-million project entered its second year of operation, focusing on strengthening that country's Narcotics Control Bureau. In Pakistan, an UNFDAC evaluation mission recommended that the rural development project in Dir District be extended for two more years. In Thailand, six high-land development projects were being implemented with \$20 million of UNFDAC support.

In the Middle East and the Balkans, against the background of drug trafficking along the Balkan route from the eastern Mediterranean, through Eastern and Central Europe to established markets further west and north, UNFDAC undertook a subregional strategy to foster co-operation between the countries concerned. An UNFDAC mission visited Bulgaria, Greece, Hungary, Turkey and Yugoslavia in July.

UNFDAC granted assistance to Cyprus for the provision of telecommunications equipment, vehicles, computer training, and office and surveillance equipment for the police. A project was approved to support Egypt's pharmacy-control system and to undertake preventive education initiatives. UNFDAC also supported drug control activities in Jordan, Turkey and Yugoslavia.

In Africa, programmes were under way or in advanced planning stages in 31 countries. New projects began in Algeria, Benin, Cameroon, Gabon, Ghana, Guinea-Bissau, Kenya, Malawi, Mali, Mauritius, Senegal, Somalia and Zimbabwe. In Morocco, a \$2.6 million pilot project, aimed at beginning the elimination of cannabis production in the Rif area, entered its second year of operation.

United Nations Division of Narcotic Drugs

During the year, the Division of Narcotic Drugs continued to implement its ongoing responsibilities deriving from drug control treaties and mandates stemming from resolutions of the General Assembly, the Economic and Social Council and the Commission on Narcotic Drugs. The new responsibilities deriving from the adoption of the 1988 Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances [YUN 1988, p. 690] continued to strain the limited resources of the Division. Activities to publicize the Convention included the publication of a revised version of the booklet *The United Nations and Drug Abuse Control* and the issuance of the *Information Letter* every two months.

The work programme of the Division expanded in response to the increasingly urgent demand for services and advice from Member States. The Division continued to advise Governments on the formulation of national legislation related to drug abuse control and to provide relevant examples of existing legislation. In April, it sent notes to all States not yet parties to one or more international drug control treaties and to those States that had not yet ratified or acceded to the 1988 Convention, including information on their respective status of adherence and on services available at the Division. Several States responded with requests for assistance.

The Division carried out a wide range of activities in collaboration with government agencies, non-governmental organizations (NGOs) and educational institutions. It spearheaded promotional activities for the observance of the third International Day against Drug Abuse and Illicit Trafficking (26 June 1990), focusing on the theme "Demand reduction through community action". A booklet, *Preventing Drug Abuse: the Community at Work-Teachers' Contribution*, was issued, and a second booklet, *Grassroots Parent Movement*, was in preparation.

The Division's Laboratory continued its assistance efforts, providing equipment, material and information to national laboratories in Colombia, Egypt, Jordan, Pakistan and Uruguay. Under a project aimed specifically at Africa, eight such laboratories were completed in Botswana, Burkina Faso, Cape Verde, Gambia, Kenya, Togo, the United Republic of Tanzania and Zambia. Twenty-one fellows from 12 countries received three months of basic training at the Laboratory in Vienna, and 12 senior chemists from five countries received advanced training.

Continuing the Division's project on recommended methods for the analysis of seized material, over 2,000 copies of manuals on analysis of

substances were distributed to laboratories in some 90 countries. In support of law enforcement services to Member States, 261 UN field drug identification kits were provided to 25 countries.

The Division continued to act as the substantive secretariat to regional meetings of subsidiary organs of the Commission on Narcotic Drugs.

Activities of other UN agencies

United Nations Development Programme

Involvement of the United Nations Development Programme (UNDP) in drug-abuse control activities continued to be concentrated in Asia and the Pacific and in Latin America and the Caribbean. Because of the growing dimensions of the drug problem in the supplying countries and the developmental nature of the problem, UNDP was increasingly supporting the efforts of the Governments in those areas. A central theme of UNDP activity was to assist Governments in exploring and formulating alternative economic strategies that would reduce dependency on the drug economy as well as diminish the social impact of drug abuse on the population. A growing number of UNDP programmes were being executed by Governments and positive results had been obtained. Through its Office for Project Services (OPS), UNDP was closely associated in the implementation of the programme activities of the UN Fund for Drug Abuse Control (UNFDAC), mostly in Latin America and the Caribbean, and was also providing administrative support through its country field offices to Fund-supported programmes. In Bolivia, UNDP/OPS was executing the UNFDAC rural development project in the Yungas area of La Paz, and also provided administrative support for the implementation of community development activities in the area.

In the region of the Association of South-East Asian Nations (ASEAN), UNDP, in co-operation with UNFDAC, the United Nations Population Fund (UNFPA) and the United Nations Children's Fund (UNICEF), supported an integrated rural development project among the hill tribes in northern Thailand. By promoting the cultivation of alternative cash and food crops, as well as improved health conditions and overall standards of living, the project sought to discourage the cultivation of the opium poppy. UNDP also supported a regional project involving the six ASEAN countries to train personnel working in the field of drug rehabilitation.

International Fund for Agricultural Development

Drug abuse control activities of the International Fund for Agricultural Development (IFAD) were aimed at the elimination of the supply of drugs from illicit sources. In the context of its rural poverty alleviation programmes, IFAD provided drug producers with alternative income sources or employment on and off the farm. Poor rural communities were given improved social services and support so that they could be weaned away from the cultivation of illicit crops. They were provided with a "safety net" enabling them to enter the mainstream of legitimate community life and productivity. IFAD fostered the self-mobilization of communities through community development and training and awareness-raising campaigns. Most important, IFAD paid great attention to the marketing of new crops or surplus production. Most IFAD projects included extension of credit, improvement of support services (especially extension and adaptive research), community development, and, as was the case in Latin America, the development of new land for cultivation. A number of IFAD projects were intended to promote drug-crop substitution.

World Food Programme

The World Food Programme (WFP) supported rural development schemes providing alternatives to the production of narcotics, primarily the opium poppy. Its food aid could provide supplementary food rations to local farmers participating in such schemes, or finance local labour costs. WFP provided low-key but useful support to the activities of UNFDAC in Bolivia and Peru to contain the spread of coca-growing by improving the general economic and social condition of rural areas. In Bolivia, components of a \$16-million project to assist primary health care focused on areas in which the Fund was concentrating its efforts to prevent coca-bush cultivation. WFP food assistance also supported institutions dealing with the rehabilitation of drug addicts in a project in the Lao People's Democratic Republic.

World Health Organization

The World Health Organization (WHO) continued to improve the process for reviewing dependence-providing psychoactive substances for scheduling recommendations, and updated guidelines on the rational use of opiates and on the treatment of conditions for which they might be prescribed. The Director-General of WHO announced, on the occasion of the third International Day against Drug Abuse and Illicit Trafficking 26 June 1990, the creation of a new

WHO programme on substance abuse. WHO also gathered and disseminated data on drug-related morbidity and mortality, and its activities on the prevention of HIV/AIDS was often linked to the prevention of drug abuse. WHO acted as the executing agent for country programmes funded by UNFDAC, which included the development of demand reduction and treatment services; national programmes were under way in countries in five of the six WHO regions.

Enhancement of UN structure

In April, the Secretary-General, responding to General Assembly resolution 44/141 [YUN 1989, p. 720] in which the Assembly requested that a group of independent experts be established to help him strengthen the UN response to the worsening drug problem, taking into account the Organization's ability to perform its increasing tasks in the light of existing mandates and the decisions taken at its seventeenth special session (see p. 855), selected 15 international experts (from Hungary, India, Italy, Jamaica, Malaysia, Mexico, Morocco, Nigeria, Peru, Sweden, Thailand, Turkey, the USSR, the United Kingdom and the United States) to constitute the Group of Experts. The Group held three sessions in Vienna (28-29 May, 18-29 June and 23-27 July).

Report of Secretary-General. In an October report [A/45/652], the Secretary-General presented his conclusions on the enhancement of the efficiency of the UN structure for drug abuse control, based on the recommendations of the Expert Group [A/45/652/Add.1].

The Secretary-General concluded that the objective of enhancing the efficiency of the UN structure could be best achieved through securing a structure-both at the secretariat and inter-governmental levels-that would, in a most rational and effective way, ensure that the provisions of the relevant conventions were adhered to, and help facilitate such compliance; facilitate the implementation of the measures contained in the Comprehensive Multidisciplinary Outline of Future Activities in Drug Abuse Control adopted by the 1987 International Conference on Drug Abuse and Illicit Trafficking [YUN 1987, p. 901] and the Global Programme of Action (see p. 859); and ensure that the formulation and execution of operational activities were consistent with the provisions of the conventions, the Multidisciplinary Outline and the Global Programme of Action, and that appropriate legislative guidance was given in that respect.

To attain those objectives, he proposed a unified secretariat unit at Vienna (headed by an Assistant Secretary-General) responsible for treaty

implementation, policy implementation and research and operational activities; two services for treaty implementation: the secretariat of the International Narcotics Control Board (INCB) and the secretariat of the Commission on Narcotic Drugs; and for policy implementation and research, a division responsible for the implementation of policy decisions of the relevant UN legislative bodies, which would also do analytical work. Within that division, the Repository Service would deal with analysis of the annual reports of Governments on the implementation of the drug control treaties, central statistics, publications and references and the computerized information strategy. The Substantive Service would deal with supply reduction, demand reduction, suppression of illicit drug trafficking, central training and the laboratory. Concerning operational activities, there would be a division responsible for co-ordinating and carrying out technical co-operation projects. It would co-operate with organizations of the UN system, regional organizations, and governmental, intergovernmental and non-governmental organizations. Its Resources Mobilization Service would provide support to the head of the unified secretariat structure in fund-raising and backstop technical co-operation projects; its Project Operations Service would be responsible for monitoring the design and implementation of projects at the national and regional levels and would be organized along regional lines. The division would be financed from extrabudgetary resources of UNFDAC, which would be placed under the direct responsibility of the head of the unified secretariat structure.

The arrangements thus described would be named the United Nations International Drug Control Programme, functioning as an organizational unit within the UN Secretariat.

The Secretary-General stated that the measures outlined above would be implemented beginning on 1 January 1991.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/179.

Enhancement of the United Nations structure for drug abuse control

The General Assembly,

A/armed by the dramatic increase in drug abuse and illicit production and trafficking in narcotic drugs and psychotropic substances, which is threatening the health and well-being of millions of people in the majority of countries in the world,

Commending the determined efforts of Governments in the fight against drug abuse and illicit trafficking and recognizing the importance of support for such efforts by the United Nations system,

Noting with appreciation the significant work carried out within the United Nations system in the field of drug abuse control and the valuable knowledge, expertise and experience represented there,

Recognizing that the new dimensions taken on by the drug menace necessitates a more comprehensive and integrated approach to international drug control and a more efficient structure to ensure co-ordination, complementarity and non-duplication of activities across the United Nations system in order to use available resources in the most efficient way to enable the United Nations to play a central and greatly enhanced role in this field,

Recalling the Comprehensive Multidisciplinary Outline of Future Activities in Drug Abuse Control, as adopted by the International Conference on Drug Abuse and Illicit Trafficking on 26 June 1987, and the Global Programme of Action adopted by the General Assembly at its seventeenth special session on 23 February 1990:

Having considered the report of the Secretary-General,

Noting with appreciation the work carried out, pursuant to paragraph 4 of General Assembly resolution 44/141 of 15 December 1989, by the Group of Experts to advise and assist the Secretary-General on the enhancement of the efficiency of the United Nations structure for drug abuse control,

Recalling the need to ensure, in respect of recruitment to posts that are financed from the regular budget, the highest standards of efficiency, competence and integrity, and paying due regard to the importance of recruiting staff on as wide a geographical basis as possible, in accordance with Article 101 paragraph 3, of the Charter of the United Nations,

Emphasizing that the problem of drug abuse and illicit trafficking has to be dealt with within the broader economic and social contexts,

Underlining the role of the Commission on Narcotic Drugs, as the principal United Nations policy-making body on drug control issues and the independent role of the International Narcotics Control Board,

Underlining also the importance of the Single Convention on Narcotic Drugs of 1961, and that Convention as amended by the 1972 Protocol, the Convention on Psychotropic Substances of 1971 and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,

1. Takes note with appreciation of the report of the Secretary-General and the report of the Group of Experts, entitled "Drugs and the United Nations: meeting the challenge";

2. Welcomes the proposal of the Secretary-General to unify the United Nations structure for drug abuse control to enable the United Nations to strengthen its role as the main focus for concerted international actions for drug abuse control;

3. Requests the Secretary-General to create a single drug control programme, to be called the United Nations International Drug Control Programme, based at Vienna, and to integrate fully therewith the structures and the functions of the Division of Narcotic Drugs of the Secretariat, the secretariat of the International Narcotics Control Board and the United Nations Fund for Drug Abuse Control with the objective of enhancing the effectiveness and efficiency of the United Na-

tions structure for drug abuse control in keeping with the functions and mandates of the United Nations in this field;

4. Invites the Secretary-General to take the necessary steps in order to appoint a senior official at the level of Under-Secretary-General, who will execute the integration process and head the new integrated Programme starting from 1 January 1991 with the exclusive responsibility for co-ordinating and providing effective leadership for all United Nations drug control activities, in order to ensure coherence of actions within the Programme as well as co-ordination, complementarity and non-duplication of such activities across the United Nations system;

5. Also invites the Secretary-General to structure the United Nations International Drug Control Programme along the following lines:

(a) Treaty implementation, which would integrate, with due consideration to treaty arrangements, the functions of the secretariat of the International Narcotics Control Board and the treaty implementation functions of the Division of Narcotic Drugs, taking into account the independent role of the Board;

(b) Policy implementation and research, with responsibility for implementing policy decisions of the relevant legislative bodies and conducting analytical work;

(c) Operational activities, with responsibility for co-ordinating and carrying out the technical co-operation projects currently being executed mainly by the United Nations Fund for Drug Abuse Control, the Division of Narcotic Drugs and the secretariat of the International Narcotics Control Board;

6. Endorses the proposal of the Secretary-General to place the financial resources of the existing United Nations Fund for Drug Abuse Control under the direct responsibility of the head of the United Nations International Drug Control Programme as a fund for financing operational activities, mainly in developing countries;

7. Requests the Commission on Narcotic Drugs, at its thirty-fourth regular session, to consider ways and means of improving its functioning as a policy-making body and to submit its recommendations to the Economic and Social Council at its first regular session of 1991;

8. Requests the Secretary-General to transmit his report and that of the Group of Experts to the Commission on Narcotic Drugs at its thirty-fourth regular session so that they can be taken into account when the Commission discusses ways and means of improving its functioning;

9. Requests the Economic and Social Council, as a matter of urgency at its first regular session of 1991, giving due consideration to the recommendations of the Commission on Narcotic Drugs, to undertake a review of the functioning of the Commission on Narcotic Drugs and decide on the appropriate changes needed to improve it;

10. Requests the Secretary-General to review the United Nations System-Wide Action Plan on Drug Abuse Control, as devised, including all mandates and recommendations established by the Global Programme of Action in the light of structural changes decided on in the present resolution;

11. Underlines that the United Nations International Drug Control Programme should give priority to the implementation of the recommendations contained in the Comprehensive Multidisciplinary Outline of Future Activities in Drug Abuse Control, as well as the mandates and recommendations in the Global Programme of Action;

12. Requests that the appropriation within the regular budget of the United Nations currently allocated to the secretariat of the International Narcotics Control Board and the Division of Narcotic Drugs be reallocated to the United Nations International Drug Control Programme in accordance with the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation, and invites the Secretary-General to ensure that adequate financial and other resources are allocated to the Programme to enable it to discharge its functions effectively;

13. Decides that the operational programme and related support costs currently financed from voluntary contributions shall, upon the establishment of the United Nations International Drug Control Programme, continue to be borne from voluntary contributions;

14. Requests the Secretary-General to submit to the General Assembly at its forty-sixth session a report on the measures taken to implement the present resolution.

General Assembly resolution 45/179

21 December 1990 Meeting 71 Adopted without vote

Approved by Third Committee (A/45/764) without vote, 4 December (meeting 62); 50-nation draft (A/C.3/45/L.44), orally revised; agenda item 108.

Financial implications. ACABQ. A/45/7/Add.11; 5th Committee, A/45/893; S-G. A/c.3/45/L.67, A/C.5/45/64.

Meeting numbers. GA 45th session: 3rd Committee 28-34, 43, 62; 5th Committee 46, 50; plenary 71.

On 21 December, in resolution 45/248 B, section IV, the General Assembly requested the Secretary-General to propose a comprehensive restructuring of UN entities in Vienna with a view to the speedy implementation of the expressed wish of the Assembly both to strengthen the UN Office at Vienna and to consolidate the UN drug structures under the authority of an Under-Secretary-General.

Other matters

Eleventh special session of Narcotic Drugs Commission

The Commission on Narcotic Drugs held its eleventh special session in Vienna (29 January-2 February) [E/1990/24]. It adopted 8 resolutions on various drug control issues as well as 11 decisions.

The Commission dealt with matters relating to the seventeenth special session of the General Assembly (see p. 855); implementation of interna-

tional drug control treaties; the report of the International Narcotics Control Board for 1989; the entry into force and provisional application of the 1988 United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances [YUN 1988, p. 690]; the medium-term plan for the period 1992-1997 concerning the drug control programme; development and promotion of more effective action against illicit drug trafficking through regional co-operation in drug law enforcement; and the interim report of the United Nations Fund for Drug Abuse Control.

It also acted on the inclusion of certain substances in Schedules I and IV of the 1961 Single Convention on Narcotic Drugs [YUN 1961, p. 382] as amended by the 1972 Protocol [YUN 1972, p. 397], or under Schedules I and IV of the 1971 Convention on Psychotropic Substances [YUN 1971, p. 380]. In addition, it also recommended draft decisions to the Economic and Social Council concerning applications by Bahrain, Qatar and the Syrian Arab Republic for membership in the Sub-Commission on Illicit Drug Traffic and Related Matters in the Near and Middle East.

The Council, by decision 1990/221 of 24 May, took note of the Commission's report on its eleventh special session.

Demand reduction

In a December report [E/CN.7/1991/19], the Secretary-General provided an overview of the achievements of targets in the area of prevention and reduction of illicit demand for narcotic drugs by region and by international organizations. The report also summarized the responses to a questionnaire on the implementation of the seven targets on demand reduction of the 1987 Comprehensive Multidisciplinary Outline of Future Activities in Drug Abuse Control [YUN 1987, p. 901], which the Economic and Social Council had requested the Secretary-General to issue [YUN 1989, p. 725]. As at 1 September, replies had been received from 44 Governments and eight inter-governmental organizations.

INCB, in its 1990 report [E/INCB/1990/1], stated that one of the most critical and intractable components of the drug problem was the containment and reduction of spreading illicit demand since it involved influencing and modifying human behaviour. Unless progress towards that end was made and sustained, success in eradicating illicit cultivation and production of narcotic drugs as well as clandestine manufacture of psychotropic substances could only be temporary. The first World Ministerial Summit to Reduce the Demand for Drugs and to Combat the Cocaine

Threat (London, 9-11 April) constituted one of the most significant events of 1990 in the fight against drug abuse. The Declaration adopted by the Summit provided a comprehensive framework and set out a broad international commitment.

Narcotics raw material for licit use

In 1990, INCB continued to monitor the demand and supply of opiates for medical and scientific needs. It stated that in 1989, the last year for which complete figures were available, world consumption of various opiates amounted to approximately 200 metric tons in morphine equivalent. Codeine continued to account for a substantial part, totalling 150 tons in morphine equivalent. Dihydrocodeine consumption rose to 15 tons in morphine equivalent, following a decrease in 1988, and morphine consumption grew also, to nearly 6 tons. Annual global production from 1986 had been, on an average, 40 tons below global consumption, thus reducing excess stock of raw material.

In 1990, INCB requested Governments to provide information on actions taken to carry out the recommendations contained in the 1989 special report [YUN 1989, p. 726] on demand for and supply of opiates for medical and scientific needs.

INCB also requested Governments to ensure that medical instructors and professional medical associations were urged to promote the rational use of opiates for medical purposes, while at the same time ensuring they would not be abused.

ECONOMIC AND SOCIAL COUNCIL ACTION

The Economic and Social Council on 24 May adopted resolution 1990/31.

Demand for and supply of opiates for medical and scientific purposes

The Economic and Social Council,⁴

Recalling its resolutions 1979/8 of 9 May 1979, 1980/20 of 30 April 1980, 1981/8 of 6 May 1981, 1982/12 of 30 April 1982, 1983/3 of 24 May 1983, 1984/21 of 24 May 1984, 1985/16 of 28 May 1985, 1986/9 of 21 May 1986, 1987/31 of 26 May 1987, 1988/10 of 25 May 1988 and 1989/15 of 22 May 1989,

Emphasizing once again that achieving a balance between the licit supply of opiates and the legitimate demand for opiates for medical and scientific purposes constitutes an important aspect of the international strategy and policy of drug abuse control and that resolving the problem of excess stocks of opiate raw materials is an essential step in that direction,

Noting the fundamental need for international co-operation and solidarity in overcoming the problem of excess stocks, which imposes heavy financial and other burdens on the traditional supplier countries.

Having considered the special report of the international Narcotics Control Board for 1989 on the demand

for and supply of opiates for medical and scientific needs, and the recommendations contained therein,

1. Urges all Governments to give serious consideration to ways to bring about a rapid improvement in solving the problem of excess stocks of opiate raw materials held by the traditional supplier countries;

2. Commends the International Narcotics Control Board for its special report on the demand for and supply of opiates for medical and scientific needs, in which the Board, *inter alia*, highlighted the impediments to the availability of opiates for medical use, which impediments make it difficult to assess the full licit medical needs for opiates realistically;

3. Requests the International Narcotics Control Board to accord priority to monitoring the implementation of the recommendations contained in the above-mentioned report;

4. Requests the World Health Organization to develop guidelines on the rational use of opiates and on the treatment of conditions for which opiates may be prescribed, with a view to assisting Governments in evolving national policy in this regard;

5. Requests the Secretary-General to transmit the present resolution to all Governments for consideration and implementation.

Economic and Social Council resolution 1990/31

24 May 1990 Meeting 13 Adopted without vote

Approved by Second Committee (E/1990/67) without vote, 3 May (meeting 4); draft by Commission on Narcotic Drugs (E/1990/24); agenda item 6

Economic and social consequences of drug abuse

In response to General Assembly resolution 44/142 [YUN 1989, p. 717], the Secretary-General convened the meeting of the Intergovernmental Expert Group to Study the Economic and Social Consequences of Illicit Traffic in Drugs (Vienna, 21-25 May and 9-20 July).

The Group, made up of 20 experts, had before it several background documents related to the subject of the study. Country reports were received for Bolivia, Colombia and the United States; analytical contributions were provided by experts from Egypt, France, India, the Netherlands, Senegal, Spain, Switzerland and the United Kingdom. In view of the wide scope of its mandate and the complex issues covered by it, the Expert Group, following the consideration of its mandate, drew up a preliminary study setting out the framework for a future in-depth, full-scale study dealing with the illicit market and its main characteristics; the production of illicit drugs; and the consumption and distribution of illicit drugs. Because of the limited time available and the inadequacy of data concerning illicit traffic, drug abuse and financial flows related to drug trafficking, the Expert Group was unable to undertake such an in-depth study. However, the Expert Group submitted 18 recommendations

[A/C.3/45/8] covering the collection of data and preparation of annual estimates of the illicit drug situation; an analytical study to establish and quantify the link between illicit drug trafficking and external debt; measures to combat money laundering; and other matters related to study and treatment of the problem of illicit trafficking.

Drug abuse and international law

On 18 December, the General Assembly adopted resolution 45/147.

Respect for the principles enshrined in the Charter of the United Nations and international law in the fight against drug abuse and illicit trafficking

The General Assembly,

Conscious that the adoption of the Political Declaration and the Global Programme of Action at the seventeenth special session of the General Assembly, devoted to the question of international co-operation against illicit production, supply, demand, trafficking and distribution of narcotic drugs and psychotropic substances, was an important step in the harmonization of the efforts of all to combat this scourge of mankind,

Reaffirming the purpose of the United Nations to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace,

Convinced that an intensification of international co-operation and concerted action among States is the fundamental basis for confronting the problem of drug abuse and illicit trafficking,

Recognizing that the international fight against illicit trafficking should be pursued in full conformity with the principles enshrined in the Charter of the United Nations, and the principles of international law, particularly respect for the sovereignty and territorial integrity of States, non-interference in the internal affairs of States, and non-use of force or the threat of force in international relations,

1. Reaffirms that the fight against drug abuse and illicit trafficking should continue to be based on strict respect for the principles enshrined in the Charter of the United Nations and international law, particularly respect for the sovereignty and territorial integrity of States, non-interference in the internal affairs of States; and non-use of force or the threat of force in international relations;

2. Calls upon all States to intensify their actions to promote effective co-operation in the efforts to combat drug abuse and illicit trafficking, so as to contribute to a climate conducive to achieving this end, and to refrain from using the issue for political purposes;

3. Affirms that the international fight against drug trafficking should not in any way justify violation of the principles enshrined in the Charter of the United Nations and international law, particularly the right of all peoples freely to determine, without external interference, their political status and to pursue their economic, social and cultural development, and that every

State has the duty to respect this right in accordance with the provisions of the Charter;

4. Invites the Secretary-General to give due consideration to principles set out in the present resolution in a report to the General Assembly at its forty-sixth session;

5. Decides to consider at its forty-sixth session the question of respect for the principles enshrined in the Charter of the United Nations and international law in the fight against drug abuse and illicit trafficking, under the item entitled "International action to combat drug abuse and illicit trafficking".

General Assembly resolution 45/147

18 December 1990 Meeting 69 Adopted without vote

Approved by Third Committee (A/45/764) without vote, 29 November (meeting 57); 6-nation draft (A/C.3/45/L.40), orally revised; agenda item 108.

Sponsors: Bolivia, Colombia, Cuba, Ecuador, Mexico, Peru.

Meeting numbers. GA 45th session: 3rd Committee 28-34,43,57; plenary 69.

Regional co-operation in drug law enforcement

During 1990, the following Meetings of Heads of National Drug Law Enforcement Agencies (HONLEA) were held: Third Meeting of Heads of National Drug Law Enforcement Agencies, Africa (Cairo, Egypt, 4-8 June) [E/CN.7/1991/2 & Corr.1]; Third Meeting of Heads of National Drug Law Enforcement Agencies, Latin America and the Caribbean (Oranjestad, Aruba, 24-28 September) [E/CN.7/1991/3 & Corr.1,2]; and Fifteenth Meeting of Heads of National Drug Law Enforcement Agencies, Asia and the Pacific (Beijing, 15-19 October) [E/CN.7/1991/4].

In response to Economic and Social Council resolution 1988/15 [YUN 1988, p. 690], the Commission on Narcotic Drugs considered a December note [E/CN.7/1991/22] on the meetings of HONLEA.

The Commission's attention was drawn to a new approach followed by the HONLEA meetings, which emphasized the identification of urgent issues facing drug law enforcement agencies in the fight against illicit traffic in the various regions and the establishment of working groups to discuss those issues with a view to finding acceptable countermeasures to be implemented at the national and regional levels. By facilitating the consideration of sensitive matters in a direct, informal manner, the new approach had produced valuable results. The Commission was invited to endorse the new approach, recommend ways of further improving the working methods of HONLEA meetings and identify items that the meetings should deal with in the future.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 24 May, the Economic and Social Council adopted resolution 1990/30.

Establishment of Meeting of Heads of National Drug Law Enforcement Agencies, European Region
The Economic and Social Council,

Recalling section I of General Assembly resolution 43/122, of 8 December 1988, in which the Assembly requested that consideration be given to the convening of regional meetings of heads of national drug law enforcement agencies in regions where they had not yet been held,

Aware that the General Assembly, in its resolution 44/142 of 15 December 1989, took note with satisfaction of the results of the Second Interregional Meeting of Heads of National Drug Law Enforcement Agencies, held at Vienna from 11 to 15 September 1989:

Aware of the recommendation made by the Interregional Meeting that the Commission on Narcotic Drugs should take the necessary steps to establish a meeting of heads of national drug law enforcement agencies, European Region, to further promote technical regional co-operation,

Recalling that the General Assembly, in section I of resolution 43/122, noted with satisfaction the valuable work of the meetings of heads of national drug law enforcement agencies, in particular the Second Meeting of Heads of National Drug Law Enforcement Agencies, African Region, held at Dakar from 18 to 22 April 1988, the Second Meeting of Heads of National Drug Law Enforcement Agencies, Latin American and Caribbean Region, held at Lima from 12 to 16 September 1988, and the Fourteenth Meeting of Heads of National Drug Law Enforcement Agencies, Asia and the Pacific Region, held at Bangkok from 3 to 7 October 1988,

Recognizing the need to convene a meeting of heads of European national drug law enforcement agencies, taking into account the existing co-operation between European countries,

1. Decides to establish a Meeting of Heads of National Drug Law Enforcement Agencies, European Region, along the lines of the meetings of heads of national drug law enforcement agencies that have already been established for other regions and with the status of a subsidiary organ of the Commission on Narcotic Drugs;

2. invites the Governments of States of the European region and other interested Governments to participate in that Meeting;

3. Requests the Secretary-General to adopt the necessary measures and to provide the financial resources required, so that the Division of Narcotic Drugs of the Secretariat, in consultation with the Governments of the region and with interested agencies, may convene that Meeting.

Economic and Social Council resolution 1990/30
24 May 1990 Meeting 13 Adopted without vote

Approved by Second Committee (E/1990/67) without vote, 3 May (meeting 41; draft by Commission on Narcotic Drugs (E/1990/24), orally corrected by United Kingdom; agenda item 6.

The first Meeting of Heads of National Drug Law Enforcement Agencies, Europe, was held in Moscow (19-23 November) [E/CN.7/1991/5].

Also on 24 May, the Economic and Social Council adopted resolution 1990/32.

Working languages of the Sub-Commission on
Illicit Drug Traffic and Related Matters
in the Near and Middle East

The Economic and Social Council,

Recalling its resolution 1988/14 of 25 May 1988, by which it authorized the enlargement of the membership of the Sub-Commission on Illicit Drug Traffic and Related Matters in the Near and Middle East, and its decision 1989/120 of 22 May 1989,

Noting that Arabic is the official language of eight of the fourteen States members of the Sub-Commission, namely Egypt, Jordan, Kuwait, Lebanon, Oman, Saudi Arabia, the United Arab Emirates and Yemen,

1. Decides that, in future, Arabic and English shall be the working languages of the Sub-Commission on Illicit Drug Traffic and Related Matters in the Near and Middle East;

2. Requests the Secretary-General to take the measures necessary, including the provision of financial resources, for the implementation of the present resolution.

Economic and Social Council resolution 1990/32
24 May 1990 Meeting 13 Adopted without vote

Approved by Second Committee (E/1990/67) without vote, 3 May (meeting 41; draft by Commission on Narcotic Drugs (E/1990/24); agenda item 6.

The Sub-Commission on Illicit Drug Traffic and Related Matters in the Near and Middle East held its twenty-sixth session in Vienna (24-25 January) [E/CN.7/1990/12], at which it considered, inter alia, regional trends in illicit drug trafficking; the provisional application of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances; and progress reports on various matters. On 24 May, by decision 1990/218, the Economic and Social Council, taking note of the report of the Sub-Commission on its twenty-fifth session [E/CN.7/1990/3 & Corr.1] and of the relevant part of the report of the Commission on Narcotic Drugs [E/1990/24], approved the applications of Qatar and the Syrian Arab Republic for membership in the Sub-Commission. Also on the same date, by decision 1990/219, the Council approved the application of Bahrain for membership in the Sub-Commission.

Chapter XVII

Statistics

In 1990, the United Nations continued its efforts to strengthen international co-operation in the field of statistics.

Reports prepared for the Statistical Commission of the United Nations continued to focus on the development of economic statistics, including the main features of the revised System of National Accounts (SNA) and the further elaboration of social and demographic statistics. In June, the Sub-Committee on Statistical Activities of the Administrative Committee on Co-ordination held its twenty-fourth session. It considered, among other things, a revision of SNA; the National Household Survey Capability Programme; the Living Standards Measurement Study and the Social Dimensions of Adjustment Project; and statistical implications of the single market of the European Economic Community and the changes in Eastern Europe.

UN statistical bodies

The Statistical Commission, which meets biennially, is a subsidiary body of the Economic and Social Council. The Commission did not convene in 1990. Its twenty-sixth session was scheduled for February 1991.

ACC Sub-Committee

The Sub-Committee on Statistical Activities of the Administrative Committee on Co-ordination (ACC) held its twenty-fourth session in 1990 (Vienna, 18-22 June) [ACC/ 1990/PG/6]. Among the issues it considered were: a revision of the System of National Accounts (SNA); co-ordination of technical co-operation in statistics; monitoring achievement of social goals in the 1990s; the National Household Survey Capability Programme (NHSCP); the Living Standards Measurement Study (LSMS) and the Social Dimensions of Adjustment Project (SDA); science and technology statistics; external debt statistics; general price statistics and the International Comparison Programme (ICP); environment statistics; services statistics; the informal sector; population and housing censuses; civil registration and vital statistics; social statistics and indicators; indicative patterns of consumption; status in employment classification; tourism and migration statistics; and a base year for statistics.

The Sub-Committee also discussed co-ordination and ad hoc statistical inquiries to countries from non-statistical units of organizations and a plan of action to strengthen epidemiological capability and future trend assessment in production and use of health statistics.

Emerging issues and priorities for statistical development, including statistical implications of the changes in Eastern Europe, were also considered, as well as the processing and dissemination of trade statistics; statistical implications of the single market of the European Economic Community; working arrangements among the organizations with respect to collection and compilation of statistics from Member States; and publication and dissemination policy, including co-ordination of statistical data bases.

The Sub-Committee called the attention of ACC to three issues: the statistical implications of changes in Eastern Europe; monitoring the achievement of social goals in the 1990s; and the positive results from co-ordinating household survey programmes.

Economic statistics

National accounts and balances

During 1990, the United Nations continued work on the revised SNA. The main features of the revised SNA were discussed during a round of regional meetings held between June and September, and were considered on the basis of proposals put forward by the Inter-Secretariat Working Group on National Accounts. These included: integrated presentation of the System; integration of analysis of production versus income and financial analysis; definition of the production boundary; valuation principles; residence and breakdown of domestic sectors; income concepts; further integration of balance sheets and accumulation accounts; asset boundary; financial transactions, transactors and accounts; price and quantity measures; inflation accounting; and final consumption and final consumption expenditure.

The Expert Meeting on the Revision of the System of National Accounts in the Arab World [E/CN.3/1991/10] was held in Tunis, Tunisia, from 11 to 16 June. The experts, in the report of their

meeting, stated that the basic issue for developing countries was resource development; therefore greater attention needed to be focused on resource endowment statistics and income statistics dealing with the utilization and allocation of available resources. In addition, there were certain issues that carried great weight in the Arab region and required special treatment in national accounts, including: the refugee issue; the use of the Hijra calendar; Arab investments overseas; the special character of the oil sector and the dominance of a single economic activity; and the informal sector and small industries.

The Economic Commission for Africa Meeting on the System of National Accounts [E/CN.3/1991/7] was held in Addis Ababa, Ethiopia, from 16 to 25 July. The report noted that the aim of the revised SNA was to present a system that was conceptually sound and could be applied universally. Nevertheless, from the African point of view, further attention should be given to some of the special concerns of the developing countries and less developed statistical systems. It would be rather difficult for priorities to be treated in the revised SNA, as those could differ from one region to another and from country to country, it was felt. Those were better addressed in handbooks, for example, a planned handbook on enterprise accounting. Another concern of particular interest to developing economies was that of multiple rates of exchange.

Two meetings on the revision of SNA were held in 1990 by the Economic and Social Commission for Asia and the Pacific [E/CN.3/1991/8]: the first, organized for countries of the Asian subregion (Bangkok, Thailand, 15-24 August); the second, for countries of the Pacific subregion (Suva, Fiji, 29 August-7 September). From the regional point of view, participants particularly wanted certain issues incorporated into SNA, which they believed had not been given adequate attention in the review process. Those included: development of regional and quarterly accounts; further breakdown of the household sector by socio-economic groups; development of definitions for the informal sector; and development of productivity measures. Other SNA-related issues of importance to the Pacific subregion included extension of the asset boundary to such areas as fishing stocks and mangrove swamps, and more broadly defined environmental assets, including clean air and water. The report welcomed the efforts of the Statistical Office of the United Nations Secretariat and the World Bank in jointly preparing a handbook on environmental accounting. It stressed that concepts used in the environmental accounts should be as consistent as possible with SNA, but recalled its preference that environ-

mental accounts be developed as satellite accounts, rather than as part of the central national accounts framework. Most participants agreed that the revised SNA provided a much clearer set of conceptual guidelines than the 1968 system, and that the revised system would contribute to the understanding of national accounting, thus facilitating its implementation. Further guidance through handbooks or other technical assistance was still needed because the revised SNA included many new elements, extension of coverage of existing items and new treatments of transactions, on which there was no experience with implementation in the countries of the region or indeed anywhere in the world. It was agreed that more time was needed for countries to study the revised system from the points of view of statisticians and users.

The meeting of the Working Party of the Conference of European Statisticians on the System of National Accounts was held in Geneva from 10 to 13 September [E/CN.3/1991/6]. Of special concern to the region were the problems of countries in transition to a market economy. Participants reported that their countries were advancing rapidly to calculate national accounts on an SNA basis. Most preferred to adopt directly the recommendations of the revised SNA. An obvious problem was the period of overlap between the System of Balances of the National Economy (MPS) and SNA, and how to construct a historical time series on a consistent basis. The easiest part to develop, because it had been largely treated in MPS, related to the production account. Greater difficulty would be experienced with regard to income flows, financial assets and the financial sector in general. Another major common problem flowed from the enormously increased number of producer units-a consequence of privatization and the dismemberment of State enterprises-from which data needed to be collected. That brought with it the problems of sampling and non-response previously not encountered. Countries in transition indicated that they would welcome assistance in carrying through the major changes in their statistics and accounts that the profound changes in their economies implied. For that purpose, handbooks and methodological papers were useful but not alone sufficient. More direct technical assistance and advice was needed, and, in that connection, it was noted that several bilateral co-operation projects had already begun.

The Regional Seminar on National Accounts, convened by the Economic Commission for Latin America and the Caribbean [E/CN.3/1991/9], was held in Rio de Janeiro, Brazil, from 18 to 28 September. With regard to the proposed revision of

SNA from the Latin American and Caribbean perspective, there was a general consensus to stress progress made in the conceptual framework, highlighting the integration of flows in the balances, the presentation of integrated accounts by institutional sectors, the introduction of accounting adjustments for the analysis of inflation, and harmonization achieved with other statistical systems. Serious concern was expressed about applying the new system in the short and medium term. The most important factors, which had also affected the implementation of the existing version, included: the difficulties encountered in the area of basic statistics; the need for staff training of technical personnel; the growing need to concentrate on short-term analysis, instead of maintaining, improving or expanding the System itself; and the difficulty in implementing instruments for such analysis, a difficulty aggravated by the inflationary process taking place in most countries of the region.

In December, the Secretary-General submitted a progress report [E/CN.3/1991/5] on the revision of SNA. The report reaffirmed that the original objectives of the SNA review programme were: simplification and clarification; further harmonization with other related systems of statistics; and updating SNA to fit new circumstances. The Commission commended the preliminary draft of selected chapters of the revised SNA, and agreed that the revised System should contain an accounting framework and a glossary. The report provided information on the past and future work programme of the revision of SNA; described the main outstanding issues and the review of the revised SNA features by the regional commissions; explained the concerns, needs and requirements for a successful implementation of SNA, as identified in regional meetings; and included points for the Commission's discussion.

Price statistics

Following the 1989 meeting of the Inter-Secretariat Working Group on ICP [YUN 1989, p. 733], considerable efforts were undertaken by member organizations to define a strategy for the implementation of phase VI of ICP. At a series of informal consultations during 1990, many aspects of ICP were discussed, among them, core-country versus core-product method, analytical needs, software development and related processing issues, postponement of the reference year (originally set at 1990), financial resources, and co-operation among international organizations. Those discussions led to a decision to hold a conference on ICP to review those and related issues, so that clear conclusions on the scope and nature of ICP phase VI could be reached. The

Conference, entitled "Twenty-five Years of ICP: A Review and Future Plans", was held in Philadelphia, United States, from 1 to 3 August. It was sponsored by the World Bank in co-operation with the Statistical Office of the UN Secretariat, and hosted by the University of Pennsylvania. With regard to ICP phase VI, the outcome of the Conference was a joint agreement to work in close co-operation to resolve the undetermined methodology, work programme and timetable in order to implement phase VI as rapidly as possible. It was understood that regions would produce their own comparisons with the ultimate objective of a timely global comparison.

In a report on price statistics [E/CN.3/1991/17], the Secretary-General provided information on ICP, including the finalization of phase V (reference year 1985) of ICP comparisons, and progress in implementing phase VI comparisons, both at regional and global levels, as well as the status of a draft handbook on ICP. The report also described methodological as well as organizational and financial issues for phase VI and proposed points for the Commission's discussion.

Service statistics

In December, the Secretary-General submitted a report [E/CN.3/1991/15] to the Statistical Commission on work done by national and international agencies in the field of service statistics. It was based on inquiries into data compilation and methodological development work and materials presented at the various meetings of the Voorburg Group on Service Statistics. The report represented an initial effort to document, in a general manner, the situation in service statistics at the national and international levels. It described work by national statistical agencies in data compilation, methodological development and countries' experiences; provided an account of the Voorburg Group's efforts to advance work in service statistics; contained statements on the initiatives of international agencies in the field of service statistics; presented proposals for future work; and included points for discussion.

The Voorburg Group, a co-operative effort among volunteer national and international statistical agencies to address problems associated with data gaps and conceptual issues in service statistics, held its fifth meeting in 1990 in Paris, from 1 to 5 October, as a follow-up to its 1989 meeting [YUN 1989, p. 733]. Its report [E/CN.3/1991/16] contained a model survey for the collection of data on computer services. The Voorburg Group was of the opinion that for each service industry there should be a model of production, trade and accumulation, and that the value of its output, expressed in Central Product Classifica-

tion (CPC) classes, could be decomposed into price and volume components. The model survey, presented in the form of data collection modules, was designed to test product classes of CPC and the industry classes of the International Standard Industrial Classification ((WC), and to provide performance measures of the computer services industry. The survey's results, presented at the Paris meeting, showed that in data collection, the highest priorities were assigned to services' contribution to gross domestic product (GDP), employment and annual growth rates. Statistics on the volume growth of services, price developments, and investment in service industries and in services (research and development and education) were also considered important aspects of service statistics. The following services were frequently selected as growth leaders for the 1990s: telecommunications, computer services, health, business services, financial intermediation and transportation.

Industrial statistics

In October, the Secretary-General reported [E/CN.3/1991/18] on the World Programme of Industrial Statistics. The report examined the effectiveness of the 1983 World Programme in achieving its goals and compared the outcome of the 1983 Programme, the third in a series sponsored every ten years by the Statistical Commission, with that of 1973. The objectives of the 1983 Programme were to encourage bench-mark inquiries and to guide national industrial census-taking. The report also contained suggestions for the 1993 Programme and included points for discussion.

With regard to participation in the Programme, the report stated that there had been a slight overall improvement in the level of country participation between 1973 and 1983. For 1983, 28 countries were able to provide data covering all units of the programme, compared with 24 in 1973. Overall, a total of 66 countries participated in the 1983 Programme, compared with 54 in the 1973 Programme. Of those participating, only 49 produced data that conformed with the concept of the Programme, in terms of establishment coverage or item content, or at the level of industrial detail required.

Using as an indicator the GDP originating in industry for 1980 in current United States dollars for each country, the country coverage attained in association with the Programme accounted for 72 per cent of world GDP originating in industry, with 75 per cent of GDP originating in industry for the developed countries and 61 per cent of the corresponding value for developing countries.

There was a wide range of coverage across the developing regions, varying from 97 per cent for Asia and the Pacific to 10 per cent for Africa. The corresponding figures for Western Asia and Latin America and the Caribbean were 14 and 75 per cent, respectively.

It was proposed in the report that the latest revision of the International Recommendations for Industrial Statistics [Sales No. E.83.XVII.8] be retained as the core document for the next round of the World Programme. With that approach, efforts and resources could be directed towards reinforcing the basic elements of the integrated industrial statistics programme. Relevant documentation would consist of short working papers or monographs on specific topics, to be prepared directly for the consideration of national statistical offices and for use in training workshops. At a later time, after review and revision of the working papers, in the light of practical experience, they would be incorporated into a further revision of international recommendations. International efforts for the next round, the report proposed, should be directed towards efforts that would directly strengthen the planning and implementation of industrial statistics programmes at the national level.

International economic classifications

A report [E/CN.3/1991/14] on the progress of work on the International Classification of Status in Employment (ICSE) provided a review of ICSE and national practices in censuses and surveys submitted by the International Labour Office to the Statistical Commission. The report described the units to be classified by the status-in-employment variable and the active population covered by it; discussed the possible conceptual basis for a revised and expanded ICSE; and presented ideas for defining status in employment and delineating categories and subcategories of ICSE, including the treatment of borderline groups. It also outlined issues relating to the implementation of the Classification and provided points for the Commission's discussion.

Environment statistics

In October, the Secretary-General reported to the Statistical Commission on progress made in the development of environmental statistics [E/CN.3/1991/23]. The report described the preparation of technical reports on concepts and methods of environment statistics, the development of environmental accounting, and outcomes of a May meeting of the Intergovernmental Working Group on the Advancement of Environment Statistics. It further considered the main issues

stemming from the Third Consultation on the Co-ordination of International Environmental Data Collection held in March, described current activities in the compilation and dissemination of international environment statistics and technical co-operation activities, and suggested points for the Commission's discussion. The report contained a proposed programme of work for the Statistical Office of the UN Secretariat, which was to assist the international community in the assessment of the interrelations between environment and development through the development and compilation of environmental and related socio-economic data. It stated that increased concerns with environmental issues, both in developed and developing countries, had created demands for a broad range of environment statistics and indicators, including integrated economic and environmental accounting. Annexed to the report were two Frameworks for the Development of Environment Statistics one on human settlements, and the other on the natural environment.

The Secretary-General reported in September [E/CN.3/1991/22] on the methodology of environment statistics developed under the work programme of the Conference of European Statisticians (CES). It provided a brief history of the work of the Conference in the field of environment statistics; described the development by the Economic Commission for Europe (ECE) of standard concepts, definitions and classifications; described the methodological discussions within the framework of CES; and proposed points for discussion by the Statistical Commission. With regard to perspectives for future work of the Conference, the report stated that they would have to be derived from several circumstances. The first was the changing context of international co-operation in Europe in general, and of statistical multilateral international co-operation in particular. The Conference had started to determine its future role in relation to the universal changes, and environment statistics were retained on the short list of three work areas being given top priority. The second aspect was the ongoing concern over concentrating on work methods that were particularly cost-effective, for both the United Nations Secretariat and Member States. 'That trend seemed to favour data work, work that was not excessively dependent on the holding of international meetings. As a last aspect, the past record of the work of the Conference was to be taken into account in such a way that particularly successful types of projects would be strengthened. As a result, the conceptual work on statistical nomenclatures would probably be extended to further

areas. Taking those circumstances together, it could be expected that the development of an international data service would become more important in future work. In addition, standard concepts and, where necessary, classifications would be finalized where drafts existed and would be developed in new areas. The new areas already included in the work programme, but not yet tackled, were marine water quality, chemicals from an environmental point of view, noise and radioactivity. It could be expected that a more systematic coverage of the interface between the economy and the environment would also be attempted in the not-too-distant future. Finally, the entire area of socio-environmental interrelations was as yet untouched. In that field, perhaps, statistics on environmental health would become a starting point for conceptual work.

In three annexes, the report contained Categories of the ECE Standard Statistical Classification of Land Use; Categories of the ECE Standard Statistical Classification of Water Use; and Categories of the ECE Standard Statistical Classification of Ambient Air Quality.

Social and demographic statistics

Social indicators

A report [E/CN.3/1991/20] describing progress made in the development of a co-ordinated UN system data base for selected social statistics and indicators was submitted to the Statistical Commission by the Secretary-General. It described an integrated programme for monitoring and compiling social and economic indicators, outlined the need for common social statistics and indicators, discussed statistical and measurement issues, and suggested points for the Commission's discussion. The report discussed progress in the development of a monitoring programme specifically within the context of human development concerns identified in the programmes and mandates of the United Nations Children's Fund, the United Nations Population Fund and the World Health Organization. It stated that the monitoring programme would seek to further expand opportunities for collection, compilation, analysis and filling gaps in key social statistics which were seen to be relevant for assessing progress in reaching social goals, especially in developing countries. An effective monitoring programme must ensure: appropriate statistical capabilities and programmes at the national level, including data collection, processing, compilation, dissemination and analysis; effective review and co-ordination of methods in selecting and defining needed indicators and filling gaps, and

development of underlying statistical methodologies to ensure their validity, comparability and timeliness of results; an effective programme for analysis and dissemination of comparable indicators and supporting documentation at national, regional and international levels; and effective mobilization and co-ordination of bilateral and multilateral resources for technical co-operation.

The report concluded that progress towards the achievement of social and human development goals by the year 2000 could only be monitored through the collection and dissemination of valid, reliable and timely statistical information. The measurement effort needed was complex and technically demanding. It would require dedicated efforts on the part of national and international statisticians, extensive investments in human and financial resources, well-focused co-ordination, continuing development of statistical infrastructure, and innovative techniques for measuring changes and monitoring progress.

Patterns of consumption

In October, the United Nations Research Institute for Social Development submitted a report [E/CN.3/1991/21] to the Statistical Commission on country case studies it had carried out and on preparations for the planned international statistical meeting on indicators of patterns of consumption. The report was part of the project on qualitative indicators of development [YUN 1989, p. 735], which was intended to help orient national development and support international co-operation by: assisting Governments to formulate and follow policies better geared to the well-being of the population; promoting the evaluation of progress; promoting the application of concerted objectives; and providing early warnings regarding conditions that demanded attention and action. The report described the meaning of qualitative indicators as the percentage of a population having a defined quality, such as literacy, or meeting a given standard of adequacy with regard to some condition of living such as food consumption. The report also covered: data sources for qualitative indicators; indicators of living conditions such as health, nutrition, housing, clothing, education, income and employment; disaggregation; data processing and organizational questions; and preparations for the 1991 international statistical meeting on indicators of patterns of consumption. The report was based on country case studies for Côte d'Ivoire, India, Kenya and Morocco.

With regard to the international statistical meeting on indicators of patterns of consumption, representatives of nine agencies and UN of-

fices met in Geneva on 16 May to discuss preparations. It was decided that the meeting should take place in Rabat, Morocco, in April 1991. Participants would include selected experts on the methodology of measuring levels of living, representatives of UN offices and specialized agencies working in the field, a small number of policy makers and senior statisticians from developing countries, and members of the Statistical Commission.

Civil registration and vital statistics

A progress report [E/CN.3/1991/19] on civil registration and vital statistics was submitted to the Statistical Commission by the Secretary-General. The report stated that since 1981, when the Statistical Commission last considered a progress report on the matter [YUN 1981, p. 1071], the demand for current demographic statistics had substantially increased. It discussed activities carried out at the global, regional and national levels since 1981, as well as the work of non-governmental organizations; focused on issues and advances in the improvement of civil registration and vital statistics systems, including support provided by the United Nations to Member States, upon request, over the previous 10 years; and described technical co-operation and future needs. The report gave a short description of the new International Programme for Accelerating the Improvement of Vital Statistics and Civil Registration Systems, which featured a new approach in technical co-operation by shifting the emphasis away from pilot studies and demonstration to solving specific problems existing in the current vital statistics and civil registration systems of the country. The report also suggested points for the Commission's discussion.

National Household Survey Capability Programme

A report [E/CN.3/1991/26] on progress in implementation and co-ordination of NHSCP was submitted to the Statistical Commission by the Secretary-General. It reviewed progress in programme implementation, co-ordination with other international programmes, training and preparation of technical studies, programme management and evaluation, and the work programme for 1991-1992. The report included points for the Commission's discussion.

As of October 1990, the number of countries participating in NHSCP was 45, of which 15 were new entrants, having joined the Programme during 1989-1990. Twelve countries had been transferred to the maintenance phase, having completed one or more phases of the Programme or participated in it for a minimum of five years,

and having attained reasonable ability to continue NHSCP on the basis of their own resources, subject to minimal external assistance without a formal project. In addition, project proposals had been prepared for 23 countries.

World Bank initiatives

In December, the World Bank submitted a report [E/CN.3/1991/27] to the Statistical Commission on its initiatives in the design of two permanent integrated household surveys. The report updated the Bank's presentation [YUN 1989, p. 737] to the Commission in 1989, provided information on the LSMS and SDA programmes, and included points for discussion. The report stated that the LSMS and SDA programmes had further evolved over the past few years. The conceptual and analytical frameworks had been refined to reflect country needs, and the survey strategies and instruments had been tested in a wide variety of country circumstances in different regions of the world. The Bank was of the view that implementation of the LSMS and SDA programmes would call for strong co-operative measures at all levels, and it proposed to continue its interactions with national governments, donors and the specialized agencies.

In order to promote the methodologies it had developed in a flexible manner in different regions of the world, it would attempt to disseminate as widely as possible the technical documentation currently available for use by member governments.

Special issues

In October, the Secretary-General submitted to the Statistical Commission a report [E/CN.3/1991/3] on increasing user awareness of the value of statistical outputs and services. It was based on a

questionnaire sent to 47 selected Member States, and another questionnaire sent to 15 specialized agencies and international organizations, and the statistical divisions of the five regional commissions. By 20 August, 32 countries had responded to the questionnaire, as had 12 international organizations, four regional commissions and the Statistical Office of the UN Secretariat. The report discussed user awareness and the use of statistics, national and international experiences in user awareness, and strategies for improving user awareness. The Secretary-General also suggested points for the Commission's discussion.

The results of the evaluations by national organizations indicated very low awareness on the part of the public at large.

Other statistical activities

Methodological work

In October, the Secretary-General submitted a report [E/CN.3/1991/24] to the Statistical Commission on the general development and integration of methodological work. Its main purpose was to keep the Commission informed of developments in methodological work in certain fields that were important but did not require separate documents at that time. Thus it described methodological work in the areas of international classifications; energy statistics; international trade and transport statistics, including the Automated System for Customs Data (ASYCUDA); population and housing censuses; housing and human settlements statistics; and statistical programmes for social indicators. It also summarized the methodological work programme of the Statistical Office of the UN Secretariat.

Chapter XVIII

Institutional arrangements

The Economic and Social Council continued during 1990 to review its structure and functioning. In July, the Council invited its President to hold informal consultations on the review of measures agreed upon for the revitalization of the Council. It also agreed to hold a special high-level meeting on major policy themes in 1991. The General Assembly, in December, decided to reconvene in a resumed session in April 1991 for in-depth consideration and negotiation of proposals for the restructuring of the United Nations in the economic and social fields. It also adopted new proposals for the revitalization of its Third (Social, Humanitarian and Cultural) Committee.

The Administrative Committee on Co-ordination (ACC), at its two regular sessions in 1990, gave priority consideration to development and international economic co-operation; the impact of recent developments in East-West relations; African economic recovery and development; and operational activities for development.

The Committee for Programme and Co-ordination (CPC) continued efforts to harmonize system-wide activities and programmes.

Restructuring questions

Revitalization of the Economic and Social Council

In response to Economic and Social Council resolution 1989/114 [YUN 1989, p. 740], the Secretary-General submitted a 22 May report [E/1990/75] on the revitalization of the Council. The report addressed questions relating to the Council's function regarding policy formulation, monitoring, operational activities for development and co-ordination, working methods, organization of work and secretariat support. The Secretary-General suggested that the Council should take into consideration the usefulness of the general discussion and time limitation when considering future arrangements for its in-depth consideration of major policy themes. It should also consider, he said, whether more structured preparations would be required for future informal exchanges, and the usefulness of inviting two

or three eminent scholars or knowledgeable persons to participate in the discussions. In its review of the multi-year work programme, the Council should bear in mind the need to maintain a balance between social and economic issues, the work programmes of the organs and organizations of the UN system and the progress made in the revitalization of the Council. There was a need to reach a clear understanding in regard to the modality for the Council's in-depth consideration of major policy themes and urgent and emerging issues. Any arrangement should be flexible and practical so as to assist the Council in achieving progress. The Council might consider changes to its work programme to accommodate the in-depth consideration, which constituted an addition to its work programme, within its regular schedule and without extending its regular session. It could consider themes pertaining to social questions at its first regular session and economic themes at its second regular session. The in-depth consideration should be distinct from the regular proceedings of the Council. The Council could also convene one ministerial-level meeting on a major policy theme each year, which would also alternate between social and economic questions. The Secretary-General's report also discussed urgent and emerging issues to be considered at a special session.

In conclusion, the Secretary-General stated that while there were positive developments in the revitalization of the Council initiated two years ago, including reorganization of working arrangements, there was still a need to change the perception of the role of the Council so as to enhance its effectiveness. Governments, he said, should make better use of the Council, the Secretariat should provide more analytical and focused documentation, and the Council should give more professional and functional consideration to issues on its agenda. The Council should therefore allow the present arrangements to be consolidated before reviewing the process further, possibly in 1992. He repeated his suggestion that the Council should summarize the major conclusions of the general discussion in order to identify policy divergences and convergences among Member States and agree upon broad policy guidelines in the overall context of development.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 27 July, the Economic and Social Council adopted resolution 1990/69.

Revitalization of the Economic and Social Council

The Economic and Social Council,

Recalling General Assembly resolutions 43/174 of 9 December 1988 and 44/103 of 11 December 1989 on the restructuring and revitalization of the United Nations in the economic and social fields,

Recalling also its own resolutions 1988/77 of 29 July 1988 and 1989/114 of 28 July 1989 on the revitalization of the Economic and Social Council,

Recalling further its decision 1990/205 of 9 February 1990, containing the multi-year work programme of the Council,

Recognizing the relationship between the process of revitalization of the Council and the restructuring of the United Nations intergovernmental machinery and secretariat support in the economic and social sectors, as further spelt out in General Assembly resolution 44/103,

Taking note of the report of the Secretary-General on the revitalization of the Economic and Social Council, and of the views expressed by the Member States on the subject,

Bearing in mind that the Secretary-General will, in accordance with General Assembly resolutions 43/174 and 44/103, paragraph 5, submit a report on the revitalization of the United Nations in the economic and social fields to the Assembly at its forty-fifth session, in order to facilitate a further consideration and appropriate action on the question,

1. Stresses the need for the full and speedy implementation of the provisions of Council resolutions 1988/77 and 1989/114;

2. Decides to review the implementation of the measures agreed upon for the revitalization of the Council, pursuant to its responsibilities for promoting international economic and social co-operation and in accordance with the relevant articles of the Charter of the United Nations, at its second regular session of 1992;

3. Invites the President of the Council to undertake informal consultations open to the participation of all States Members of the United Nations, on all relevant issues pertaining to the review of the implementation of the measures agreed upon for the revitalization of the Council, and to submit an interim report thereon to the Council at its second regular session of 1991.

Economic and Social Council resolution 1990/69

27 July 1990 Meeting 37 Adopted without vote

Draft by Vice-President (E/1990/L.53), based on informal consultations on draft by Bolivia for Group of 77 (E/1990/L.41); agenda item 3.

Meeting numbers. ESC 33,37.

Documentation

The task force on documentation of the Economic and Social Council, established in 1989 [YUN 1989, p. 745] to consider what documentation might be redundant, had lost its usefulness or could be issued less frequently, submitted its recommendations [E/1990/13] on 17 January to the Council.

The Council, in decision 1990/201 of 9 February, requested the task force to prepare a final report for consideration at its second regular session under the item entitled "Revitalization of the Economic and Social Council".

Responding to that request, the task force recommended to the Council, in a 6 June report [E/1990/93], the adoption of measures to improve the quality and reduce the volume of documentation as an integral part of the revitalization process of the Council. The task force suggested that the Council should propose priorities for the preparation and issuance of documentation to ensure timely submission to the Council and avoid overwhelming it with excessive documentation. It might also extend the practice of hearing oral reports on questions relating to special economic, humanitarian and disaster relief assistance and other matters. As a general rule, the Council should have before it in considering an agenda item only the report of the subsidiary body concerned, the relevant consolidated report and the relevant reports requested. In submitting their reports, the functional commissions and other subsidiary bodies of the Council should ensure that their reports were in a format that would facilitate the Council's deliberations; that they did not exceed 32 pages and were accompanied by an executive summary; and that the recommendations in the report were presented in the form of draft proposals. It was further proposed that they should review current documentation to determine which had become redundant, lost their usefulness or could be issued less frequently, and restraint should be exercised in making requests for new documentation. The Secretariat should adhere to the 24-page limit for documentation.

On 27 July, the Council, by decision 1990/272, endorsed the recommendations of the task force on documentation.

Restructuring of economic and social sectors

Report of Secretary-General. Responding to General Assembly resolution 44/103 [YUN 1989, p. 743], the Secretary-General submitted a 20 November report [A/45/714] on the UN intergovernmental structure and functions in the economic and social fields. In presenting his ideas for reform and restructuring of the United Nations in those sectors, he said the views of Member States and UN bodies had been taken into account. Of particular importance was the high level of commitment and political support of Member States for future improvements in the functioning of UN machinery and their assertion that the object

of the ongoing reform effort was not to seek financial savings but to make the Organization more responsive to the needs of the international community. The role of the Council in addressing major international policy issues could be significantly enhanced if the General Assembly assigned to the Council responsibility for the preparatory process of international conferences on specific issues. Its coherence and effectiveness could be improved by enhancing its role in connection with system-wide or cross-sectoral programmes and activities. Discussion at the level of subsidiary bodies should move towards greater specialization to enable the Council to begin consideration of substantive questions in the light of their cross-sectoral links, thus enhancing its co-ordination role. There was a need to transform a number of the subsidiary bodies into expert groups specialized in technical aspects, leaving to the Council the political, global and cross-sectoral dimensions. For the UN intergovernmental machinery to become more effective, there was a need to address the fragmentation of issues and proliferation of institutions. An improved modality for considering substantive sectoral questions might assist in achieving better co-ordination and an integrated approach at the intergovernmental and also the national level.

Regarding the Secretariat, the Secretary-General suggested that pending agreement on the restructuring of the intergovernmental machinery, a number of steps could be taken to strengthen the capacity of the Secretariat to address problems already identified and to deal with emerging issues. They included enhancing the United Nations capacity to assist intergovernmental bodies effectively to address economic and social issues; strengthening UN research and analysis capacity; identifying and bringing to the attention of Member States emerging problems at the global, regional and national levels; achieving greater clarity in the responsibilities of the Organization's various units in the economic and social sectors; ensuring greater interaction and cross-fertilization between operational activities and research and analytical capacity; and enhancing the policy planning capacity of the Secretariat.

To enhance the United Nations activities in the area of technology, the work of the Centre for Science and Technology should be closely related to that of the United Nations Conference on Trade and Development (UNCTAD) and the Centre on Transnational Corporations, especially in the areas of investment, trade and technology transfer. To carry out its mandate in the economic and social fields, the United Nations needed the active support and collaboration of

the specialized agencies and programmes of the system. Co-ordination must also be enhanced to ensure that the system could respond to the challenges of the future in a coherent and effective manner.

The report stated that the effective and systematic restructuring of the Organization required solid financial support and the increasing use of extrabudgetary resources to finance many of the Organization's important activities had to be reviewed. The Organization must be in a position to fulfil new expectations and to meet existing responsibilities effectively and must be provided with the necessary long-term financial security.

GENERAL ASSEMBLY ACTION

On 19 December, the General Assembly adopted resolution 45/177.

Restructuring and revitalization of the United Nations in the economic and social fields

The General Assembly,

Recalling its resolutions 32/197 of 20 December 1977, 41/213 of 19 December 1986, 42/170 of 11 December 1987, 43/174 of 9 December 1988, 43/213 of 21 December 1988, 44/103 of 11 December 1989 and decision 43/432 of 20 December 1988,

Recalling also Economic and Social Council resolutions 1988/77 of 29 July 1988, 1989/114 of 28 July 1989 and 1990/69 of 27 July 1990 and decision 1990/205 of 9 February 1990 on the revitalization of the Council,

Emphasizing the need to strengthen further the role and effectiveness of the United Nations through enhanced multilateral co-operation in the economic, social and related fields,

Emphasizing also the need for more effective and efficient functioning of the intergovernmental machinery of the United Nations and its secretariat support structures in the economic, social and related fields in order to enhance international economic co-operation and to promote the development of the developing countries,

Recalling the report of the Special Commission of the Economic and Social Council on the In-depth Study of the United Nations Intergovernmental Structure and Functions in the Economic and Social Fields.

1. Endorses Economic and Social Council resolution 1990/69 on the revitalization of the Council, in which the Council gave a mandate to its President to undertake broad consultations with Member States;

2. Takes note of the report of the Secretary-General on the United Nations intergovernmental structure and functions in the economic and social fields;

3. Stresses the need for more effective and efficient functioning of the intergovernmental machinery of the United Nations system in the economic, social and related fields in order to be more responsive to the needs of enhancing international economic co-operation and promoting the development of the developing countries;

4. Decides to reconvene, in a resumed session for a duration of one week in the second half of April 1991, for an in-depth consideration and negotiations of pro:

posals for the restructuring and revitalization of the United Nations in the economic and social fields.

General Assembly resolution 45/177

19 December 1990 Meeting 70 Adopted without vote

Draft by Bolivia (A/45/L.34/Rev.1); agenda item 117.

Financial implications: 5th Committee. A/45/875; S-G, A/C.5/45/72 & Corr.1.

Meeting numbers. GA 45th session: 5th Committee 46; plenary 67, 70.

The Assembly, by decision 45/436 of 21 December, decided to consider the draft resolution [A/C.2/45/L.3] entitled "Implementation of section II of the annex to General Assembly resolution 32/197 [YUN 1977, p. 438] on the restructuring of the economic and social sectors of the United Nations system" at its forty-seventh (1992) session.

Rationalization of the work of the Third Committee

On 24 September, the Third (Social, Humanitarian and Cultural) Committee of the General Assembly had before it a note [A/C.3/45/L.2] by the Secretary-General transmitting a draft decision concerning its programme of work, consideration of which had been deferred in 1989 [YUN 1989, p. 749]. The draft specified several items to be considered biennially.

On 24 September, the Committee decided to establish an open-ended working group to consider ways of rationalizing the Committee's programme of work, including existing proposals.

GENERAL ASSEMBLY ACTION

On 18 December, the General Assembly adopted resolution 45/175.

Rationalization of the work of the Third Committee

The General Assembly,

Recalling its decision 44/435 of 15 December 1989, in which it decided to defer consideration of the draft decision entitled "Programme of work of the Third Committee" until its forty-fifth session,

Recalling also that the Third Committee, at its organizational meeting on 24 September 1990, decided to establish an open-ended working group on the rationalization of the work of the Third Committee to consider appropriate ways and means of rationalizing the Committee's programme of work, including existing proposals,

1. Takes note with appreciation of the report of the Working Group on the Rationalization of the Work of the Third Committee;

2. Adopts the new structure of the agenda of the Third Committee, as contained in section I of the annex to the present resolution;

3. Approves the biennial programme of work of the Third Committee for 1991-1992, as contained in section II of the annex;

4. Endorses the recommendations concerning organizational matters, as contained in section III of the annex:

5. Decides to implement the provisions of the present resolution beginning at its forty-sixth session;

6. Requests the Secretary-General to take the present resolution into account in drawing up future agendas of the General Assembly.

ANNEX

I. New structure of the agenda of the Third Committee

Item 1. Report of the Economic and Social Council [item 12].

Item 2. Elimination of racism and racial discrimination.

Item 3. Right of peoples to self-determination.

Item 4. Social development:

(a) Questions relating to the world social situation and to youth, aging, disabled persons and the family;

(b) Crime prevention and criminal justice.

Item 5. Advancement of women.

Item 6. Narcotic drugs.

Item 7. Report of the United Nations High Commissioner for Refugees; questions relating to refugees and displaced persons; and humanitarian questions:

(a) Report of the United Nations High Commissioner for Refugees;

(b) Questions relating to refugees and displaced persons;

(c) Humanitarian questions.

Item 8. Human rights questions:

(a) Implementation of human rights instruments;

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms;

(c) Human rights situations and reports of special rapporteurs and representatives.

Item I. Report of the Economic and Social Council
Matters calling for action by the General Assembly (Third Committee) or brought to its attention
-Questions that do not fall within the purview of the other items on the agenda of the General Assembly allocated to the Third Committee

Item 2. Elimination of racism and racial discrimination

Annual

Implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination

Report of the Committee on the Elimination of Racial Discrimination

Status of the International Convention on the Suppression and Punishment of the Crime of Apartheid

Biennial

Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist regime of South Africa (1992)

Status of the International Convention on the Elimination of All Forms of Racial Discrimination (1992)

Item 3. Right of peoples to self-determination

Annual

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

Universal realization of the right of peoples to self-determination

Use of mercenaries as a means to violate human rights and to impede the exercise of the right of people to self-determination (to be considered biennially after the entry into force of the International Convention against the Recruitment, Use, Financing and Training of Mercenaries)

Item 4. Social development

- (a) Questions relating to the world social situation and to youth, aging, disabled persons and the family

Annual

World social situation

Implementation of the International Plan of Action on Aging and related activities (biennial after 1993)

Implementation of the World Programme of Action concerning Disabled Persons and the United Nations Decade of Disabled Persons (biennial after end of Decade in 1992)

Biennial

Popular participation in its various forms as an important factor in development and in the full realization of all human rights (1993)

Achievement of social justice (1992)

Policies and programmes involving youth (1992)

International Year of the Family, 1994 (1991, 1993, 1994; thereafter, biennially, if necessary)

Implementation of the Guiding Principles for Developmental Social Welfare Policies and Programmes in the Near Future (1991)

National experience in promoting the co-operative movement (1992)

International Literacy Year (1991)

Quinquennial

Anniversary of the Declaration on Social Progress and Development (1994)

- (b) Crime prevention and criminal justice

Biennial

Crime prevention and criminal justice (1991, 1993)

International co-operation in combating organized crime (1992, 1994)

Quinquennial

Congress on the Prevention of Crime and the Treatment of Offenders (1995)

Item 5. Advancement of women

Annual

Implementation of the Nairobi Forward-looking Strategies for the Advancement of Women

Improvement of the status of women in the Secretariat

Biennial

United Nations Development Fund for Women (1991)

Convention on the Elimination of All Forms of Discrimination against Women (1992)

International Research and Training Institute for the Advancement of Women (1991)

National experience relating to the improvement of the situation of women in rural areas (1993)

Item 6. Narcotic drugs

Annual

Implementation of the Global Programme of Action against illicit production, supply, demand, trafficking and distribution of narcotic drugs and psychotropic substances

International action to combat drug abuse and illicit trafficking

Biennial

Implementation of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (1992)

Item 7. Report of the United Nations High Commissioner for Refugees; questions relating to refugees and displaced persons; and humanitarian questions

- (a) Report of the United Nations High Commissioner for Refugees

Annual

Office of the United Nations High Commissioner for Refugees

- (6) Questions relating to refugees and displaced persons

Annual

International Conference on the Plight of Refugees, Returnees and Displaced Persons in Southern Africa

International Conference on Central American Refugees

Assistance to student refugees in southern Africa

Situation of refugees in the Sudan

Assistance to refugees in Somalia

Assistance to voluntary returnees and displaced persons in Chad

Assistance to refugees and returnees in Ethiopia

Assistance to refugees and displaced persons in Malawi

Humanitarian assistance to refugees and displaced persons in Djibouti

Emergency humanitarian assistance to Liberian refugees and displaced persons

- (c) Humanitarian questions

Biennial

New international humanitarian order (1992)

Promotion of international co-operation in the humanitarian field (1992)

Humanitarian assistance to victims of natural disasters and similar emergency situations (1992)

Item 8. Human rights questions

- (a) Implementation of human rights instruments

Annual

Effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights

Convention on the Rights of the Child (biennially after 1992)

International Convention on the Protection of the Rights of All Migrant Workers and Members of

Their Families (biennially after the entry into force of the Convention)

Biennial

Report of the Committee against Torture and status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1992)

International Covenants on Human Rights (1991)

Status of the Convention on the Prevention and Punishment of the Crime of Genocide (1992)

United Nations Voluntary Fund for Victims of Torture (1991)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Annual

Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms

Right to development

Elimination of all forms of religious intolerance

Question of enforced or involuntary disappearances (biennial after the adoption of a declaration thereon)

Respect for the principles of national sovereignty and non-interference in the internal affairs of States in their electoral processes

Enhancing the effectiveness of the principle of periodic and genuine elections

World Conference on Human Rights

Developments relating to the activities of the Centre for Human Rights of the Secretariat

Torture and inhuman treatment of children in detention in South Africa

Biennial

Respect for the right of everyone to own property alone as well as in association with others and its contribution to the economic and social development of Member States (1992)

Human rights and mass exoduses (1991)

Human rights in the administration of Justice (1991)

Summary or arbitrary executions (1992)

Development of public information activities in the field of human rights (1992)

Guidelines for the regulation of computerized personal data files

Human rights and scientific and technological developments (1991)

National institutions for the protection and promotion of human rights (1991)

International co-operation in solving international problems of a social, cultural or humanitarian character, and in promoting and encouraging universal respect for, and observance of, human rights and fundamental freedoms (1992)

Regional arrangements for the promotion and protection of human rights (1992)

Regional arrangements for the promotion and protection of human rights in the Asian and Pacific region (1992)

(c) Human rights situations and reports of special rapporteurs and representatives

II. Biennial programme of work of the Third Committee for 1991-1992

1991

Item 1. Report of the Economic and Social Council

Documentation:

Matters calling for action by the General Assembly (Third Committee) or brought to its attention

-Questions that do not fall within the purview of the other items on the agenda of the General Assembly allocated to the Third Committee

Item 2. Elimination of racism and racial discrimination

Documentation:

Relevant chapter of the report of the Economic and Social Council on the Second Decade to Combat Racism and Racial Discrimination (resolution 45/105, para. 26)

Report of the Secretary-General on resources for the activities of the Second Decade to Combat Racism and Racial Discrimination (resolution 45/105, paras. 17 and 18)

Report of the Secretary-General on the financial situation of the Committee on the Elimination of Racial Discrimination (resolution 45/88, paras. 9 and 10)

Report of the Secretary-General on the status of the International Convention on the Suppression and Punishment of the Crime of Apartheid (resolution 45/90)

Report of the Committee on the Elimination of Racial Discrimination (resolution 2106 A (XX) of 21 December 1965)

Item 3. Right of peoples to self-determination

Documentation:

Report of the Secretary-General on the 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 (resolution 45/131, para. 6)

Report of the Secretary-General on the use of mercenaries as a means to violate human rights and to impede the exercise of the right of peoples to self-determination (resolution 45/132, para. 10)

Report of the Secretary-General on the strengthening of assistance to colonial Territories and peoples (resolution 45/130, paras. 36 and 37)

Item 4. Social development

(a) Questions relating to the World social situation and to youth, aging, disabled persons and the family

Documentation:

Relevant chapter of the report of the Economic and Social Council

Interim report of the Secretary-General on the world social situation (resolution 45/87, para. 9)

Report of the Secretary-General on the work being done within the United Nations system to improve and further develop quantitative and qualitative indicators that measure accurately the social condition and the standard of living of the world's population, particularly in developing countries (resolution 45/87, para. 11)

Report of the Secretary-General on the implementation of the International Plan of Action on Aging and related activities (resolution 45/106)

Report of the Secretary-General on a draft world youth programme of action towards the year 2000 and beyond (resolution 45/103, para. 10)

Report of the Secretary-General on the progress made in the preparations for the International Year of the Family (resolution 45/133, para. 14)

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 (resolution 45/91, para. 13)

Report of the Secretary-General on progress achieved in implementing and following up the Guiding Principles for Developmental Social Welfare Policies and Programmes in the Near Future (resolution 44/65 of 8 December 1989, paras. 14 and 15)

Report of the Secretary-General on the implementation of the programme for International Literacy Year (resolution 44/127 of 15 December 1989)

(b) Crime prevention and criminal justice

Documentation:

Report of the Secretary-General on crime prevention and criminal justice (resolution 45/121, para. 15)

Report of the Secretary-General on the situation of the African Institute for the Prevention of Crime and the Treatment of Offenders and all other autonomous institutes of the United Nations (decision 45/428)

Report brought to the attention of the General Assembly

Note by the Secretary-General transmitting the report of the ministerial meeting on proposals for an effective crime prevention and criminal justice programme (resolution 45/108, para. 6)

Item 5. Advancement of women

Documentation:

Relevant chapter of the report of the Economic and Social Council

Report of the Committee on the Elimination of Discrimination against Women

Report of the Secretary-General on the status of the Convention on the Elimination of All Forms of Discrimination against Women (resolution 45/124, para. 4)

Report of the Secretary-General on the resources available and necessary to ensure adequate support to the Committee on the Elimination of Discrimination against Women and for the effective implementation of all other aspects of the programme on the advancement of women (resolution 45/124, paras. 12 and 16)

Report of the Secretary-General on the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women (resolution 45/129, para. 26)

Report of the Secretary-General on the improvement of the status of women in the Secretariat resolution 45/125)

Report of the Secretary-General on the interregional consultation on women in public life (resolution 45/127)

Report of the Administrator of the United Nations Development Programme on the United Nations Development Fund for Women (resolution 45/128)

Report of the Secretary-General on the activities of the International Research and Training Institute for the Advancement of Women (resolution 44/60 of 8 December 1989, paras. 8 and 9)

Item 6. Narcotic drugs

Documentation:

Relevant chapter of the report of the Economic and Social Council

Report of the Secretary-General on respect for the principles enshrined in the Charter of the United Nations and international law in the fight against drug abuse and illicit trafficking (resolution 45/147, para. 4)

Report of the Secretary-General on international action to combat drug abuse and illicit trafficking and on economic and social consequences of illicit traffic in drugs and psychotropic substances (resolution 45/149, sect. II, paras. 2, 5 and 6)

Annual report of the Secretary-General on the implementation of the Global 'Programme of Action against illicit production, supply, demand, trafficking and distribution of narcotic drugs and psychotropic substances (resolution 45/148, para. 4)

Report of the Secretary-General on the enhancement of the United Nations structure for drug abuse control (resolution 45/179, para. 14)

Item 7. Report of the United Nations High Commissioner for Refugees; questions relating to refugees and displaced persons; and humanitarian questions

(a) Report of the United Nations High Commissioner for Refugees

Documentation:

Relevant chapter of the report of the Economic and Social Council

Report of the United Nations High Commissioner for Refugees

Report of the Secretary-General (resolution 45/140, para. 17)

(b) Questions relating to refugees and displaced persons

Documentation:

Relevant chapter of the report of the Economic and Social Council

Report of the Secretary-General on the International Conference on the Plight of Refugees, Returnees and Displaced Persons in Southern Africa (resolution 45/137, para. 10)

Report of the Secretary-General on the International Conference on Central American Refugees (resolution 45/141, para. 16)

Report of the Secretary-General on assistance to student refugees in southern Africa (resolution 45/171, para. 11)

Report of the Secretary-General on the situation of refugees in the Sudan (resolution 45/160, para. 9)

Report of the Secretary-General on assistance to refugees in Somalia (resolution 45/154, para. 12)

Report of the Secretary-General on assistance to voluntary returnees and displaced persons in Chad (resolution 45/156, para. 6)

- Report of the Secretary-General on assistance to refugees and returnees in Ethiopia (resolution 45/161, para. 4)
- Report of the Secretary-General on assistance to refugees and displaced persons in Malawi (resolution 45/159, para. 8)
- Report of the Secretary-General on humanitarian assistance to refugees and displaced persons in Djibouti (resolution 45/157, para. 6)
- Report of the Secretary-General on emergency humanitarian assistance to Liberian refugees and displaced persons (resolution 45/139, para. 6)

Item 8. Human rights questions

(a) Implementation of human rights instruments

Documentation:

Relevant chapter of the report of the Economic and Social Council

Report of the Secretary-General on the effective implementation of international instruments on human rights, including reporting obligations under international instruments of human rights (resolution 45/85, para. 9 (b))

Report of the Secretary-General on the status of the Convention on the Rights of the Child (resolution 45/104, para. 10)

Report of the Committee against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (resolution 39/46 of 10 December 1984)

Report of the Secretary-General on the status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (resolution 45/142, para. 9)

Report of the Secretary-General on the status of United Nations Voluntary Fund for Victims of Torture

Report of the Secretary-General on the status of the International Covenant on Economic, Social and Cultural Rights and of the International Covenant on Civil and Political Rights and the Optional Protocols thereto (resolution 45/135, para. 19)

Report of the Human Rights committee

Report of the Secretary-General on the status of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (resolution 45/158, paras. 6 and 7)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Documentation:

Relevant chapter of the report of the Economic and Social Council

Report of the Secretary-General on the activities of the organizations of the United Nations system on the implementation of the Declaration on the Right to Development (resolution 45/97, para. 7)

Report of the Secretary-General on the torture and inhuman treatment of children in detention in South Africa (resolution 45/144, para. 6)

Report of the Secretary-General on national institutions for the protection and promotion of human rights (resolution 44/64 of 8 December 1989, para. 13)

Report of the Secretary-General on human rights and mass exoduses (resolution 45/153, para. 13)

Report of the Preparatory Committee for the World Conference on Human Rights (resolution 45/155, para. 13)

Report of the Secretary-General on developments relating to the activities of the Centre for Human Rights of the Secretariat (see resolution 45/180, para. 3)

Report of the Secretary-General on a draft programme of activities for the International Year for the World's Indigenous People (resolution 45/164, para. 7)

Report of the Secretary-General on his findings in pursuance of paragraphs 10 and 11 of resolution 45/150 and on the United Nations experience in election monitoring

Draft resolution entitled "Respect for the will of the people of Myanmar" (see decision 45/432)

Report of the Secretary-General on respect for the principles of national sovereignty and non-interference in the internal affairs of States in their electoral processes (resolution 45/151, para. 10)

Draft resolution entitled "Non-discrimination and protection of minorities" (see decision 45/434)

Report of the Secretary-General on human rights in the administration of justice (resolution 45/166, para. 12)

(c) Human rights situations and reports of special rapporteurs and representatives

Documentation:

Relevant chapter of the report of the Economic and Social Council

1992

Item 1. Report of the Economic and Social Council

Documentation:

Matters calling for action by the General Assembly (Third Committee) or brought to its attention

-Questions that do not fall within the purview of the other items on the agenda of the General Assembly allocated to the Third Committee

Item 2. Elimination of racism and racial discrimination

Documentation:

Relevant chapter of the report of the Economic and Social Council (resolution 45/105)

Report of the Committee on the Elimination of Racial Discrimination (resolution 2106 A (XX) of 21 December 1965)

Report of the Special Rapporteur on adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist régime of South Africa (resolution 45/84)

Report of the Secretary-General on the status of the International Convention on the Elimination of All Forms of Racial Discrimination (resolution 45/89)

Item 3. Right of peoples to self-determination

Item 4. Social development

(a) Questions relating to the world social situation and to youth, aging, disabled persons and the family

Documentation:

Relevant chapter of the report of the Economic and Social Council

Report of the Secretary-General on the status and role of co-operatives in the light of new economic and social trends (resolution 44/58 of 8 December 1989, para. 4)

Report of the Secretary-General on the implementation of the policies and programmes involving youth (resolution 45/103, para. 14)

(b) Crime prevention and criminal justice

Documentation:

Relevant chapter of the report of the Economic and Social Council on international co-operation in combating organized crime (resolution 44/71 of 8 December 1989, para. 3, and resolution 45/123, para. 3)

Item 5. Advancement of women

Documentation:

Relevant chapter of the report of the Economic and Social Council

Report of the Administrator of the United Nations Development Programme on the United Nations Development Fund for Women (resolution 45/128)

Report of the Committee on the Elimination of Discrimination against Women

Report of the Secretary-General on the status of the Convention on the Elimination of All Forms of Discrimination against Women (resolution 45/124, para. 4)

Item 6. Narcotic drugs

Documentation:

Relevant chapter of the report of the Economic and Social Council

Report of the Secretary-General on the implementation of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (resolution 45/146, para. 7)

Annual report of the Secretary-General on the implementation of the Global Programme of Action against illicit production, supply, demand, trafficking and distribution of narcotic drugs and psychotropic substances (resolution 45/148, para. 4)

Item 7. Report of the United Nations High Commissioner for Refugees; questions relating to refugees and displaced persons; and humanitarian questions

(a) Report of the United Nations High Commissioner for Refugees

Documentation:

Report of the United Nations High Commissioner for Refugees

(b) Questions relating to refugees and displaced persons

(c) Humanitarian questions

Documentation:

Report of the Secretary-General on humanitarian assistance to victims of natural disasters and similar emergency situations (resolution 45/100, para. 8)

Report of the Secretary-General on a new international humanitarian order (resolution 45/101, para. 5)

Item 8. Human rights questions

(a) Implementation of human rights instruments

Documentation:

Report of the Committee against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (resolution 39/46 of 10 December 1984)

Report of the Human Rights Committee

Report of the Secretary-General on the status of the Convention on the Prevention and Punishment of the Crime of Genocide (resolution 45/152, para. 5)

Report of the Secretary-General on the status of the United Nations Voluntary Fund for Indigenous Populations (decision 45/433)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Documentation:

Relevant chapter of the report of the Economic and Social Council

Report of the Secretary-General on the development of public information activities (resolution 45/99, para. 16)

Report of the Preparatory Committee for the World Conference on Human Rights (resolution 45/155, para. 13)

Report of the Secretary-General on the state of the regional arrangements for the promotion and protection of human rights (resolution 45/167, para. 10)

Report of the Secretary-General on the views of Member States on General Assembly resolution 43/124 regarding the impact of property on the enjoyment of human rights and fundamental freedoms (see decision 45/427)

Report of the Secretary-General on regional arrangements for the promotion and protection of human rights in the Asian and Pacific region (resolution 45/168, para. 8)

III. Recommendations concerning organizational matters

Pre-sessional documentation

1. Pre-sessional documentation should be circulated six weeks in advance in all working languages.

Introductory statements by Secretariat officials

2. Texts of introductory statements by Secretariat officials should be circulated to delegations in the original language and in the other official languages, if possible, at least three days in advance of the introduction of the item. Oral introductory statements should be limited to 15 minutes and should only highlight areas of special interest.

3. Secretariat officials should, at the end of the debate on a particular item, respond to matters raised and to questions asked.

Statements by delegations

4. In accordance with rule 106 of the rules of procedure of the General Assembly and paragraph 22 of decision 34/401 on the rationalization of the procedures and organization of the General Assembly, at the beginning of each session the Chairman should propose to the Third Committee the limitation of the time to be allowed to speakers. While it is understood that this decision will have to be applied with a degree of flexibility, delegations are encouraged to exercise self-discipline in this respect.

5. Copies of interventions made by delegations will be distributed by the conference officers. If a delegation is in a position to provide 200 copies, they may be circulated to all delegations during delivery of the statement. If only a limited number of copies can be provided, they may be given to the conference officer for placement at the back of the conference room.

Programme of work

6. The Secretariat should propose the programme of work of the Third Committee on the basis of experience gained at previous sessions of the Committee so that sufficient time is allocated for the consideration of a given item.

Questions for further consideration

7. Further consideration should be given to:

(a) The question of inviting eminent persons to address the Third Committee on the world social situation or other issues. It was considered that the experience of other Committees with that matter should be reviewed;

(b) The question of the revitalization of the Economic and Social Council and the relationship of that exercise to the work of the Third Committee;

(c) The relationship between the work of the Second Committee and that of the Third Committee.

Omnibus draft resolutions

8. Delegations are encouraged, to the extent possible, to draw up omnibus draft resolutions and to make resolutions as short and as concise as possible.

General Assembly resolution 45/175

18 December 1990 Meeting 69 Adopted without vote

Approved by Third Committee (A/45/838/Add. 1) without vote, 5 December (meeting 63); draft by Chairman (A/C.3/45/L.103); agenda item 12. Meeting numbers. GA 45th session: 3rd Committee 2, 63; plenary 69.

Report of Working Group. The Working Group on the Rationalization of the Work of the Third Committee submitted a 3 December report [A/C.3/45/L.100] which considered all aspects of the work programme of the Committee, including its substantive agenda, administrative and organizational matters and the role of the Secretariat in facilitating the Committee's work. It agreed that the primary focus of the rationalization exercise would not simply be to reduce the Committee's agenda, but to reorganize its work so as to improve the quality of debates and the impact of its deliberations and discussions. It agreed that any decision to biennialize resolutions or items must be part of a general agreement encompassing all items on the Committee's agenda, but delegations would not be prevented from submitting resolutions. Resolutions would take into account international years, decades, world conferences, congresses, anniversaries, and reviews and appraisals. It was also agreed that a longer period between reports and a reduction in the number of requests for reports would enhance their quality and substance. Reports of treaty bodies would be submitted to the Assembly annually and resolutions on those reports

adopted biennially. In alternate years, the Committee would take note of the report, unless substantive action was deemed appropriate. Requests for status reports on treaties should be made biennially, the Working Group said, and should be incorporated in the substantive resolution concerning the reports of the treaty bodies. The items on racism and racial discrimination and self-determination would continue to be discussed jointly. The programme of work of the Committee would be reviewed and approved annually to allow for adjustments.

The detailed recommendations of the Working Group were set out in three sections which contained the proposed structure of the Committee's agenda, a draft biennial work programme for 1991 and 1992 and further recommendations concerning organizational matters.

Economic and Social Council

The Economic and Social Council in 1990 held its organizational session in New York on 17 January and from 6 to 9 February. Its first regular session was also held in New York from 1 to 25 May. The first part of its second regular session took place in Geneva from 4 to 27 July.

On 26 July, by decision 1990/264, the Council decided to resume its second regular session of 1990, at a date to be determined, in order to consider, *inter alia*, the relevant sections of the report of the Committee for Programme and Co-ordination (CPC) on its resumed thirtieth session, the report of the Governing Council of the United Nations Environment Programme (UNEP) on its special session and the report of the Joint Meetings of CPC and the Administrative Committee on Co-ordination (ACC).

The first part of the second regular session of the Council was resumed in New York on 9 November.

Agendas

On 6 February, the Economic and Social Council adopted a five-item agenda for its organizational session.

By decision 1990/208 of 1 and 3 May, the Council adopted the agenda [E/1990/65] for its first regular session, and decided to include the items of the revival of the Library of Alexandria and a new item entitled "International co-operation in the elimination of the consequences of the accident at the Chernobyl nuclear power plant." It deferred to its second regular session

consideration of the report of the Secretary-General on a United Nations system-wide action plan on drug abuse control, together with relevant chapters of the report of CPC on its thirtieth session, and to consider it under the item entitled 'Co-ordination questions'. The Council also approved the organization of work of the session. By decision 1990/201 of the same date, the Council decided that at its second regular session, in its general discussion of international economic and social policy, including regional and sectoral developments, it would focus on the issue of resources for development and the external indebtedness of the developing countries.

On 25 May, by decision 1990/258, the Council approved the provisional agenda [E/1990/L.25] and the organization of work for its second regular session. It included a new sub-item entitled "Implementation of the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries" under agenda item 7 and decided to consider the question of the membership of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees under item 15.

On 4 July, by decision 1990/259, the Council adopted the agenda [E/1990/92] and approved the organization of work of its second regular session and decided to consider in plenary the question of the implementation of the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries.

(For agendas, see APPENDIX IV.)

Substantive session

Work programmes for 1990 and 1991

At its organizational sessions on 6 and 9 February, the Economic and Social Council considered the proposed basic programme of work of the Council [E/1990/1 & Add.1] for 1990 and 1991, as submitted by the Secretary-General. The Council on 9 February adopted decision 1990/201.

In section I of the decision, the Council approved the list of items for consideration in 1990-8 items for the first regular session and 14 for the second regular session-and allocated the items to its sessional committees and plenary meetings. The Council decided to consider at its first regular session a proposal of Sweden [E/1990/19] concerning the question of an international convention on the rights of disabled people. It would also consider the advisory opinion delivered by the International Court of Justice (ICJ) on the applicability of article VI, section 22,

of the Convention on the Privileges and Immunities of the United Nations, which was transmitted to the Council by the Secretary-General [E/1990/15]. The Council decided that, at its second regular session, it would focus its general discussion of international economic and social policy, including regional and sectoral developments, on the issue of resources for development and the external indebtedness of the developing countries. It would also consider the report of the Trade and Development Board of the United Nations Conference on Trade and Development (UNCTAD) on the second part of its thirty-sixth session and to authorize the Secretary-General to transmit directly to the General Assembly the Board's report on the first part of its thirty-seventh session. The second session would also address the question of the Second United Nations Conference on the Least Developed Countries. The Council authorized the Secretary-General to transmit directly to the Assembly the report of the United Nations University. It included in the agenda of the second regular session the report of the Governing Council of the United Nations Development Programme; damage caused by torrential rain and flooding in Democratic Yemen and Djibouti; and the report of the task force on documentation. Under the item on regional co-operation, the Council would consider, on an exceptional basis, inter-regional co-operation in international trade facilitation and in monitoring and assessment of illegal traffic in toxic and dangerous products and wastes. It decided to conduct its annual policy review of operational activities for development for 1990 and to reiterate its request that its subsidiary bodies highlight policy recommendations and decisions resulting from deliberations for consideration and action by the Council.

By section II of the decision, the Council took note of a list of questions for inclusion in its 1991 work programme.

Multi-year work programme

At its organizational session, the Economic and Social Council considered the Secretary-General's report [E/1990/14] on the implementation of Council resolutions 1988/77 and 1989/114, pursuant to 1989 General Assembly resolution 44/103 [YUN 1989, p. 7431]. The report discussed implementation of a multi-year work programme, modalities for in-depth consideration of major themes, organization of the work of the Council, the format of the report of the Council, issue-oriented consolidated reports, a consolidated note on General Assembly decisions in economic and social fields and Secretariat support for the Council. An annex to the report listed the

relevant major programmes and the programme structure of the medium-term plan for 1992-1997.

The report proposed that the Council limit its consideration to a maximum of three themes each year: one at the first regular session and two at the second regular session. Under transitional arrangements to be agreed upon for 1990 and 1991, operational activities for development would be considered at the second regular session in 1990, and poverty eradication and the implementation of the international development strategy would be the themes of the first and second regular sessions of 1991. A six-year work programme for the in-depth discussion of major themes was proposed for the period 1992-1997 on a two-year roll-over basis. A number of themes were suggested for the Council's consideration. It was also proposed that the Council set aside a specific segment of its regular sessions for the consideration of major policy themes with high-level participation.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 9 February, the Economic and Social Council adopted decision 1990/205.

Implementation of Economic and Social Council resolutions 1988/77 and 1989/114

At its 4th plenary meeting, on 9 February 1990, the Economic and Social Council, stressing the importance of full implementation of its resolutions 1988/77 of 29 July 1988 and 1989/114 of 28 July 1989, on the revitalization of the Council, agreed on the following:

1. In respect of the years 1990 and 1991, the Council decided:

(a) To hold discussions in 1990 on the following issue: "The impact of the recent evolution of East-West relations on the growth of the world economy, in particular, on the economic growth and development of the developing countries, as well as on international economic co-operation";

The discussions would be carried out in accordance with paragraph 22 of Council resolution 1989/114. Accordingly, the Council shall devote one day at its second regular session of 1990, following the general discussion of international economic and social policy, including regional and sectoral developments, to an informal exchange of views among members of the Council, with the active participation of the executive heads of organs, organizations and bodies of the United Nations system, on this theme. The discussions would assist the Council in preparing for a high-level in-depth consideration of the theme in the context of its multi-year work programme over a period of two days in 1991;

(b) In connection with the major policy theme, in accordance with paragraph 2 (a) (iii) of Council resolution 1988/77, to discuss in 1991 as an urgent and emerging issue the following: "The impact of the recent evolution of East-West relations on the growth of the world economy, in particular, on the economic growth and

development of the developing countries, as well as on international economic co-operation";

The discussion of this theme shall be at a special meeting at an appropriately high level, without excluding the ministerial level, which shall be held on 4 and 5 July 1991, during the second regular session of the Council. The special meeting shall be separate from the regular proceedings of the Council and precede its general discussion of international economic and social policy, including regional and sectoral developments. In this connection, the Council shall:

- (i) Invite the Secretary-General, in consultation with the President of the Council, to take the necessary measures to ensure adequate preparation for the special meeting, including the possibility of proposing at the second regular session of 1990 appropriate modalities for that purpose;
- (ii) Also invite all the relevant organs and organizations of the United Nations system to contribute to the successful outcome of the special meeting.

2. In respect of the years 1992 to 1994, the Council established, on a provisional basis, the following indicative multi-year work programme for the in-depth consideration of major policy themes during those years, which would be considered in the context of a high-level special meeting of the Council and a review of the current sessional arrangements. The list of themes would be reviewed annually and adjusted on a roll-over basis as necessary and as stipulated in the relevant paragraphs of Council resolutions 1988/77 and 1989/114. In reviewing such a work programme, the Council should bear in mind the need to maintain a balance between social and economic issues, the work programmes of the organs and organizations of the United Nations system and the progress made in the revitalization of the Council;

1992

The international trade system and its impact on the development of the developing countries;

Eradication of poverty in the developing countries, including the impact of structural adjustment programmes on vulnerable groups;

1993

Environment and development;

Population, development and socio-economic indicators;

1994

Technology and industrialization in the development process of the developing countries;

International co-operation against illicit production, supply, demand, trafficking and distribution of narcotic drugs.

3. The Council decided to request the President of the Council, in the context of the above, to continue his consultations between the organizational and the second regular sessions of 1990, on all relevant matters concerning the revitalization of the Council.

Economic and Social Council decision 1990/205

Adopted without vote

Draft by President (E/1990/L.15/Add.2), based on informal consultations; agenda item 3 (a).

In resolution 1990/68 of 27 July, the Council invited its President to convene a one-day preparatory meeting to precede the special high-level meeting of the Council in 1991.

The General Assembly, in resolution 45/182 of 21 December, invited all Member States and observer States to be represented at the special high-level meeting of the Council at the ministerial level and invited the Secretary-General, in consultation with the President of the Economic and Social Council, to ensure adequate preparation of the meeting.

Report for 1990

The work of the Economic and Social Council at its organizational, first and second regular and resumed second sessions during 1990 was summarized in its annual report to the General Assembly [A/45/3/Rev.1].

On 21 December, by decision 45/453, the Assembly, on the recommendation of the Fifth (Administrative and Budgetary) Committee, took note of chapters I, III (section B) and VI (sections B and C) of the report of the Council.

On the same date, the Assembly, by decision 45/438, on the recommendation of the Second (Economic and Financial) Committee, took note of the report of the Council.

Co-operation with other organizations

Non-governmental organizations

Requests from NGOs for hearings

The Committee on NGOs met on 30 April 1990 to hear requests from NGOs in category I consultative status to address the Economic and Social Council or its sessional committees in connection with items on the Council's agenda. The Committee recommended that six be heard [E/1990/63]. A meeting on 3 July recommended a further six NGOs [E/1990/98].

The Council approved the latter request on 5 July, by decision 1990/259.

Co-ordination in the UN system

ACC activities

The Administrative Committee on Co-ordination held two regular sessions in 1990 (Vienna, 2-4 May; New York, 22-23 October) [E/1991/42 & Add.1, 2].

During the year, ACC gave priority to seven substantive issues: development and international economic co-operation; the impact of recent evolution in East-West relations; African economic recovery and development; environment and development; drug abuse control; women and development; and operational activities for development. ACC also took action in response to a number of other issues, including the prevention and control of AIDS, the International Conference on Nutrition, the Chernobyl accident and assistance to Namibia. One goal of ACC was to ensure that the organizations of the UN system contributed in an effective manner to the successful conclusion of important intergovernmental negotiations and deliberations dealing with development and international economic co-operation. It highlighted the role of the United Nations in facilitating the progress of change in East-West relations as well as the lack of resources to respond fully to requests for assistance. It also considered the impact of those changes on multilateral co-operation and expressed its determination to ensure that the international community continued to give priority to those developing countries most in need of assistance.

ACC reviewed major initiatives and actions by the UN system in the implementation of the United Nations Programme of Action for African Economic Recovery and Development (1986-1990), and concluded that co-ordinated support by the international community and by the UN system must be accelerated beyond the Programme of Action. It also devoted considerable attention to a range of issues related to the environment, including preparations for the United Nations Conference on Environment and Development to be held in 1992. ACC also supported the activities of the World Meteorological Organization and the United Nations Environment Programme in preparation for negotiations for the development of a framework convention on climate change. The Committee prepared the UN System-wide Action Plan on Drug Abuse Control (see PART THREE, Chapter XVI), and adopted a statement recognizing the need for the international community to accelerate the pace of progress in the implementation of the 1985 Nairobi Forward-looking Strategies for the Advancement of Women [YUN 1985, p. 937]. In response to requests from Member States for more comprehensive and transparent information on the activities of the organizations of the United Nations, ACC reconvened its Consultative Committee on Substantive Questions (CCSQ) (Programme Matters). With regard to personnel issues, the comprehensive review of conditions of

employment of staff in the Professional and higher categories was completed. Through its Consultative Committee on Administrative Questions (CCAQ) (Financial and Budgetary Questions), ACC addressed the financial situation of the UN system, budgeting methods, the cost of health insurance and support costs. It reiterated its concern regarding arrears in contributions and noted the resulting programmatic consequences which jeopardized international co-operation in the political, economic, technical and social fields. ACC's principal subsidiary bodies met as follows:

Organizational Committee (New York, 12-15 February, 8-10 and 23 October; Geneva, 19 July; Vienna, 9-11 April and 4 May); CCAQ (Personnel and General Administrative Questions) (seventy-second session, New York, 26 February-16 March; Geneva, 2-27 July); CCAQ (Financial and Budgetary Questions) (seventy-second session, Paris, 19-23 March; seventy-third session, New York, 10-14 September) CCSQ (Programme Matters) (Geneva, 11-13 July); CCSQ (Operational Activities) (first regular session, Geneva, 2-5 April; second regular session, New York, 2-4 October); Informal Joint Working Group of CCSQ (Programme Matters) and CCAQ (Financial and Budgetary Questions) (New York, 17-19 September).

Bodies on specific subjects met as follows:

Ad hoc inter-agency meeting on co-ordination in matters relating to international drug abuse control (Vienna, 5 February; Geneva, 12-14 September); ad hoc inter-agency meeting on women (Vienna, 12-13 March); Sub-Committee on Nutrition (sixteenth session, Paris, 19-23 February; seventeenth session, Geneva, 24-26 July); Inter-Agency Group on New and Renewable Sources of Energy (ninth session, New York, 26-27 March and 2 April); Task Force on Long-term Development Objectives (nineteenth session, Geneva, 26-29 March); Task Force on Rural Development (eighteenth session, Rome, 2-4 May); Task Force on Science and Technology for Development (eleventh session, New York, 7-9 May); ad hoc inter-agency working group on demographic estimates and projections (sixteenth session, New York, 6-8 June); Sub-Committee on Statistical Activities (twenty-fourth session, Vienna, 18-22 June); Joint United Nations Information Committee (sixteenth session, Geneva, 21-22 June); ad hoc inter-agency meeting on outer space activities (Rome, 26-28 September); Intersecretariat Group for Water Resources (eleventh session, Geneva, 3-5 October); inter-agency meeting on United Nations Decade of Disabled Persons (eighth session, Vienna, 5-7 December).

Report for 1989

The ACC annual overview report for 1989 [E/1990/18] was considered by the Committee for Programme and Co-ordination (CPC) at its May/June session [A/45/16].

The Committee agreed that the ACC report should be more forward-looking and provide action-oriented conclusions and recommendations. It should keep Member States informed where differences existed among its members or where difficulties in co-ordination were encountered. CPC also said it should inform Member States on remedial measures that had been considered and implemented. The attention of ACC was drawn by CPC to a number of comments regarding the preparation of future reports, including the recommendation that the twenty-fifth series of Joint Meetings of the two Committees should consider information to be presented to them on a prototype for a revised annual overview report of ACC. The Committee recommended that ACC take measures to ensure the coherent and systematic implementation of its own recommendations.

CPC activities

In 1990, CPC met in New York for an organizational meeting on 2 April and for its thirtieth session from 7 May to 11 June and 17 to 22 September.

CPC reviewed the efficiency and the administrative and financial functioning of the United Nations and considered the proposed medium-term plan for 1992-1997 (see PART THREE, Chapter I). The Committee felt that the objectives of many subprogrammes should be stated with greater clarity and precision to facilitate evaluation. The distinction between objectives of Member States and those of the Secretariat should be more precise in terms of their respective roles. It recommended that decisions and resolutions adopted by the General Assembly, particularly during its sixteenth, seventeenth and eighteenth special sessions, should be reflected in the proposed plan and that cross-references should be indicated in subprogrammes.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 27 July, the Economic and Social Council, in decision 1990/282, endorsed the conclusions and recommendations contained in the report of CPC on the first part of its thirtieth session.

On the same date, the Council adopted resolution 1990/83.

Programme questions

The Economic and Social Council,

Having considered the introduction to the proposed medium-term plan for the period 1992-1997 and the relevant programmes of the plan,

Having considered the relevant sections of the report of the Committee for Programme and Co-ordination on the first part of its thirtieth session,

Noting with concern the delay in the issuance of documentation for the medium-term plan and the difficulties that it created for the Committee in its discussions,

Recognizing the importance of further consideration of the medium-term plan by the General Assembly at its forty-fifth session,

1. Expresses its appreciation for the work done by the Committee for Programme and Co-ordination during the first part of its thirtieth session;

2. Takes note of the introduction to the proposed medium-term plan for the period 1992-1997 and the views expressed by delegations thereon;

3. Takes note of the relevant programmes of the proposed medium-term plan for the period 1992-1997;

4. Takes note of the report of the Committee for Programme and Co-ordination on the first part of its thirtieth session, and endorses the relevant conclusions and recommendations contained therein on the understanding that further consideration of the proposed medium-term plan would be undertaken by the General Assembly at its forty-fifth session;

5. Requests the Committee for Programme and Co-ordination to make every possible effort to complete its consideration of the items set out in the provisional agenda for its resumed thirtieth session within the approved time-frame of 17 to 21 September 1990, and authorizes the Committee, on an exceptional contingency basis and subject to established procedures, to extend its resumed session to 26 September, should that prove necessary;

6. Requests the Secretary-General to ensure the timely submission of the necessary documentation so as to enable the Committee for Programme and Co-ordination to complete its work.

Economic and Social Council resolution 1990/83
27 July 1990 Meeting 37 Adopted without vote
Approved by Third Committee (E/1990/117), 24 July (meeting 17); draft
by Chairman (E/1990/C.3/L.14/Rev.1); agenda item 11.

Also on the same date, the Council, by decision 1990/281, recommended that the General Assembly request CPC to prepare draft guidelines governing the preparation and revision of system-wide action plans and system-wide medium-term plans and the relationship between the United Nations medium-term plan and those two instruments.

On 9 November, the Council, by decision 1990/289, took note of the report of CPC on the second part of its thirtieth session and endorsed its conclusions and recommendations relating to the proposed programme 45 of the medium-term plan for 1992-1997 (African economic recovery, development and transformation) and proposed programme 31 (regional co-operation for development in Asia and the Pacific).

Joint meetings of CPC and ACC

The twenty-fifth series of Joint Meetings of CPC and ACC was held in New York from 25 to 26 October 1990 [E/1990/123]. The topics considered

were improvement of co-ordination in the UN system and natural disaster reduction.

In its conclusions and recommendations, the Joint Meetings recognized that existing intergovernmental and intersecretariat bodies charged with co-ordination were adequate but said their effectiveness needed to be enhanced. At the country level, organizations of the system needed to intensify efforts to develop a team approach in support of national plans and priorities. The annual overview report of ACC should highlight problems of co-ordination requiring urgent attention and action by Governments, as well as proposals on action to be taken, agencies responsible and resources needed. System-wide communication and information should be strengthened. The Joint Meetings accepted the suggestions by ACC on the manner in which information and programmes would be presented in future annual overview reports and agreed that information on both regular and extrabudgetary resources would be included.

With respect to disaster reduction, the Joint Meetings stated that greater effort should be made to address disaster prevention and mitigation as part of the development process and the UN system should give greater priority to the integration of disaster prevention and/or mitigation in its development activities. It was agreed that the collective capacity of the United Nations to provide early warning should be enhanced, as well as international capacity, by promoting technical and technological capacities and training programmes and greater flow of information. A framework programme should be developed for the International Decade for Natural Disaster Reduction (1990-2000).

The Economic and Social Council, by decision 1990/290 of 9 November, took note of the report, endorsed the conclusions and recommendations contained therein and decided to transmit it to the General Assembly for consideration at its forty-fifth (1990) session.

The Assembly, in decision 45/438 of 21 December, took note of the Secretary-General's note [A/45/835] on the report.

On the same date, by resolution 45/254 B, the Assembly endorsed the conclusions and recommendations of the Joint Meetings.

Cross-organizational programme analyses

Pursuant to Economic and Social Council resolution 1988/77 [YUN 1988, p. 705], the Secretary-General submitted a 6 April report [E/AC.51/1990/6] on cross-organizational programme analysis of UN activities for industrial development. The analysis reflected the policy statements of relevant organizations on industrial develop-

ment and its relationship to the environment. It also paid particular attention to the collection of data on programme activities and included information on financial resources allocated to industrial development. Specific recommendations emerging from the analysis were also presented.

Cpc considered the report and noted the conclusion that the system as a whole was pursuing the mandates in industrial development in a rational manner, given the resources available for that purpose. It suggested that the United Nations Industrial Development Organization, in co-operation with the World Bank, should establish a substantive liaison function and that other UN organizations with significant industrial development operations should establish co-ordination arrangements with the World Bank. The United Nations Development Programme was invited to provide an information exchange function with regard to pre-investment activities; co-ordination at the national level among various organizations involved in industrial development needed to be strengthened. CPC stressed the

need to provide the least developed countries with an adequate level and share of resources to enable them to attain sustained industrial development.

CPC also considered a report [E/AC.51/1990/8] on cross-organizational programme analysis of UN activities on economic and social research and policy analysis. CPC requested the Secretary-General to continue to secure greater interaction among research bodies of the United Nations system and those outside the United Nations family.

Other institutional arrangements

Work programme of the Assembly's Second Committee

On 21 December, the General Assembly, by decision 45/439, approved the biennial programme of work for its Second (Economic and Financial) Committee for 1991-1992.

PART FOUR

Trusteeship and decolonization

Chapter I

Questions related to decolonization

The year 1990 marked the thirtieth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples. It was also the first year of the International Decade for the Eradication of Colonialism, proclaimed by the General Assembly in 1988. Commemorating the thirtieth anniversary of the Declaration, the Assembly recognized the significant and commendable role played by the United Nations since its inception in the field of decolonization and noted that, during that period, more than 100 States had achieved sovereignty. The Assembly expressed its determination to take effective measures leading to complete and unconditional elimination of colonialism in all its forms and manifestations without further delay.

The main body dealing with decolonization was the Assembly's Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (Special Committee on decolonization). In 1990, the Committee continued to examine the decolonization issue in general and made recommendations on the situations in the Trust Territory of the Pacific Islands (see PART FOUR, Chapter II), Namibia (see PART FOUR, Chapter III) and other Non-Self-Governing Territories, such as the Falkland Islands (Malvinas), New Caledonia and Western Sahara, as well as a number of small island Territories.

1960 Declaration on decolonization

In 1990, the United Nations continued to focus on implementing the Declaration on the Granting of Independence to Colonial Countries and Peoples, set out in General Assembly resolution 1514(XV) [YUN 1960, p. 49], which had served for 30 years as the basis of the decolonization process. The Assembly stressed that the Declaration had played an important role in assisting the peoples under colonial rule and would continue to serve as an inspiration in their efforts to achieve self-determination and independence, in accordance with the Charter of the United Nations, and to mobilize world public opinion for the complete

elimination of colonialism in all its forms and manifestations.

The Special Committee on decolonization held 15 meetings in New York during 1990, the first part of its annual session taking place on 22 January and the second part from 1 to 20 August. Its Sub-Committee on Petitions, Information and Assistance held 12 meetings, between 23 March and 29 June, and the Sub-Committee on Small Territories held 20 meetings, between 8 February and 15 June. On their recommendations, the Committee took action on implementation of the Declaration by international organizations, on the dissemination of information on decolonization, and on reports on the Territories supplied by the administering Powers and by the Committee's visiting missions.

Thirtieth anniversary of Declaration

In accordance with the Programme of Activities in Observance of the Thirtieth Anniversary of the Declaration, adopted in General Assembly resolution 44/100 [YUN 1989, p. 758], the Special Committee on decolonization held two regional seminars in Port Vila, Vanuatu (9-11 May), and in Bridgetown, Barbados (19-21 June). The Committee in August considered the item on the thirtieth anniversary and the seminar reports, and recommended a draft resolution for adoption by the General Assembly.

In November, the Secretary-General presented to the Assembly messages from Member States received on the occasion of the thirtieth anniversary [A/45/627]. The Assembly commemorated the anniversary at a plenary meeting on 10 October [A/45/Pv.29].

GENERAL ASSEMBLY ACTION

On 20 November, the General Assembly adopted resolution 45/33.

Thirtieth 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,

Recalling also its resolution 43/47 of 22 November 1988, entitled "International Decade for the Eradication of Colonialism",

Having commemorated in plenary meeting, in the year of the forty-fifth anniversary of the United Nations, the thirtieth anniversary of the Declaration,

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,

Recalling further 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, as well as its resolution 40/56 of 2 December 1985,

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 more than one hundred States into sovereign existence, in particular noting with satisfaction the attainment of independence by Namibia following the holding of free and fair elections under the supervision and control of the United Nations, and the subsequent admission of independent Namibia as a Member of the United Nations on 23 April 1990,

Noting with satisfaction, in particular, that during the past thirty 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,

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,

Noting with satisfaction the work accomplished by the two regional seminars held by the Special Committee in Vanuatu and Barbados on the occasion of the thirtieth anniversary of the Declaration,

Deeply concerned at the fact that, thirty years after the adoption of the Declaration, colonialism in the world has not yet been totally eradicated,

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 will be achieved peacefully and most expeditiously by the faithful and complete implementation of the Declaration,

Noting that the large majority of the remaining Non-Self-Governing Territories are small island Territories,

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;

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 thirtieth 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 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, the use of which would heighten tension and increase the threat to regional as well as 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, as well as

other relevant resolutions and decisions of the General Assembly and 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. Urges Member States to discontinue all economic, financial, trade and other relations with the racist minority regime of South Africa that run counter to the Declaration on Apartheid and its Destructive Consequences in Southern Africa and to refrain from entering into any relations which may lend legitimacy or support to its policies of apartheid;

10. 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;

11. 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 peoples of the Non-Self-Governing Territories of their inalienable right to self-determination and independence in conformity with the Declaration, which fully applies to the dependent Territories;

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. Also 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 re-

sponsibility 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;

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. 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 regime 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, including the Declaration on Apartheid and its Destructive Consequences in Southern Africa, and of the Security Council;

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

22. Requests the Special Committee to continue to examine the full compliance of all States with General Assembly 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 Assembly specific measures for the complete implementation of the Declaration in the remaining colonial Territories;

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

General Assembly resolution 45/33

20 November 1990 Meeting 44 124-2-21 (recorded vote)

Draft by Special Committee on decolonization (A/45/23); agenda item 18. Meeting numbers. GA 45th session: plenary 42-44.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua, and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Ireland, Jamaica, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: United Kingdom, United States.

Abstaining: Belgium, Belize, Canada, Denmark, Finland, France, Germany, Hungary, Iceland, Israel, Italy, Japan, Liechtenstein, Luxembourg, Netherlands, Norway, Panama, Poland, Portugal, Romania, Sweden.

Implementation of the Declaration

The Special Committee on decolonization considered the item on implementation of the Declaration at plenary meetings in August and prepared a report for the General Assembly [A/45/23].

GENERAL ASSEMBLY ACTION

On 20 November, the General Assembly adopted resolution 45/34.

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,

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 40/56 of 2 December 1985, on the twenty-fifth anniversary of the Declaration,

Also recalling all its resolutions concerning the implementation of the Declaration, in particular resolution 44/101 of 11 December 1989, as well as the relevant resolutions of the Security Council,

Deeply conscious of the urgent need to take all necessary measures to eliminate forthwith the last vestiges of colonialism, and, in that respect, recalling its resolution 43/47 of 22 November 1988,

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,

Conscious that the success of national liberation struggles and the resultant international situation have provided the international community with a unique opportunity to make a decisive contribution towards the total elimination of colonialism in all its forms and manifestations in Africa,

Welcoming the attainment of independence by Namibia following the holding of free and fair elections under the supervision and control of the United Nations, and the subsequent admission of independent Namibia as a Member of the United Nations on 23 April 1990,

Noting with satisfaction the work accomplished by the Special Committee to secure the effective and complete implementation of the Declaration contained in General Assembly resolution 1514(XV) and other relevant resolutions of the United Nations,

Noting also with satisfaction the co-operation and active participation of some of the administering Powers concerned in the relevant work of the Special Committee, as well as their continued readiness to receive United Nations visiting missions in the Territories under their administration,

Stressing the importance of the participation of the administering Powers in the work of the Special Committee and noting with concern the negative impact which the non-participation of certain administering Powers has had on the work of the Special Committee, depriving it of an important source of information on 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,

Recognizing that the eradication of colonialism is one of the priorities of the Organization for the decade 1990-1999,

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 policies and practices to suppress legitimate national liberation movements-is incompatible with the Charter, the Universal Declaration of Human Rights and the Declaration on the Granting of Independence to Colonial Countries and Peoples and poses a threat to international peace and security;

3. Reaffirms its determination to continue 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 Declaration on the Granting of Independence to Colonial Countries and Peoples.

dence 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 1990, including the programme of work envisaged for 1991;

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 activities of foreign economic and other interests which are impeding the implementation of the Declaration with respect to the colonial Territories;

8. Calls upon the administering Powers to ensure that no activity of foreign economic and other interests in the Non-Self-Governing Territories under their administration constitutes an obstacle to the right of the peoples of those Territories to self-determination and independence;

9. Strongly condemns 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;

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 peoples of colonial Territories and requests that the administering Powers, in consultation with the Governments of the Territories under their administration, 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-sixth 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;

(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, for the achievement of the objectives of the Declaration and the implementation of the relevant resolutions of the United Nations;

13. Calls upon the administering Powers to continue to co-operate with the Special Committee in the discharge of its mandate and to receive visiting missions to the Territories to secure first-hand information and ascertain the wishes and aspirations of their inhabitants, and urges, in particular, those administering Powers which do not participate in the work of the Special Committee to do so at its 1991 session;

14. Requests the Secretary-General and the specialized agencies and other organizations of the United Nations system to provide or continue to provide to the newly independent and emerging States all possible assistance in the economic, social and other fields;

15. Requests the Secretary-General to provide the Special Committee with the facilities and services required for the implementation of the present resolution, as well as of the various resolutions and decisions on decolonization adopted by the General Assembly and the Special Committee.

General Assembly resolution 45/34

20 November 1990 Meeting 44 131-2-15 (recorded vote)

25-nation draft (A/45/L.16 & Add.1); agenda item 18.

Financial implications. 5th Committee, A/45/686; S-G, A/C.5/45/35.

Meeting numbers. GA 45th session: 5th Committee 31; plenary 42-44.

Recorded vote in Assembly as follows:

In favour. Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Congo, Côte d'Ivoire, Cuba, Cyprus, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gabon, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Ireland, Jamaica, Japan, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaïre, Zambia, Zimbabwe.

Against: United Kingdom, United States.

Abstaining: Belgium, Bulgaria, Canada, Czechoslovakia, France, Germany, Hungary, Israel, Italy, Liechtenstein, Luxembourg, Malawi, Netherlands, Poland, Romania.

Implementation of the Declaration by UN organizations

In response to General Assembly resolution 44/85 [YUN 1989, p. 755], the Secretary-General in March invited 25 specialized agencies and international institutions forming part of or associated with the UN system to inform him of their activities to implement the 1960 Declaration. Summaries of responses were included in a June report of the Secretary-General, with later addendum [A/45/309 & Add.1].

The issue was also considered by the President of the Economic and Social Council in consultation with the Chairman of the Special Committee on decolonization. In a June report [E/1990/72], the President appealed to the specialized agencies and other organizations concerned to focus their renewed attention on the remaining Trust and Non-Self-Governing Territories, so as to expand and increase their assistance programmes.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 26 July, the Economic and Social Council adopted resolution 1990/60.

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 Economic and Social Council,

Having examined the report of the Secretary-General and the report of the President of the Economic and Social Council concerning the question of the 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,

Having heard the statements made by the representative 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 and by the Vice-Chairman of the Special Committee against Apartheid,

Recalling General Assembly resolution 1514(XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all other resolutions adopted by United Nations bodies on the subject, including in particular Assembly resolution 44/85 of 11 December 1989 and Economic and Social Council resolution 1989/95 of 26 July 1989,

Reaffirming the responsibility of the specialized agencies and other organizations of the United Nations system to take all effective measures, within their respective spheres of competence, to assist in the full and speedy implementation of the Declaration and other relevant resolutions of United Nations bodies,

Noting with satisfaction the attainment of independence by Namibia following the holding of free and fair elections under the supervision and control of the United Nations, and the subsequent admission of independent Namibia as a Member of the United Nations on 23 April 1990,

Also recalling General Assembly resolution S-16/1 of 14 December 1989, containing the Declaration on Apartheid and its Destructive Consequences in Southern Africa,

Noting with deep concern that destabilization by South Africa of the front-line and neighbouring States, whether through direct aggression, sponsorship of surrogates, economic subversion or other means, is unacceptable in all its forms and must not occur,

Recognizing that permanent peace and stability in southern Africa can only be achieved when the system of apartheid in South Africa has been eradicated and South Africa has been transformed into a united, democratic and non-racial country, and reiterating, therefore, that all the necessary measures should be adopted at the present time to bring a speedy end to the apartheid system in the interest of all the people of southern Africa, the African continent and the world at large,

Deeply concerned that the objectives of the Charter of the United Nations and the Declaration on the Granting of Independence to Colonial Countries and Peoples have not been fully achieved,

Bearing in mind the extremely fragile economies of the small island Territories and their vulnerability to natural disasters, such as hurricanes and cyclones, and recalling relevant General Assembly resolutions,

Deeply conscious of the continuing critical need of the people of Namibia for concrete assistance from the specialized agencies and the international institutions associated with the United Nations,

Noting with appreciation that assistance has continued to be extended to refugees from southern Africa through the Office of the United Nations High Commissioner for Refugees,

1. Takes note of the report of the President of the Economic and Social Council, and endorses the observations and suggestions contained therein;

2. Takes note also of the report of the Secretary-General;

3. Reaffirms that the recognition by the General Assembly, the Security Council and other United Nations organs of the legitimacy of the aspiration of colonial peoples to exercise their right to self-determination and independence entails, as a corollary, the extension by the United Nations system of organizations of all the necessary moral and material assistance to those peoples;

4. Expresses its appreciation to those specialized agencies and other organizations of the United Nations system that have continued to co-operate in varying forms and degrees with the United Nations and the regional organizations concerned in the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and other relevant resolutions of United Nations bodies, and urges all the specialized agencies and other organizations of the United Nations system to contribute to the full and speedy implementation of the relevant provisions of those resolutions;

5. Recommends that all States intensify their efforts in the specialized agencies and other organizations of the United Nations system to ensure the full and effective implementation of the Declaration and other related resolutions of the United Nations system;

6. Requests the specialized agencies and international institutions associated with the United Nations to strengthen existing measures of support and formulate additional programmes of assistance to the remaining Trust and Non-Self-Governing Territories within the framework of their respective mandates;

7. Requests the specialized agencies and other organizations of the United Nations system, as well as international and regional organizations, to take appropriate measures within their spheres of competence in order to accelerate progress in the economic and social sectors of those Territories;

8. Welcomes the continued initiative exercised by the United Nations Development Programme in maintaining close liaison among the specialized agencies and other organizations of the United Nations system, and in co-ordinating the activities of the specialized agencies in extending effective assistance to the peoples of colonial Territories, and calls upon the specialized agencies and other organizations of the United Nations system, as a matter of urgency, to contribute generously to the relief, rehabilitation and reconstruction efforts in the Non-Self-Governing Territories affected by natural disasters;

9. Urges the administering Powers concerned to facilitate the participation of the representatives of the Governments of Trust and Non-Self-Governing Territories at the relevant meetings and conferences of the agencies and organizations so that the Territories may draw the maximum benefits from the related activities of the specialized agencies and other organizations of the United Nations system;

10. Urges the governing bodies of those specialized agencies and other organizations of the United Nations system that have not already done so to include in the agenda of their regular sessions a separate item on the progress made and action to be taken by their organization in the implementation of the Declaration and other relevant resolutions of the United Nations bodies;

11. Urges the executive heads of the specialized agencies and other organizations within the United Nations system to formulate, with the active co-operation of the regional organizations concerned, concrete proposals for the full implementation of the relevant United Nations resolutions and to submit the proposals as a matter of priority to their governing and legislative organs;

12. Urges the specialized agencies and other organizations of the United Nations system to adhere to the Programme of Action contained in the Declaration on Apartheid and its Destructive Consequences in Southern Africa, in particular with regard to increased support for the opponents of apartheid, the use of concerted and effective measures aimed at applying pressure to ensure a speedy end to apartheid and ensuring the non-relaxation of existing measures to encourage the South African regime to eradicate apartheid until there is clear evidence of profound and irreversible changes;

13. Stresses, in the context of the Declaration on Apartheid and its Destructive Consequences in Southern Africa, the need for the specialized agencies and other organizations of the United Nations system to render all possible assistance to the front-line and neighbouring States to enable them to rebuild their economies, which have been adversely affected by

South Africa's acts of aggression and destabilization, to withstand any further such acts and to continue to support the people of South Africa;

14. 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 and to the discussion held on the subject at the second regular session of 1990 of the Economic and Social Council;

15. Requests the President of the Economic and Social Council to continue to maintain close contact on these matters with the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and to report thereon to the Council;

16. Also requests the President of the Council to maintain contact with the Chairman of the Special Committee against Apartheid, which is the focal point for the international campaign against apartheid, and to report thereon to the Council as appropriate;

17. Requests the Secretary-General to follow the implementation of the present resolution, with particular attention to co-ordination and integration arrangements for maximizing the efficiency of the assistance activities undertaken by various organizations of the United Nations system, and to report thereon to the Council at its second regular session of 1991;

18. Decides to keep these questions under continuous review.

Economic and Social Council resolution 1990/60
26 July 1990 Meeting 36 52-0-1 (roll-call vote)

Approved by Third Committee (E/1990/113) by roll-call vote (45-0-1), 24 July (meeting 18); draft by Bahamas, Bulgaria, Cuba, Czechoslovakia,* Indonesia, Iran, Iraq, Syrian Arab Republic, Ukrainian SSR, Yugoslavia and Zambia (for African States) (E/1990/C.3/L.9/Rev.1); orally revised; agenda item 12.

*Later informed the Council it had not intended to sponsor the resolution.

Roll-call vote in Council as follows:

In favour: Algeria, Bahamas, Bahrain, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, China, Colombia, Cuba, Czechoslovakia, Ecuador, Finland, France, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guinea, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Lesotho, Liberia, Libyan Arab Jamahiriya, Mexico, Netherlands, New Zealand, Nicaragua, Pakistan, Portugal, Rwanda, Saudi Arabia, Sweden, Thailand, Trinidad and Tobago, Tunisia, Ukrainian SSR, USSR, United States, Venezuela, Yugoslavia, Zaire, Zambia.

Against: None.

Abstaining: United Kingdom.

GENERAL ASSEMBLY ACTION

The Special Committee considered the implementation of the 1960 Declaration at its plenary meetings in August and recommended a draft resolution for adoption by the General Assembly.

On 20 November, the Assembly adopted resolution 45/18.

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”.

Having considered the reports submitted on the item by the Secretary-General, the Economic and Social Council 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,

Recalling its resolution 1514(XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, its resolution 1541(XV) of 15 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 its other relevant resolutions on this subject, in particular resolution 44/85 of 11 December 1989,

Recalling also its resolution S-16/1 of 14 December 1989, the annex to which contains the Declaration on Apartheid and its Destructive Consequences in Southern Africa,

Bearing in mind the relevant provisions of the final documents of the successive Conferences of Heads of State or Government of Non-Aligned Countries and of the resolutions adopted by the Assembly of Heads of State and Government of the Organization of African Unity,

Noting with satisfaction the attainment of independence by Namibia following the holding of free and fair elections under the supervision and control of the United Nations, and the subsequent admission of independent Namibia as a Member of the United Nations on 23 April 1990,

Noting that the large majority of the remaining Non-Self-Governing Territories are small island Territories,

Recalling relevant resolutions of the Caribbean Development and Co-operation Committee concerning the access of Non-Self-Governing Territories to programmes and activities of the United Nations system,

Noting the assistance extended thus far to colonial Territories by certain specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme, and considering that such assistance should be expanded further, commensurate with the pressing needs of the peoples concerned for external assistance,

Stressing the importance of securing additional resources for funding expanding programmes of assistance for the peoples concerned and the need to enlist the support of the major funding institutions within the United Nations system in that regard,

Noting with deep concern that destabilization by South Africa of the front-line and neighbouring States, whether through direct aggression, sponsorship of surrogates, economic subversion or other means, the forms and consequences of which stand well documented in United Nations and other publications, is unacceptable in all its forms and must not occur,

Reaffirming that it is 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 General Assembly resolution 1514(XV) and other relevant resolu-

tions of the United Nations, particularly those relating to the extension of assistance to the peoples of the colonial Territories,

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, and convinced that closer contacts and consultations between the specialized agencies and other organizations of the United Nations system and regional organizations help to facilitate the effective formulation of assistance programmes for the peoples concerned,

Noting with grave concern the extensive links and collaboration between the apartheid regime of South Africa and certain countries in the political, diplomatic, economic, nuclear, military and other fields, and the growing military and nuclear co-operation between racist Pretoria and Israel,

Bearing in mind the importance of the activities of non-governmental organizations aimed at putting an end to the assistance which is still being rendered to South Africa by some specialized agencies,

Mindful of the 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 extremely fragile economies of the small island Territories and their vulnerability to natural disasters such as hurricanes and cyclones, and recalling relevant resolutions of the General Assembly,

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 item;

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;

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 that 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. 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, 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;

6. Requests once again the specialized agencies and other organizations of the United Nations system to continue to provide all humanitarian, material and moral assistance to Namibia and all newly independent and emerging States so as to enable them to achieve genuine economic independence;

7. 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 the administering Powers concerned, directly or, where appropriate, through regional organizations, in order to intensify programmes of assistance and to facilitate and accelerate the implementation of General Assembly resolution 1514(XV);

8. Urges the executive heads of the specialized agencies and other organizations of the United Nations system, in co-operation with the regional and other organizations where appropriate, to submit to their governing and legislative organs concrete proposals for the full implementation of the relevant United Nations decisions, particularly specific programmes of assistance to the peoples of the colonial Territories and their national liberation movements;

9. Urges once again the executive heads of the World Bank and the International Monetary Fund to draw the attention of their governing bodies to the present resolution, and urges them to introduce flexible procedures to prepare specific programmes for the peoples of the colonial Territories;

10. 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 other relevant resolutions of the United Nations;

11. Requests the specialized agencies and other organizations of the United Nations system, as well as international and regional organizations, to take appropriate measures within their respective spheres of competence in order to accelerate progress in the economic and social sectors of the colonial Territories;

12. Welcomes the continued initiative exercised by the United Nations Development Programme in maintaining close liaison among the specialized agencies and other organizations of the United Nations system and in co-ordinating the activities of the agencies in extending effective assistance to the peoples of colonial Territories, and calls upon the specialized agencies and other organizations of the United Nations system, as a matter of urgency, to contribute generously to the relief, rehabilitation and reconstruction efforts in those Non-Self-Governing Territories affected by natural disasters;

13. Urges the administering Powers concerned to facilitate the participation of the representatives of the Governments of Trust and Non-Self-Governing Terri-

tories in the relevant meetings and conferences of the agencies and organizations so that the Territories may draw the maximum benefits from the related activities of the specialized agencies and other organizations of the United Nations system;

14. Urges the specialized agencies and other organizations of the United Nations system to adhere to the programme of action contained in the Declaration on Apartheid and its Destructive Consequences in Southern Africa, in particular with regard to increased support for the opponents of apartheid, the use of concerted and effective measures aimed at applying pressure to ensure a speedy end to apartheid and ensuring the non-relaxation of existing measures to encourage the South African régime to eradicate apartheid until there is clear evidence of profound and irreversible changes;

15. Stresses, in the context of the Declaration on Apartheid and its Destructive Consequences in Southern Africa, the need for the specialized agencies and other organizations of the United Nations system to render all possible assistance to the front-line and neighbouring States to enable them to rebuild their economies, which have been adversely affected by South Africa's acts of aggression and destabilization, to withstand any further such acts and to continue to support the people of South Africa;

16. Invites the specialized agencies and other organizations of the United Nations system to co-operate with the Action for Resisting Invasion, Colonialism and Apartheid Fund set up by the Eighth Conference of Heads of State or Government of Non-Aligned Countries, held at Harare from 1 to 6 September 1986, with the common objective of providing emergency assistance to the front-line States and national liberation movements struggling against the apartheid régime;

17. Condemns the extensive links and collaboration between the apartheid régime of South Africa and certain countries in the political, diplomatic, economic, nuclear, military and other fields, and the growing military and nuclear co-operation between the racist régime and Israel;

18. 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;

19. 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;

20. Requests the Economic and Social Council to continue, as appropriate, 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;

21. Requests the specialized agencies to report periodically to the Secretary-General on the implementation of the present resolution;

22. Requests the Special Committee to continue to examine the question and to report thereon to the General Assembly at its forty-sixth session.

General Assembly resolution 45/18

20 November 1990 Meeting 44 115-12-20 (recorded vote)

Approved by Fourth Committee (A/45/682) by recorded vote (105-12-23), 25 October (meeting 14); draft by Special Committee on decolonization (A/45/23); agenda items 113 & 12.

Meeting numbers. GA 45th session: 4th Committee 3,7-14; plenary 44.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Cuba, Cyprus, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Belgium, Canada, Denmark, France, Germany, Israel, Italy, Luxembourg, Netherlands, Portugal, United Kingdom, United States.

Abstaining: Australia, Austria, Bulgaria, Côte d'Ivoire, Czechoslovakia, Finland, Greece, Hungary, Iceland, Ireland, Japan, Liechtenstein, Malta, New Zealand, Norway, Poland, Romania, Spain, Sweden, Turkey.

Foreign interests impeding implementation of Declaration

The Special Committee on decolonization in August considered the question of activities of foreign economic and other interests which impeded the implementation of the 1960 Declaration. It reaffirmed its concern over those activities and adopted a resolution which became the basis of a draft resolution recommended to the General Assembly.

GENERAL ASSEMBLY ACTION

On 20 November, the General Assembly adopted resolution 45/17.

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 Territories under colonial domination and efforts to eliminate colonialism, apartheid and racial discrimination in southern Africa

The General Assembly,

Having considered the item entitled "Activities of foreign economic and other interests which are impeding the implementation of the Declaration on the Granting

of Independence to Colonial Countries and Peoples in 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,

Recalling its resolutions 1514(XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and 1541(XV) of 15 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 its other relevant resolutions on this subject, including, in particular, resolution 44/84 of 11 December 1989,

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 also that those economic and other activities which impede the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and obstruct efforts aimed at the elimination of colonialism, apartheid and racial discrimination in southern Africa and other colonial Territories are 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 further that the natural resources of all Territories under colonial and racist domination are the heritage of the peoples of those Territories and that the depletive exploitation of those resources by foreign economic interests constitutes a direct violation of the rights of the peoples and of the principles of the Charter and all relevant resolutions of the United Nations,

Bearing in mind the relevant provisions of the final documents of the successive Conferences of Heads of State or Government of Non-Aligned Countries and of the resolutions adopted by the Assembly of Heads of State and Government of the Organization of African Unity,

Condemning the intensified activities of those foreign economic, financial and other interests that 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, thereby impeding the realization by the peoples of the Territories of their legitimate aspirations for self-determination and independence,

Strongly condemning the collaboration by certain 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 strengthening its abhorrent system of apartheid,

Concerned about any foreign economic, financial and other activities which continue to deprive the indigenous populations of colonial Territories in the Carib-

bean, the Pacific Ocean and other regions of their rights over the wealth of their countries, and concerned that the inhabitants of those Territories continue to suffer from a loss of land ownership as a result of the failure of the administering Powers concerned to restrict the sale of land to foreigners, despite the repeated appeals of the General Assembly,

Conscious of the continuing need to mobilize world public opinion against the involvement of foreign economic, financial and other interests in the exploitation of natural and human resources, which impedes the independence of colonial Territories and the elimination of racism, particularly in South 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 applying pressure on transnational corporations to refrain from any investment or activity in South Africa, 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 apartheid regime,

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 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 those activities of foreign economic and other interests in the colonial Territories which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and the efforts to eliminate colonialism, apartheid and racial discrimination;

5. Strongly condemns the collaboration of the Governments of certain countries, in particular Israel, with the racist minority regime of South Africa in the nuclear field, and calls upon those and all other Governments concerned to refrain from supplying that regime, directly or indirectly, with installations, equipment or material that might enable it to produce uranium, plutonium and other nuclear materials, reactors or military equipment;

6. Also strongly condemns the collaboration with the racist minority regime of South Africa of certain countries as well as transnational corporations that continue to make new investments in South Africa and supply the regime with armaments, nuclear technology and

all other materials that are likely to buttress it and thus aggravate the threat to world peace;

7. Calls upon all States to take urgent, effective measures to terminate all collaboration with the racist régime of South Africa in the political, economic, trade, military and nuclear fields and to refrain from entering into other relations with that regime in violation of the relevant resolutions of the United Nations and of the Organization of African Unity;

8. Calls once again upon all Governments that have not yet done so to take, in accordance with the relevant provisions of its resolution 2621(XXV) of 12 October 1970, 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 that 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;

9. 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 regime of South Africa;

10. Reiterates that the exploitation and plundering of the marine and other natural resources of colonial Territories by foreign economic interests, including the activities of those transnational corporations which are engaged in the exploitation and export of the natural resources of the Territories, in violation of the relevant resolutions of the General Assembly and the Security Council, are illegal and are a grave threat to the integrity and prosperity of those Territories;

11. Reiterates its request to all States, pending the imposition of comprehensive mandatory sanctions against South Africa, to take legislative, administrative and other measures, individually or collectively, as appropriate, in order effectively to isolate South Africa politically, economically, militarily and culturally, in accordance with the relevant resolutions of the General Assembly, and encourages those Governments that have recently taken certain unilateral sanction measures against the South African regime to take further measures;

12. 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;

13. 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, as well as their right to establish and maintain control over the future development of those natural resources, and requests the administering Powers to take all necessary steps to protect the property rights of the peoples of those Territories;

14. 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;

15. 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 pillage of natural resources in colonial Territories and the exploitation of their indigenous populations by foreign economic interests;

16. Appeals to mass media, trade unions and 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 regime of South Africa and to work for the enforcement of economic and other sanctions against that régime and for encouraging a policy of systematic and genuine divestment from corporations doing business in South Africa;

17. Decides 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;

18. 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-sixth session.

General Assembly resolution 45/17

20 November 1990 Meeting 44 113-11-24 (recorded vote)

Approved by Fourth Committee (A/45/681) by recorded vote (79-10-21).

12 October (meeting 61; draft by Special Committee on decolonization (A/45/23); agenda item 112.

Meeting numbers. GA 45th session: 4th Committee 2-6; plenary 44.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Cuba, Cyprus, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Belgium, France, Germany, Israel, Italy, Japan, Luxembourg, Netherlands, Portugal, United Kingdom, United States.

Abstaining: Australia, Austria, Botswana, Bulgaria, Canada, Côte d'Ivoire, Czechoslovakia, Denmark, Finland, Greece, Hungary, Iceland, Ireland, Liechtenstein, Malawi, Malta, New Zealand, Norway, Panama, Poland, Romania, Spain, Sweden, Turkey.

Military activities in Territories

In August, the Special Committee on decolonization continued to consider the issue of military activities by colonial Powers in Territories under their administration which might impede the implementation of the 1960 Declaration. The Committee recommended a draft decision to the General Assembly for adoption.

GENERAL ASSEMBLY ACTION

In November, the General Assembly adopted decision 45/406.

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 44th plenary meeting, on 20 November 1990, the General Assembly, on the recommendation of the Fourth Committee, adopted the following text:

"1. The General Assembly, having considered the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to an item on the agenda of the Special Committee 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' and recalling its resolution 1514(XV) of 14 December 1960 and all other resolutions and decisions of the United Nations relating to military activities in Non-Self-Governing Territories, and conscious that military bases and installations in the Territories concerned could constitute an obstacle to the exercise by the people of those Territories of their right to self-determination, reiterates its strong views that existing bases and installations, which are impeding the implementation of the Declaration, should be withdrawn and that no further entrenchment should be condoned.

"2. In recalling its resolution 1514(XV) and all other resolutions and decisions of the United Nations relating to military bases and installations in colonial and Non-Self-Governing Territories, the General Assembly 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 unconditionally such activities and to 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 reiterates 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, a critical situation continues to prevail as a result of South Africa’s inhuman repression of the people of South Africa. The Assembly declares that the policy of apartheid and destabilization not only undermines the peace and stability of the southern African region but also constitutes a threat to international peace and security.

“6. The General Assembly 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 25 November 1977 and poses a threat to international peace and security. The Assembly urges the Council to consider, as a matter of urgency, the report of the Committee established under its resolution 421(1977) of 9 December 1977 and adopt further measures to widen the scope of its resolution 418(1977) in order to make it more effective and comprehensive. The Assembly also calls for the scrupulous observance of Council resolution 558(1984) of 13 December 1984 enjoining all States to refrain from importing armaments from South Africa. The Assembly is particularly mindful in that regard of a series of resolutions adopted by the Security Council, the General Assembly, the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Special Committee against Apartheid, as well as the Movement of Non-Aligned Countries, the Organization of African Unity, the Commonwealth and a number of intergovernmental and regional organizations.

“7. The General Assembly considers that the acquisition of nuclear-weapon 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 Assembly condemns the continuing support to the racist régime of South Africa in the military and nuclear fields. In this context, the Assembly expresses its concern at the grave consequences for international peace and security of the collaboration between the racist régime of South Africa and certain Western Powers, Israel and other countries in the military and nuclear fields. It calls upon the States concerned to end all such collaboration and, in particular, to halt the supply to South Africa of equipment, technology, nuclear materials and related training, which increases its nuclear capability.

“8. The General Assembly strongly condemns the continuing collaboration of certain countries with the racist régime in the military and nuclear fields and expresses its conviction that such collaboration is in contravention of the arms embargo imposed against South Africa under Security Council resolution 418(1977) and undermines international solidarity against the apartheid régime. The Assembly thus calls for the termination forthwith of all such collaboration.

“9. The General Assembly urges all Governments, the specialized agencies and other intergovernmental organizations to provide increased material assistance to the thousands of refugees who have been forced by the apartheid régime’s oppressive policies in South Africa to flee into the neighbouring States and for the purpose of resettlement of those who are returning.

“10. The General Assembly deprecates the continued alienation of land in colonial Territories for military installations. 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.

“11. The General Assembly requests the Secretary-General to continue, through the Department of Public Information of the Secretariat, an intensified campaign of publicity with a view to informing world public opinion of the facts concerning the military activities and arrangements in colonial Territories which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in Assembly resolution 1514(XV).

“12. The General Assembly 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 Assembly at its forty-sixth session.”

General Assembly decision 45/406

115-11-22 (recorded vote)

Approved by Fourth Committee (A/45/681) by recorded vote (77-12-22).

12 October (meeting 6); draft by Special Committee on decolonization (A/45/23); agenda item 112.

Meeting numbers. GA 45th session: 4th Committee 2-6; plenary 44.

Recorded vote in Assembly as follows:

In favour Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Chad, Chile, China, Colombia, Comoros, Congo, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Belgium, Canada, France, Germany, Israel, Italy, Luxembourg, Netherlands, Portugal, United Kingdom, United States.

Abstaining: Australia, Austria, Bulgaria, Central African Republic, Czechoslovakia, Denmark, Finland, Greece, Hungary, Iceland, Ireland, Japan, Liechtenstein, Malawi, Malta, New Zealand, Norway, Poland, Romania, Spain, Sweden, Turkey.

Territories under review

Falkland Islands (Malvinas)

Delegations of the Governments of the United Kingdom and Argentina met again in Madrid, Spain, on 14 and 15 February 1990, to discuss further the question of the Falkland Islands (Islas Malvinas). Both reaffirmed the formula on sovereignty over the Falkland Islands (Malvinas), South Georgia and the South Sandwich Islands and the surrounding maritime areas: agreed on in October 1989 [YUN 1989, p. 766]. Under the terms of that formula, they decided to establish an "Interim reciprocal information and consultation system" for movements of units of their armed forces in areas of the south-west Atlantic, in order to increase confidence between the two countries and to contribute to achieving a more normal situation in the region without unnecessary delay; to establish a direct communication link between the Falkland Islands (Malvinas) and the mainland in order to reduce the possibility of incidents, limit their consequences in the case of occurrence, and increase common knowledge of military activities in the south-west Atlantic; to agree on a set of rules of reciprocal behaviour for naval and air units when operating in proximity; to agree on a mechanism for emergencies aimed at facilitating air and maritime search and rescue operations in the south-west Atlantic; to establish a system of exchange of information on the safety and control of air and maritime navigation; and to continue bilateral consideration of those matters and review the measures agreed on within one year from their coming into force on 31 March 1990. On that day, the United Kingdom's

decision to lift the Protection Zone established around the Falkland Islands (Malvinas) was also to be implemented.

Both Governments further agreed that they should proceed to exchange available information on the operations of fishing fleets, appropriate catch and stocks of the most significant offshore species in the maritime area of the Atlantic Ocean between the latitudes 45 and 60 degrees S. Such information would be assessed jointly and the possibilities for co-operation and conservation explored bilaterally. To continue considering the issues discussed, a Working Group on South Atlantic Affairs was to be set up.

Further consideration was given to the situation with regard to contacts between the Falkland Islands (Malvinas) and the mainland, with the United Kingdom recognizing Argentina's readiness to facilitate communications and trading opportunities. Both countries expressed agreement to a visit to the cemetery on the Falkland Islands (Malvinas), under the auspices of the International Committee of the Red Cross (ICRC), by close relatives of Argentine nationals buried there. Both also agreed that the feasibility and desirability of a general co-operation agreement should be examined and that an investment promotion and protection agreement should be negotiated. Further agreement was reached on abolishing visas for nationals of each country wishing to visit the other, and on exploring ways of collaborating in the fight against illicit drug trafficking.

A statement on the agreements reached, as well as the text of those agreements, was transmitted to the Secretary-General [A/45/136-S/21159], the European Community and the Organization of American States.

Committee consideration. The Special Committee on decolonization considered the question of the Falkland Islands (Malvinas) during its August session as a separate item [A/45/23]. It adopted a resolution urging Argentina and the United Kingdom to consolidate the current process of dialogue and bilateral co-operation through the resumption of negotiations in order to find as soon as possible a peaceful solution to the sovereignty dispute relating to the question of the Falkland Islands (Malvinas).

GENERAL ASSEMBLY ACTION

By decision 45/424 of 12 December, the General Assembly took note of the letter dated 21 February from Argentina and the United Kingdom to the Secretary-General, transmitting their joint statement issued at the conclusion of their 14-15 February meeting (see above), and included the item entitled "Question of the Falkland Is-

lands (Malvinas)" in the provisional agenda of its forty-sixth (1991) session.

Western Sahara

Following the acceptance in principle by the parties concerned—Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro (POLISARIO Front)—in August 1988 of the settlement proposals for resolving the question of Western Sahara [YUN 1988, p. 740], initiated by the UN Secretary-General and the Chairman of the Assembly of Heads of State and Government of the Organization of African Unity (OAU), the United Nations was actively involved in the preparatory process for their implementation.

Human Rights Commission action. On 16 February [E/1990/22 (res. 1990/4)], the Commission on Human Rights reaffirmed that the question of Western Sahara was a question of decolonization which remained to be completed on the basis of the exercise by the people of Western Sahara of their inalienable right to self-determination. The Commission welcomed the progress achieved through the joint good offices of the Chairman of OAU and the Secretary-General and urged them to intensify their efforts to resolve outstanding problems, thereby creating the conditions for holding a referendum on self-determination.

Activities of Secretary-General. In February, the Secretary-General's Special Representative, Johannes Manz of Switzerland, who succeeded Hector Gros Espiell, visited the Territory on a familiarization mission and met with the leaders of the neighbouring countries. In March, the Secretary-General visited the region in pursuance of his good offices mission and consulted with King Hassan II of Morocco and Mohamed Abdelaziz, the leader of POLISARIO, seeking clarification of their positions on various issues of the proposed implementation plan. He also met with the Algerian President and a Mauritanian government representative as observers to the peace process in Western Sahara.

As part of the preparatory process for the implementation of the settlement proposals, the Secretary-General, in consultation with the OAU Chairman, completed arrangements for the setting up of the Identification Commission to verify the identity and eligibility of the people of the Territory who wished to vote in the planned referendum for self-determination and to issue them voter-registration cards. Since the process of identification required the assistance of tribal chiefs and leaders, the Secretary-General convened in Geneva in June a meeting at which the

terms of reference of the Identification Commission and its methods of work were explained to 38 tribal chiefs and elders.

Following those consultations, the Secretary-General, in a June report [S/21360], presented to the Security Council the full text of the settlement proposals of 1988, as well as the implementation plan with a time-frame for giving effect to those proposals. The plan provided for a transitional period, during which his Special Representative would have exclusive responsibility over all matters relating to the referendum, including its organization and conduct. The Special Representative would be assisted by an integrated UN support group, including civilian, military and civil police units, known as the United Nations Mission for the Referendum in Western Sahara (MINURSO).

The implementation plan foresaw a cease-fire monitored by UN military personnel, followed by an exchange of prisoners of war under the auspices of ICRC. Under the plan, Morocco would undertake a substantial and phased reduction of its troops in the Territory, and the combatants on each side would be confined to certain locations monitored by UN military. Twenty-four weeks after the cease-fire came into effect, a referendum would be held in which the people of Western Sahara would choose between independence or integration with Morocco. The referendum would be organized and conducted by the United Nations, which would issue regulations, rules and instructions for that purpose and would monitor other aspects of the Territory's administration, especially the maintenance of law and order, to ensure that the necessary conditions existed for the holding of a free and fair referendum. Following proclamation of an amnesty, political prisoners would be released and all laws or regulations which could impede the holding of a free and fair referendum would be suspended to the extent that the Special Representative deemed it necessary. All refugees and other Western Saharan residents outside the Territory would be enabled to return, after the United Nations had established their right to vote. Algeria and Mauritania would, as they had already indicated, cooperate with the Special Representative in ensuring that the transitional arrangements and the results of the referendum were respected.

In his concluding observations, the Secretary-General expressed the belief that the implementation plan—to be carried out by the United Nations in co-operation with OAU—provided an effective means of holding a referendum and permitting the people of Western Sahara to determine their future without military or administrative constraints. He accordingly commended

it to the Council for such action as the Council might think appropriate in order to facilitate the earliest possible implementation.

To refine the administrative aspects of the plan and obtain information about the availability of logistic supplies and support, the Secretary-General intended to dispatch in the immediate future a technical mission to the Territory and neighbouring countries, required for the preparation of a further report containing an estimate of the cost of MINURSO. When presenting that report, he would then recommend to the Council that it authorize the immediate establishment of MINURSO for the purposes described.

SECURITY COUNCIL ACTION

On 27 June, on the basis of the Secretary-General's report, the Security Council adopted resolution 658(1990).

The Security Council,

Recalling its resolution 621(1988) of 20 September 1988, by which it decided to authorize the Secretary-General to appoint a special representative for Western Sahara and to request the Secretary-General to transmit to it as soon as possible a report on the holding of a referendum for self-determination of the people of Western Sahara and on ways and means to ensure the organization and supervision of such a referendum by the United Nations in co-operation with the Organization of African Unity,

Recalling also that, on 30 August 1988, the Kingdom of Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro gave their agreement in principle to the proposals of the Secretary-General of the United Nations and the current Chairman of the Assembly of Heads of State and Governments of the Organization of African Unity in the framework of the joint mission of good offices,

Having considered the report of the Secretary-General on the situation concerning Western Sahara,

1. Expresses its full support to the Secretary-General in his mission of good offices, pursued jointly with the current Chairman of the Assembly of Heads of State and Government of the Organization of African Unity, with a view to settling the question of Western Sahara;

2. Approves the report of the Secretary-General, transmitted to the Council in accordance with resolution 621(1988) with a view to settling the question of Western Sahara, which contains the full text of the settlement proposals as accepted by the two parties on 30 August 1988 as well as an outline of the plan provided by the Secretary-General in order to implement those proposals;

3. Calls upon the two parties to co-operate fully with the Secretary-General of the United Nations and the current Chairman of the Assembly of Heads of State and Government of the Organization of African Unity in their efforts aimed at an early settlement of the question of Western Sahara;

4. Welcomes the intention of the Secretary-General to dispatch, in the immediate future, a technical mission to the territory and to neighbouring countries, in particular to refine the administrative aspects of the

outlined plan and to obtain the necessary information for the preparation of a further report to the Council;

5. Requests the Secretary-General to transmit to the Security Council as soon as possible a further detailed report on his implementation plan, containing, in particular, an estimate of the cost of the United Nations Mission for the Referendum in Western Sahara, on the understanding that this further report should be the basis on which the Council would authorize the establishment of the Mission.

Security Council resolution 658(1990)

27 June 1990 Meeting 2929 Adopted unanimously

Draft prepared in consultations among Council members (S/21376).

Committee consideration. The Special Committee on decolonization, during its consideration of the question of Western Sahara in August, heard a statement by a representative of the POLISARIO Front. It also had before it a working paper prepared by the Secretariat containing information on developments concerning the Territory [A/AC.109/1048 & Corr.1/Rev.1]. The Committee decided to give consideration to the item at its next session, subject to any directives the General Assembly might give in the mean time.

Further report of Secretary-General. In accordance with General Assembly resolution 44/88 [YUN 1989, p. 767], the Secretary-General reported [A/45/644 & Corr.1] on his activities during the period from 12 October 1989 to 10 October 1990. Pursuant to the Security Council resolution, he held further talks in Geneva in July with Morocco and the POLISARIO Front on how best to implement the peace plan approved by the Council, examining issues related to the referendum, such as a code of conduct, an extension of the suspension of military operations, and the prospect of direct dialogue between the parties under his auspices. He dispatched a technical mission to Western Sahara and neighbouring countries from 29 July to 11 August to refine the administrative aspects of the implementation plan, obtain information for a cost estimate and ascertain the available facilities and services.

In conclusion, the Secretary-General stated that he had maintained close contact with the OAU Chairman on all aspects of the question of Western Sahara and had remained in contact with the two parties, which helped to clarify the approach being taken by the United Nations on specific issues and made it possible to take full account of their concerns regarding the implementation plan.

He continued to be encouraged by the progress being made with respect to the peace process, the Secretary-General said. His series of good offices missions enjoyed the full co-operation of the parties in their shared interest to move towards the implementation of the referendum. He ex-

pressed appreciation of the willingness of the tribal leaders of Western Sahara to help in the identification process.

Given the political will displayed by the parties, the Secretary-General believed that a solution was well within reach. He voiced the hope that the parties would continue to accord great attention to all questions regarding the peace plan's implementation.

GENERAL ASSEMBLY ACTION

On 20 November, the General Assembly adopted resolution 45/21.

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 44/88 of 11 December 1989,

Recalling resolution AHG/Res.104(XIX) on Western Sahara, 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,

Recalling also the agreement in principle given on 30 August 1988 by the Kingdom of Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Rio de Oro to the joint proposals 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 with a view to the holding of a referendum for self-determination of the people of Western Sahara, organized and supervised by the United Nations in co-operation with the Organization of African Unity,

Recalling further Security Council resolution 621(1988) of 20 September 1988 concerning the question of Western Sahara,

Noting with satisfaction the appointment on 19 January 1990 of Mr. Johannes Manz as Special Representative of the Secretary-General for 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,

Having also examined the report of the Secretary-General,

Reiterating its support for the joint good offices process initiated in New York on 9 April 1986 by the Chairman of the Assembly of Heads of State and Government of the Organization of African Unity and the Secretary-General of the United Nations with a view to promoting a just and definitive solution of the question of Western Sahara, in accordance with resolution AHG/Res.104(XIX) and General Assembly resolution 40/50 of 2 December 1985,

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

2. 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;

3. Welcomes with satisfaction the report submitted by the Secretary-General to the Security Council on the situation concerning Western Sahara, which was unanimously approved by the Council in its resolution 658(1990) of 27 June 1990;

4. Notes with appreciation the dispatching to Western Sahara and to neighbouring countries of the technical mission in order to refine the administrative aspects of the outlined plan and to obtain the necessary information for the preparation of a further report of the Secretary-General to the Security Council containing, in particular, an estimate of the cost of the United Nations Mission for the Referendum in Western Sahara;

5. Expresses its full support for 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, in accordance with General Assembly resolution 40/50;

6. Urges 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 continue and intensify their efforts with a view to resolving the remaining problems and thus to fulfil the necessary conditions for the holding of a referendum for self-determination of the people of Western Sahara, without any administrative or military constraints, organized and supervised by the United Nations in co-operation with the Organization of African Unity;

7. Reaffirms its conviction that the direct dialogue between the two parties to the conflict could contribute to the completion of the joint good offices process 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 the restoration of peace in Western Sahara and to stability and security in the whole region;

8. Appeals once again to the Kingdom of Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Rio de Oro to display the co-operation and the political good will necessary for the completion of the peace process with a view to a speedy settlement of the question of Western Sahara;

9. 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-sixth session;

10. 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;

11. Invites the Secretary-General to follow the situation in Western Sahara closely with a view to the imple-

mentation of the present resolution and to report thereon to the General Assembly at its forty-sixth session.

General Assembly resolution 45/21

20 November 1990 Meeting 44 Adopted without vote

Approved by Fourth Committee (A/45/685 & Corr.1) without vote, 25 October (meeting 15); 57-nation draft (A/C.4/45/L.2), orally revised; agenda item 18.

Meeting numbers. GA 45th session: 4th Committee 7-15; plenary 44.

East Timor

In 1990, the Secretary-General continued consultations with Portugal—considered by the United Nations to be the legal administering Power—and Indonesia, which asserted [A/AC.109/1045 & Add.1] that decolonization in East Timor was complete and, consequently, the integration of East Timor into Indonesia was formalized on 17 July 1976 [YUN 1976, p. 732]. Portugal continued to maintain its position [A/45/172] that it was prevented “de facto” from exercising its responsibilities for the administration of the Territory, due to the latter’s illegal occupation by a third country.

In September, the Secretary-General reported [A/45/507] that there were, under his auspices, substantive, constructive and serious talks under way between Indonesia and Portugal, and that he was encouraged by the considerable progress made so far. Both countries had given assurances of their commitment to achieving a comprehensive and internationally acceptable solution.

The question of East Timor was taken up by the Special Committee on decolonization in August. The Committee heard statements by Indonesia, Portugal and Cape Verde—on behalf also of Angola, Guinea-Bissau, Mozambique, and Sao Tome and Principe—and additionally heard statements from 22 petitioners. The Committee had before it a Secretariat working paper on political developments, the human rights situation, and economic and social conditions in the Territory [A/AC.109/1037 & Add.1].

By letters to the Committee Chairman dated 27 July and 7 August [A/AC.109/1045/Add.1], Indonesia expressed strong opposition to the participation of the petitioners in the Committee deliberations, reiterating its view that consideration of the question by the Committee was inappropriate and constituted interference in matters essentially within the domestic jurisdiction of a sovereign Member State.

The Committee decided to continue consideration of the item at its next session, subject to any directives that the General Assembly might give in that connection. The Assembly did not act on the matter in 1990.

New Caledonia

A group of islands in the south-west Pacific Ocean, known as New Caledonia, was determined by the General Assembly, in resolution 41/41 A [YUN 1986, p. 913], to be a Non-Self-Governing Territory (NSGT) within the meaning of the UN Charter; however, France, the administering Power, did not consider New Caledonia an NSGT. In September 1987, it had organized a referendum, which reportedly had resulted in a vote in favour of remaining with France. A Statute of Autonomy for the Territory, approved by the Council of Ministers of France, was to come into force after the holding of elections in April 1988 [YUN 1988, p. 742]. The elections were boycotted by the six-party Front de liberation nationale kanak et socialiste (FLNKS), one of the major political movements of the Territory, and won by the Rassemblement pour la Caledonie dans la République. In May of that year, France dispatched a mission to the Territory to present proposals for its future. Discussions were held with representatives of political parties and other officials; they resulted in a set of proposals known as the Matignon Agreement, according to which another referendum on self-determination was to be held in 1998.

The Special Committee on decolonization considered the question of New Caledonia in August 1990, hearing statements by Front uni de libération kanak and FLNKS. It had before it a working paper prepared by the Secretariat containing information on developments concerning the Territory [A/AC.109/1041 & Corr.1]. The Committee adopted a resolution which became the basis for a draft resolution to the Assembly.

GENERAL ASSEMBLY ACTION

On 20 November, the General Assembly adopted resolution 45/22.

Question of New Caledonia

The General Assembly,

Having considered the question of New Caledonia,

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,

Reaffirming the importance of the universal realization of the right of peoples to self-determination,

Recalling its resolutions 1514(XV) of 14 December 1960 and 1541 (XV) of 15 December 1960.

Noting the positive measures that continue to be pursued in New Caledonia by the French authorities, in co-operation with all sectors of the population, to promote political, economic and social development in the Territory, in order to provide a framework for its peaceful progress to self-determination,

Acknowledging the close links between New Caledonia and the peoples of the South Pacific and the posi-

tive actions of the French authorities to facilitate the further development of those links,

1. Approves the section 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 New Caledonia;

2. Urges all the parties involved, in the interest of all the people of New Caledonia, to maintain their dialogic in a spirit of harmony;

3. Invites all the parties involved to continue promoting a framework for the peaceful progress of the Territory towards an act of self-determination in which all options are open and which would safeguard the rights of all New Caledonians;

4. Requests the Special Committee to continue the examination of this question at its next session and to report thereon to the General Assembly at its forty-sixth session.

General Assembly resolution 45/22

20 November 1990 Meeting 44 Adopted without vote

Approved by Fourth Committee (A/45/685) without vote, 25 October (meeting 15); draft by Special Committee on decolonization (A/45/23); agenda item 18.

Meeting numbers. GA 45th session: 4th Committee 7-15; plenary 44.

Gibraltar

The Special Committee on decolonization, for its consideration of the question of Gibraltar on 20 August, had before it a Secretariat working paper containing information on political developments and economic, social and educational conditions there [A/AC.109/1044]. Taking into account related developments, the Committee decided to continue consideration of the item at its next session, subject to any directives that the General Assembly might give in that connection.

GENERAL ASSEMBLY ACTION

In November, the General Assembly adopted decision 45/407.

Question of Gibraltar

At its 44th plenary meeting, on 20 November 1990, the General Assembly, on the recommendation of the Fourth Committee, adopted the following text as representing the consensus of the Members of the Assembly:

"The General Assembly, recalling its decision 44/426 of 11 December 1989 and recalling at the same time that the statement agreed to by the Governments of Spain and the United Kingdom of Great Britain and Northern Ireland at Brussels on 27 November 1989, stipulates, *inter alia*, the following:

"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 environmental matters. Both sides accept that the issues of sovereignty will be discussed in that pro-

cess. 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",

takes note of the fact that, as part of this process, the Ministers for Foreign Affairs have held annual meetings alternatively in each capital, and urges both Governments to continue their negotiations with the object of reaching a definitive solution to the problem of Gibraltar in the light of relevant resolutions of the General Assembly and in the spirit of the Charter of the United Nations."

General Assembly decision 45/407

Adopted without vote

Approved by Fourth Committee (A/45/685) without vote, 25 October (meeting 15); draft consensus (A/C.4/45/L.3); agenda item 18.

Meeting numbers. GA 45th session: 4th Committee 7-15; plenary 44.

Small Territories

The Special Committee on decolonization decided to allocate the following 13 Territories to its Sub-Committee on Small Territories: American Samoa, Anguilla, Bermuda, British Virgin Islands, Cayman Islands, Guam, Montserrat, Pitcairn, St. Helena, Tokelau, Turks and Caicos Islands, United States Virgin Islands, and the Trust Territory of the Pacific Islands (see PART FOUR, Chapter II). In their capacity as the administering Powers concerned and in accordance with established procedures, New Zealand, Portugal and the United States continued to participate in the Committee's work-New Zealand in relation to Tokelau, Portugal to East Timor (see above) and the United States to American Samoa, Guam and the United States Virgin Islands. The United Kingdom did not participate in the Committee's consideration of the Territories under its administration. The Sub-Committee reiterated its appeal to the United Kingdom to reconsider its decision and resume its participation and supply information on the Territories under its administration, in accordance with Article 73 e of the UN Charter.

During its consideration of the 13 Territories, the Committee had before it a draft resolution by Norway [A/AC.109/L.1745] on the questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Tokelau, the Turks and Caicos Islands and the United States Virgin Islands. On 20 August, the Committee decided to transmit the draft to its 1991 session for appropriate consideration and also decided to examine the modalities of consolidating the various resolutions on the situation in those small NSGTS, subject to any directives which the General Assembly might give in that connection.

American Samoa

The Sub-Committee on Small Territories considered the question of American Samoa between April and June. It had before it a Secretariat working paper [A/AC.109/1033] on constitutional and political developments and economic, social and educational conditions in the Territory. The Special Committee on decolonization on 1 August [A/45/23] adopted the Sub-Committee's report [A/AC.109/L.1735] and endorsed the conclusions and recommendations contained in it, forwarding them to the United States.

GENERAL ASSEMBLY ACTION

On 20 November, the General Assembly adopted resolution 45/30.

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,

Recalling its resolution 1514(XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all resolutions and decisions of the United Nations relating to American Samoa, in particular General Assembly resolution 44/97 of 11 December 1989,

Conscious of the need to promote progress towards the full implementation of the Declaration in respect of American Samoa,

Having heard the statement of the representative of the United States of America, as the administering Power,

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,

Noting with grave concern the destruction wrought by cyclone Ofa in February 1990, and, in this respect, noting the speedy emergency assistance provided to the Territory by the administering Power and by the specialized agencies and other organizations of the United Nations system,

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 assessing the situation in the Non-Self-Governing Territories, and reaffirming the value of sending, at an appropriate time, a further visiting mission to American Samoa,

1. Approves the section 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;

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;

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. Reiterates that it is the responsibility of the United States of America, as the administering Power, to create such conditions in the Territory as will enable the people of American Samoa to exercise freely and without interference their inalienable right to self-determination and independence in accordance with resolution 1514 (XV) and all other relevant resolutions of the General Assembly;

5. Reaffirms that it is ultimately for the people of American Samoa themselves to determine freely 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. Also reaffirms the responsibility of the administering Power to promote the economic and social development of American Samoa, and recommends that priority should be given to the diversification of the Territory's economy in order to provide the foundations for sound social and economic development, to reduce its heavy economic and financial dependence on the United States and to create more employment opportunities for the people of the Territory;

7. Urges the administering Power, in co-operation with the territorial Government, to take effective measures to safeguard and guarantee the inalienable right of the people of American Samoa to own and dispose of the natural resources of the Territory, including marine resources, and to establish and maintain control over the future development of those resources;

8. Urges that, because of the destruction wrought by cyclone Ofa, emergency assistance to the Territory be continued;

9. Invites the specialized agencies and other organizations of the United Nations system to continue to take all necessary measures to accelerate progress in the social and economic life of the Territory;

10. Urges the administering Power to continue to foster close relations between the Territory and other island communities in the region and to promote co-operation between the territorial Government and regional institutions, as well as the specialized agencies and other organizations of the United Nations system;

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 at an appropriate time and 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-sixth session.

General Assembly resolution 45/30

20 November 1990 Meeting 44 Adopted without vote

Approved by Fourth Committee (A/45/685) without vote, 31 October (meeting 16); draft by Special Committee on decolonization (A/45/23); agenda item 18.

Meeting numbers. GA 45th session: 4th Committee 7-16; plenary 44.

Anguilla

On 1 August, the Special Committee on decolonization considered the question of Anguilla, having before it a report of the Sub-Committee on Small Territories [A/AC.109/L.1726] and two working papers prepared by the Secretariat [A/AC.109/1026] on developments concerning the Territory [A/AC.109/1026] and on foreign economic and other interests [A/AC.109/1035]. The Committee adopted the Sub-Committee's report, endorsing its conclusions and recommendations and transmitting them to the United Kingdom, the administering Power.

GENERAL ASSEMBLY ACTION

On 20 November, the General Assembly adopted resolution 45/23.

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,

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all resolutions and decisions of the United Nations relating to Anguilla, including in particular General Assembly resolution 44/94 of 11 December 1989,

Conscious of the need to ensure the full and speedy implementation of the Declaration in respect of the Territory,

Having heard the statement of the representative of the United Kingdom of Great Britain and Northern Ireland, as the administering Power,

Recalling the results of the general elections of February 1989 and the statement of the Chief Minister that the Government of Anguilla had no intention of moving towards independence during its current term of office,

Bearing in mind the stated policy of the Government of the United Kingdom, the administering Power, that it remains ready to respond positively to the express wish of the people of the Territory on the question of independence,

Noting that the Government of the United Kingdom has agreed to several of the constitutional changes recommended by the Anguilla House of Assembly and that those agreed upon have been referred to the legal advisers of the Foreign and Commonwealth Office, who were instructed to begin work on the amendments, and that in January 1990 a territorial government delegation visited London to discuss the amendments to the Constitution,

Noting that the administering Power has not changed its position regarding the restriction, or delegation to ministers of the territorial Government, of any or all of the Governor's special responsibilities without setting a time-frame for independence,

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,

Reaffirming the responsibility of the administering Power to promote the economic and social development of the Territory,

Expressing its concern at the continued illegal operation of foreign fishing vessels within the territorial waters of Anguilla, and welcoming the measures taken by the territorial Government and the Organization of Eastern Caribbean States to protect and conserve marine resources and to control the activities of foreign fishermen operating illegally in the area,

Stressing the importance of an efficient and effective civil service, and noting the measures being taken by the territorial Government aimed at alleviating the problem of unemployment and providing increased job opportunities,

Noting with concern the vulnerability of the Territory to drug trafficking and related activities,

Noting the contribution to the development of the Territory by specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme, as well as regional institutions such as the Caribbean Development Bank,

Recalling that in 1987 Anguilla became a member of the Eastern Caribbean Central Bank and that it continues to participate and maintain an active interest in the related activities of other regional organizations,

Recalling also the dispatch in 1984 of a United Nations visiting mission to the Territory,

Mindful that United Nations visiting missions provide an effective means of assessing the situation in the Non-Self-Governing Territories, and considering that the possibility of sending a further visiting mission to Anguilla at an appropriate time should be kept under review,

1. Approves the section 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;

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;

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 the Territory as will enable the people of Anguilla to exercise freely and without interference their inalienable right to self-determination and independence.

able right to self-determination and independence in accordance with resolution 1514 (XV) and all other relevant resolutions of the General Assembly;

5. Reaffirms that it is ultimately for the people of Anguilla themselves to determine freely their future political status in accordance with the relevant provisions of the Charter of the United Nations and the Declaration, and in that connection reaffirm 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 and to increase its assistance to programmes of diversification;

7. Urges the administering Power, in co-operation with the territorial Government, to continue the assistance necessary to increase employment of the local population in the civil service and other sectors of the economy;

8. Also urges the administering Power, in co-operation with the territorial Government, to take effective measures to safeguard and guarantee the inalienable right of the people of Anguilla to own and dispose of the natural resources of the Territory, including marine resources, and to establish and maintain control over the future development of those resources, and in this connection takes note of reports of the possible sale of one of Anguilla's offshore islands to an international group of bankers;

9. Calls upon the administering Power to continue to take all necessary measures, in co-operation with the territorial Government, to counter problems related to drug trafficking;

10. Invites the specialized agencies and other organizations of the United Nations system to continue to take all necessary measures to accelerate progress in the social and economic life of the Territory;

11. Reiterates its request to the administering Power to continue to make every effort to facilitate and encourage the participation of the Territory in regional and international organizations;

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 Anguilla at an appropriate time and in consultation with the administering Power, and to report thereon to the General Assembly at its forty-sixth session.

General Assembly resolution 45/23

20 November 1990 Meeting 44 Adopted without vote

Approved by Fourth Committee (A/45/685) without vote, 25 October (meeting 15); draft by Special Committee on decolonization (A/45/23); agenda item 18.

Meeting numbers. GA 45th session: 4th Committee 7-15; plenary 44.

Bermuda

Having considered the report of the Sub-Committee on Small Territories [A/AC.109/L.1727] and three working papers prepared by the Secretariat, containing information on developments concerning Bermuda [A/AC.109/1025], military activities [A/AC.109/1027] and foreign economic and other interests [A/AC.109/1028], the Special Com-

mittee on decolonization on 1 August adopted the Sub-Committee's report and endorsed its conclusions and recommendations, transmitting them to the United Kingdom.

GENERAL ASSEMBLY ACTION

On 20 November, the General Assembly adopted resolution 45/24.

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,

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all resolutions and decisions of the United Nations relating to Bermuda, in particular General Assembly resolution 44/92 of 11 December 1989,

Conscious of the need to ensure the full and speedy implementation of the Declaration in respect of the Territory,

Having heard the statement of the representative of the United Kingdom of Great Britain and Northern Ireland, as the administering Power,

Bearing in mind the stated policy of the Government of the United Kingdom, the administering Power, that it remains ready to respond positively to the express wish of the people of the Territory on the question of independence.

Noting that, following the general elections of 1989, during which the ruling United Bermuda Party retained power in the House of Assembly despite the loss of eight seats, its leader, the Prime Minister, stated that the question of independence was no longer a major issue because the majority of the people did not seem to want independence at present,

Noting that the leader of the largest opposition party, the Progressive Labour Party, considers that independence would help to unify the people of Bermuda and that the Governor of Bermuda stated that the Government of Bermuda recognized that it had a responsibility to obtain pertinent information on the question of independence should circumstances change.

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,

Noting that in January 1988 the Government of Bermuda started work on a new development plan for the Territory with a view to involving the public as closely as possible in its preparation,

Noting with concern the vulnerability of the Territory to drug trafficking and related activities,

Noting with appreciation the continued contribution of the United Nations Development Programme, as well as regional institutions such as the Caribbean Development Bank, to the development of the Territory,

Mindful that United Nations visiting missions provide an effective means of assessing the situation in

Non-Self-Governing Territories, and considering that the possibility of sending a visiting mission to Bermuda at an appropriate time should be kept under review,

1. Approves the section 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;

2. Reaffirming 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;

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. 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 Territory as will enable the people of Bermuda to exercise freely and without interference their inalienable right to self-determination and independence in accordance with resolution 1514 (XV) and all other relevant resolutions of the General Assembly;

5. Reaffirms that it is ultimately for the people of Bermuda 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. 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;

7. Urges the administering Power to continue to take all necessary measures not to involve Bermuda 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;

8. Also Urges the administering Power, in co-operation with the territorial Government, to continue to take effective measures to safeguard and guarantee the inalienable right of the people of Bermuda to own and dispose of the natural resources of the Territory, including marine resources, and to establish and maintain control over the future development of those resources;

9. Reaffirms the responsibility of the administering Power to promote the economic and social development of the Territory, and recommends that priority should continue to be given to the diversification of the Territory's economy in order to provide the foundations for sound social and economic development;

10. Calls upon the administering Power to continue to take all necessary measures, in co-operation with the territorial Government, to counter problems related to drug trafficking;

11. Invites the specialized agencies and other organizations of the United Nations system to continue to provide assistance for the development needs of Bermuda;

12. Reaffirms the value of sending a visiting mission to the Territory, and requests the administering Power to facilitate the dispatch of such a mission 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-sixth session.

General Assembly resolution 45/24

20 November 1990 Meeting 44 Adopted without vote

Approved by Fourth Committee (A/45/685) without vote, 25 October (meeting 15); draft by Special Committee on decolonization (A/45/23): agenda item 18.

Meeting numbers. GA 45th session: 4th Committee 7-15; plenary 44.

British Virgin islands

The Sub-Committee on Small Territories reported [A/AC.109/L.1728] to the Special Committee on decolonization following its consideration of a working paper prepared by the Secretariat [A/AC.109/1021] on constitutional and political developments and economic, social and educational conditions in the British Virgin Islands. On 1 August, the Committee adopted the Sub-Committee's report, endorsing its conclusions and recommendations and transmitting them to the United Kingdom.

GENERAL ASSEMBLY ACTION

On 20 November, the General Assembly adopted resolution 45/25.

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,

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all resolutions and decisions of the United Nations relating to the British Virgin Islands, including in particular General Assembly resolution 44/95 of 11 December 1989,

Conscious of the need to ensure the full and speedy implementation of the Declaration in respect of the Territory,

Having heard the statement of the representative of the United Kingdom of Great Britain and Northern Ireland, as the administering Power,

Bearing in mind the stated policy of the Government of the United Kingdom, the administering Power, that it remains ready to respond positively to the express wish of the people of the Territory on the question of independence,

Bearing in mind also the announcement of 22 December 1987 by the territorial Government that it would introduce legislation to revise the electoral laws of the Territory to provide for continuous voter registration,

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,

Expressing its concern over the continued illegal operations of foreign fishermen, and stressing that this uncontrolled exploitation could deplete current fish stocks and adversely affect future yields.

Noting that expatriates still account for a large share of the employed labour force and that there is a critical need for the training of nationals in the technical, vocational, managerial and professional fields, and welcoming the establishment of the British Virgin Islands College which would meet the needs of the public and private sectors of the Territory,

Noting with concern the vulnerability of the Territory to drug trafficking and related activities,

Welcoming the contribution to the development of the Territory by the specialized agencies and other organizations of the United Nations system, particularly the United Nations Development Programme, as well as by regional organizations,

Noting the continued participation of the Territory in regional and other international organizations,

Noting also the severe effects of hurricane Hugo on the Territory's economy, particularly on its infrastructure and on its agriculture and tourism sectors, as well as the adverse consequences of the hurricane on the Government's economic diversification efforts,

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 assessing the situation in the Non-Self-Governing Territories, and considering that the possibility of sending a further visiting mission to the British Virgin Islands at an appropriate time should be kept under review,

1. Approves the section 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;

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;

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 indepen-

dence 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 Territory as will enable the people of the British Virgin Islands to exercise freely and without interference their inalienable right to self-determination and independence in accordance with resolution 1514 (XV) and 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 freely 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. Reaffirms the responsibility of the administering Power to promote the economic and social development of the Territory, and calls upon the administering Power to intensify its efforts, in co-operation with the territorial Government, to broaden the economic base of the Territory through diversification and to continue to increase its assistance to the Territory in the rehabilitation and reconstruction of the economy;

7. Urges the administering Power, in co-operation with the territorial Government, to take effective measures to safeguard and guarantee the inalienable right of the people of the British Virgin Islands to own and dispose of the natural resources of the Territory, including marine resources, and to establish and maintain control over the future development of those resources;

8. Reiterates its call upon the administering Power, in co-operation with the territorial Government, to facilitate the adoption of a human resources training programme in order to expand the participation of the local population in the decision-making process in all sectors and to fill managerial and technical positions with local persons;

9. Calls upon the administering Power to continue to take all necessary measures, in co-operation with the territorial Government, to counter problems related to drug trafficking;

10. Reiterates its appeal to the administering Power to continue to facilitate the participation of the British Virgin Islands in various international and regional organizations and in organizations of the United Nations system;

11. Invites the specialized agencies and other organizations of the United Nations system, as well as the regional organizations concerned, to intensify measures to accelerate progress in the social and economic development of the Territory;

12. Urges Member States and specialized agencies and other organizations of the United Nations system to extend all possible assistance with a view to rehabilitating and reconstructing the Territory, which was devastated by hurricane Hugo;

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 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-sixth session.

General Assembly resolution 45/25

20 November 1990 Meeting 44 Adopted without vote

Approved by Fourth Committee (A/45/685) without vote, 25 October (meeting 15); draft by Special Committee on decolonization (A/45/23); agenda item 18.

Meeting numbers. GA 45th session: 4th Committee 7-15; plenary 44.

Cayman Islands

In 1990, the Secretariat presented to the Sub-Committee on Small Territories two working papers, one on constitutional and political developments and economic and social conditions [A/AC.109/1019], the other on foreign economic activities in the Cayman Islands [A/AC.109/1020]. The Special Committee on decolonization on 1 August adopted the Sub-Committee's report [A/AC.109/L.1729] and endorsed its conclusions and recommendations, transmitting them to the United Kingdom.

GENERAL ASSEMBLY ACTION

On 20 November, the General Assembly adopted resolution 45/26.

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,

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all resolutions and decisions of the United Nations relating to the Cayman Islands, in particular General Assembly resolution 44/91 of 11 December 1989,

Conscious of the need to ensure the full and speedy implementation of the Declaration in respect of the Territory,

Having heard the statement of the representative of the United Kingdom of Great Britain and Northern Ireland, as the administering Power,

Bearing in mind the stated policy of the Government of the United Kingdom, the administering Power, that it remains ready to respond positively to the express wish of the people of the Territory on the question of independence,

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,

Noting the measures being taken by the territorial Government to promote agricultural production with a view to reducing the Territory's dependence on imported provisions,

Expressing its concern that property and land continue to be owned and developed largely by investor-s from abroad,

Noting that a large proportion of the labour force of the Territory consists of expatriates, and that there is a critical need for the training of nationals in the technical, vocational, managerial and professional fields,

Noting also the efforts of the territorial Government to implement its localization programme to promote increased participation of the local population in the decision-making process in the Cayman Islands,

Noting with concern the vulnerability of the Territory to drug trafficking and related activities,

Noting the signing in November 1989 at Miami, United States of America, by the Government of the Cayman Islands, together with eighteen other countries of the region, of a Caribbean customs agreement entitled "Memorandum of Understanding regarding Mutual Assistance and Co-operation for the Prevention and Repression of Customs Offences in the Caribbean Zone",

Noting with appreciation the continued contribution of the United Nations Development Programme, as well as regional institutions, 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 assessing the situation in the Non-Self-Governing Territories, and considering that the possibility of sending a further visiting mission to the Cayman Islands at an appropriate time should be kept under review,

1. Approves the section of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the Cayman Islands;

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;

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. 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 Territory as will enable the people of the Cayman Islands to exercise freely and without interference their inalienable right to self-determination and independence in accordance with resolution 1514 (XV) and all other relevant resolutions of the General Assembly;

5. 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 ex-

ercise of their right to self-determination and independence;

6. Calls upon the administering Power, in consultation with the territorial Government, to facilitate the expansion of the current localization programme to promote increased participation of the local population in the decision-making process;

7. Reaffirms the responsibility of the administering Power to promote the economic and social development of the Territory, and recommends that priority should continue to be given to the diversification of the Territory's economy;

8. Urges the administering Power, in co-operation with the territorial Government, to take effective measures to safeguard and guarantee the inalienable right of the people of the Cayman Islands to own and dispose of the natural resources of the Territory, including marine resources, and to establish and maintain control over the future development of those resources;

9. Calls upon the administering Power to continue to take all necessary measures, in co-operation with the territorial Government, to counter problems related to drug trafficking;

10. Invites the specialized agencies and other organizations of the United Nations system, as well as other international and regional institutions, to continue to take all necessary measures to accelerate progress in the social and economic life of the Territory;

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 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-sixth session.

General Assembly resolution 45/26

20 November 1990 Meeting 44 Adopted without vote

Approved by Fourth Committee (A/45/685) without vote, 25 October (meeting 15); draft by Special Committee on decolonization (A/45/23); agenda item 18.

Meeting numbers. GA 45th session: 4th Committee 7-15; plenary 44.

Guam

On 1 and 2 August, the Special Committee on decolonization considered the question of Guam, having before it working papers prepared by the Secretariat on constitutional and political developments and economic, social and educational conditions [A/AC.109/1017], as well as on military activities [A/AC.109/1018]. The United States, the administering Power, participated in the discussions. The Committee adopted the report of the Sub-Committee on Small Territories [A/AC.109/L.1736 & Corr.1] and endorsed its conclusions and recommendations, transmitting them to the United States.

GENERAL ASSEMBLY ACTION

On 20 November, the General Assembly adopted resolution 45/32.

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,

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all resolutions and decisions of the United Nations relating to Guam, in particular General Assembly resolution 44/98 of 11 December 1989,

Conscious of the need to ensure the full and speedy implementation of the Declaration in respect of the Territory,

Having heard the statement of the representative of the United States of America, as the administering Power,

Recalling that, in referendums held in Guam in 1987, the people of Guam endorsed a draft Commonwealth Act that, upon expeditious enactment by the Congress of the United States of America, would reaffirm the right of the people of Guam to draft their own constitution and to govern themselves,

Noting that the draft Commonwealth Act provides that the Congress of the United States would recognize the inalienable right to self-determination of the Chamorro people, for which provisions would be made in the Guam constitution,

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 that the 1977 Guam Land Use Plan recommended the release of 2,100 hectares of surplus federal land to the Government of Guam, and noting that, according to information transmitted to the Special Committee in April 1990 by the Guam Commission on Self-Determination, 190 hectares had been transferred by the Navy to the Government of Guam, a further 462 hectares of the identified land had been released and an additional 175 hectares are in the process of being returned to the Government of Guam,

Noting the potential for diversifying and developing the economy of Guam through commercial fishing and agriculture,

Noting the statement of the representative of the administering Power concerning the growth in tourism and the desire of the Government of Guam for balanced economic growth,

Noting also the statement of the representative of the administering Power that the cultural identity of the Chamorro people, the indigenous inhabitants of Guam, would be recognized,

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 assessing the situation in the Non-Self-Governing Territories, and reiterating that the possibility of sending a further visiting mission to Guam at an appropriate time should be kept under review,

1. Approves the section of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Inde-

pendence to Colonial Countries and Peoples relating to Guam;

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;

3. Reiterates 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. Reiterates that it is the responsibility of the administering Power to create such conditions in the Territory as will enable the people of Guam to exercise freely and without interference their inalienable right to self-determination and independence in accordance with resolution 1514 (XV) and all other relevant resolutions of the General Assembly;

5. 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 United States of America, as 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;

6. 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;

7. Urges the administering Power to continue to take all necessary measures not to involve the Territory 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 General Assembly relating to military activities and arrangements by colonial Powers in Territories under their administration;

8. Reaffirms the responsibility of the administering Power, under the Charter, to promote the economic and social development of Guam, and in that connection calls upon the administering Power to take further steps to strengthen and diversify the economy of the Territory, with a view to reducing its economic dependence on the administering Power;

9. Reiterates that one of the obstacles to economic growth in Guam is the holding of large tracts of land by the United States federal authorities, and calls upon the administering Power, in co-operation with the territorial Government, to expedite the transfer of land to the people of the Territory and to take the necessary steps to safeguard their property rights;

10. Urges the administering Power, in co-operation with the territorial Government, to take effective measures to safeguard and guarantee the inalienable right of the people of Guam to own and dispose of the natural resources of the Territory, including marine resources, and to establish and maintain control over the future development of those resources, as well as to support measures by the territorial Government aimed

at removing constraints to growth in commercial fishing and agriculture;

11. Also urges the administering Power to give full recognition to the status and rights of the Chamorro people;

12. Invites the specialized agencies and other organizations of the United Nations system to continue to take all necessary measures to accelerate progress in the social and economic life of the Territory;

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 Guam at an appropriate time and in consultation with the administering Power, and to report thereon to the General Assembly at its forty-sixth session.

General Assembly resolution 45/32

20 November 1990 Meeting 44 110-3-31 (recorded vote)

Approved by Fourth Committee (A/45/685) by recorded vote (99-2-28), 31 October (meeting 16); draft by Special Committee on decolonization (A/45/23); agenda item 18.

Meeting numbers. GA 45th session: 4th Committee 7-16; plenary 44.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Byelorussian SSR, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Israel, United States, Vanuatu.*

Abstaining: Australia, Austria, Bahamas, Belgium, Bulgaria, Canada, Czechoslovakia, Denmark, Finland, France, Gabon, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Liechtenstein, Luxembourg, Netherlands, Norway, Panama, Poland, Portugal, Romania, Samoa, Spain, Sweden, Turkey, United Kingdom.

*Later advised the Secretariat it had intended to vote in favour.

Montserrat

For its consideration of the question of Montserrat, the Special Committee on decolonization had before it two working papers prepared by the Secretariat on constitutional and political developments and economic and social conditions [A/AC.109/1031], as well as on foreign economic and other interests [A/AC.109/1032]. On 1 August, the Committee adopted the report of the Sub-Committee on Small Territories [A/AC.109/L.1730] and endorsed its conclusions and recommendations, transmitting them to the United Kingdom, the administering Power.

GENERAL ASSEMBLY ACTION

On 20 November, the General Assembly adopted resolution 45/27.

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,

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all resolutions and decisions of the United Nations relating to Montserrat, including in particular General Assembly resolution 44/96 of 11 December 1989,

Conscious of the need to ensure the full and speedy implementation of the Declaration in respect of the Territory,

Having heard the statement of the representative of the United Kingdom of Great Britain and Northern Ireland, as the administering Power,

Bearing in mind the stated policy of the Government of the United Kingdom, the administering Power, that it remains ready to respond positively to the express wish of the people of the Territory on the question of independence,

Noting the constitutional developments that have been taking place in the Territory as well as the conclusion, on 13 February 1990, of the consultations between the administering Power and the territorial Government on matters referring to the new Constitution,

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,

Noting that emigration would exacerbate the shortage of human resources, and emphasizing the importance of taking measures to broaden the educational programme to develop the human resources of the Territory,

Welcoming the contribution to the development of the Territory by the specialized agencies and other organizations of the United Nations system operating in Montserrat, in particular the United Nations Development Programme and the United Nations Children's Fund,

Noting with concern the continued dissociation of the Territory from the activities of the United Nations Educational, Scientific and Cultural Organization since the withdrawal by the administering Power of the associate membership of Montserrat from that organization in 1983, and aware of the active interest of the Government of Montserrat in the readmission of the Territory as an associate member of the organization,

Expressing its sympathy to the people of Montserrat for the devastation wrought on the Territory by hurricane Hugo in 1989, and welcoming the assistance extended to the Territory by the administering Power, other Member States and relevant organizations of the United Nations system,

Noting that, owing to the magnitude of the devastation in Montserrat, the Territory will require substantial assistance in its rehabilitation and reconstruction efforts,

Recalling the dispatch in 1975 and 1982 of United Nations visiting missions to the Territory,

Mindful that United Nations visiting missions provide an effective means of assessing the situation in the Non-Self-Governing Territories, and considering that

the possibility of sending a further visiting mission to Montserrat at an appropriate time should be kept under review,

1. Approves the section 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;

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;

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. 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 Territory as will enable the people of Montserrat to exercise freely and without interference their inalienable right to self-determination and independence in accordance with resolution 1514 (XV) and all other relevant resolutions of the General Assembly;

5. Reaffirms that it is ultimately for the people of Montserrat themselves to determine their future political status in accordance with the relevant provisions of the Charter of the United Nations and the Declaration, and reiterates its call upon the administering Power to launch programmes, in co-operation with the territorial Government, to foster an awareness among the people of Montserrat of the possibilities available to them in the exercise of their right to self-determination and independence;

6. Reaffirms that it is the responsibility of the administering Power to promote the economic and social development of the Territory, and reiterates the importance of diversifying the Territory's economy in order to provide the foundations for sound social and economic development;

7. Urges the administering Power, in co-operation with the territorial Government, to take effective measures to safeguard and guarantee the inalienable right of the people of Montserrat to own and dispose of the natural resources of the Territory, including marine resources, and to establish and maintain control over the future development of those resources;

8. Also urges the administering Power, in co-operation with the territorial Government, to provide incentives to assist nationals in finding better opportunities at home and to attract qualified nationals from abroad, as well as to continue to provide the necessary assistance to develop the Territory's human resources through the rationalization of the educational system;

9. Invites the specialized agencies and other organizations of the United Nations system, as well as other international and regional organizations, to intensify their efforts to accelerate progress in the economic and social life of the Territory;

10. Urges the administering Power, other Member States and relevant agencies of the United Nations system to continue to contribute generously to rehabilitation and reconstruction efforts in the Territory, in ac-

cordance with General Assembly resolution 44/3 of 12 October 1989;

11. Calls Upon the administering Power, in co-operation with the territorial Government, to take urgent steps to facilitate the readmission of Montserrat as an associate member of the United Nations Educational, Scientific and Cultural Organization;

12. Requests the Special Committee to continue the examination of this question at its next session, including the possible dispatch of a further visiting mission to Montserrat at an appropriate time and in consultation with the administering Power, and to report thereon to the General Assembly at its forty-sixth session.

General Assembly resolution 45/27

20 November 1990 Meeting 44 Adopted without vote

Approved by Fourth Committee (A/45/685) without vote, 25 October (meeting 15) draft by Special Committee on decolonization (A/45/23); agenda item 18.

Meeting numbers. GA 45th session: 4th Committee 7-15; plenary 44.

Pitcairn

On 1 August, the Special Committee on decolonization considered and adopted the report of the Sub-Committee on Small Territories on Pitcairn [A/AC.109/L.1731], approving the draft consensus contained in it. It also had before it a working paper prepared by the Secretariat containing information on constitutional and political as well as economic, social and educational developments in Pitcairn [A/AC.109/1015/Corr.l]. The text of the consensus was transmitted to the United Kingdom, the administering Power.

GENERAL ASSEMBLY ACTION

In November, the General Assembly adopted decision 45/408.

Question of Pitcairn

At its 44th plenary meeting, on 20 November 1990, the General Assembly, on the recommendation of the Fourth Committee, adopted the following text as representing the consensus of members of the Assembly:

"The General Assembly, 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, reaffirms the inalienable right of the people of Pitcairn to self-determination in conformity with the Declaration on the Granting of Independence to Colonial Countries and Peoples, which fully applies to the Territory. The Assembly further reaffirms the responsibility of the administering Power to promote the economic and social development of the Territory. The Assembly urges the administering Power to continue to respect the very individual life-style that the people of the Territory have chosen and 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-sixth session."

General Assembly decision 45/408

Adopted without vote

Approved by Fourth Committee W/45/685) without vote, 25 October (meeting 15); draft by Special Committee on decolonization (A/45/23); agenda item 18.

Meeting numbers. GA 45th session: 4th Committee 7-15; plenary 44.

St. Helena

The Special Committee on decolonization considered the question of St. Helena, having before it a report of the Sub-Committee on Small Territories [A/AC.109/L.1732] and a working paper prepared by the Secretariat on constitutional and political developments, economic and social conditions, and dependencies of St. Helena [A/AC.109/1016]. On 1 August, the Committee adopted the Sub-Committee's report and endorsed its conclusions and recommendations, transmitting them to the United Kingdom.

GENERAL ASSEMBLY ACTION

In November, the General Assembly adopted decision 45/409.

Question of St. Helena

At its 44th plenary meeting, on 20 November 1990, the General Assembly, on the recommendation of the Fourth Committee, 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, 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 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 the 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 reaffirmed the responsibility of the administering Power to promote the economic and social development of the Territory and called upon the administering Power to continue, in co-operation with the territorial Government, to strengthen the economy and to increase its assistance to diversification programmes. The Assembly urged the administering Power, in co-operation with the territorial Government, to continue to take effective measures to safeguard and guarantee the inalienable right of the people of St. Helena to own and dispose of the natural resources of the Territory, including marine resources, and to establish and maintain control over the future development of those resources. The Assembly expressed the view that the administering Power should continue to implement infrastructure and community development projects aimed at improving the general welfare of the community, including the unemployment situation, and to encourage lo-

cal initiative and enterprise, particularly in the areas of fisheries development, forestry, handicrafts and agriculture. The Assembly, in view of the serious developments in South Africa, noted with concern the trade and transportation dependency of the Territory on South Africa. The Assembly reaffirmed that continued development assistance from the administering Power, together with any assistance that the international community might be able to provide, constitutes 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, in that connection, welcomed the assistance rendered by the United Nations Development Programme and invited other organizations of the United Nations system to assist in the development of the Territory. The Assembly noted with deep concern the continued 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. The Assembly urged the administering Power to take all the necessary measures not to involve the Territory in any offensive acts or interference against neighbouring States by the racist régime of South Africa. The Assembly considered that the possibility of dispatching a United Nations visiting mission to St. Helena at an appropriate time should be kept under review, and requested the Special Committee to continue to examine the question of St. Helena at its next session and to report thereon to the Assembly at its forty-sixth session.

General Assembly decision 45/409

110-2-32 (recorded vote)

Approved by Fourth Committee (A/45/685) by recorded vote (106-2-31), 25 October (meeting 15); draft by Special Committee on decolonization (A/45/23); agenda item 18.

Meeting numbers. GA 45th session: 4th Committee 7-15; plenary 44.

Recorded vote in Assembly as follows:

In favour Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Byelorussian SSR, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Congo, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Gabon, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Lucia, Saudi Arabia, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: United Kingdom, United States.

Abstaining: Australia, Austria, Belgium, Bulgaria, Canada, Czechoslovakia, Denmark, Fiji, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Liechtenstein, Luxembourg, Malta, Netherlands, New Zealand, Norway, Panama, Poland, Portugal, Romania, Samoa, Spain, Sweden, Turkey.

*Later advised the Secretariat it had intended to abstain.

Tokelau

Having considered the report of the Subcommittee on Small Territories on Tokelau [A/AC.109/L.1734] and a Secretariat working paper

on constitutional and political developments and economic, social and educational conditions in the Territory [A/AC.109/1036], the Special Committee on decolonization on 1 August adopted the report, endorsed its conclusions and recommendations and transmitted them to New Zealand, the administering Power.

GENERAL ASSEMBLY ACTION

On 20 November, the General Assembly adopted resolution **45/29**.

Question of Tokelau

The General Assembly,

Having considered the question of Tokelau,

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,

Recalling its resolution 1514(XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all resolutions and decisions of the United Nations relating to Tokelau, in particular General Assembly resolution 44/90 of 11 December 1989,

Having heard the statement of the representative of New Zealand, the administering Power,

Noting the continuing devolution of power to the local authority, the General Fono (Council), and mindful that the cultural heritage and traditions of the people of Tokelau should be taken fully into account in the evolution of Tokelau's political institutions,

Welcoming the information that Tokelau's wish to pursue avenues that give greater political autonomy to its leadership remains keen, while it wishes to maintain its current relationship with the administering Power,

Welcoming also the continued progress towards the drafting of a legal code that is in conformity with the traditional laws and cultural values of Tokelau,

Noting with satisfaction the creation within the New Zealand Ministry of External Relations and Trade of a Tokelau Unit, and expressing its hope that this will further facilitate and enhance the relations between the Territory and the administering Power,

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,

Noting the inspection of the Tokelau Public Service and its staff at Apia undertaken by the New Zealand State Services Commission in early 1989, and expressing the hope that the completion of this inspection will contribute to the development of the Public Service of the Territory,

Reaffirming the responsibility of the administering Power to promote the economic and social development of the Territory, and noting the measures being taken by the Government of New Zealand in that regard,

Noting with *appreciation* the continued contribution of the United Nations Development Programme to the development of the Territory,

Also noting with appreciation the relief assistance extended to Tokelau by the administering Power, other Member States and international organizations, in particular the United Nations Development Programme and the Office of the United Nations Disaster Relief Co-ordinator, following the natural disasters caused by cyclone Ofa in February 1990,

Recalling the decision of the General Fono to include Tokelau in the Multilateral Fisheries Treaty between the United States of America and States members of the South Pacific Forum Fisheries Agency, and urging the administering Power to ensure that the fishing grounds of the Territory are protected,

Noting the strong opposition expressed by the people of Tokelau to nuclear testing in the Pacific region and their concern that those tests constitute a grave threat to the natural resources of the Territory and its social and economic development,

Noting the other major environmental concerns expressed by the people of Tokelau, including the impact that a sea-level rise resulting from global climate change would have on the low-lying atolls of Tokelau, the dumping of toxic waste in the region and the practice of driftnet fishing,

Welcoming the assistance extended to Tokelau by the United Nations Development Programme, and taking note of the consideration being given to the installation of a new satellite system in the Territory with a view to assisting the free flow of information, as well as the education process in the Territory,

Noting that the administering Power is investigating ways of improving the shipping services to Tokelau to ensure better communication with the outside world, and that efforts are being made towards the early establishment of an inter-atoll service,

Recalling the dispatch in 1976, 1981 and 1986 of United Nations visiting missions to the Territory,

Mindful that United Nations visiting missions provide an effective means of assessing the situation in the Non-Self-Governing Territories, and considering that the possibility of sending a further visiting mission to Tokelau at an appropriate time should be kept under review,

1. Approves the section 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 Tokelau;

2. Reaffirms the inalienable right of the people of Tokelau to self-determination and independence in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples;

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 implementation of the Declaration, which fully applies to Tokelau;

4. Reiterates that it is the responsibility of New Zealand, as the administering Power, to create such conditions in the Territory as will enable the people of Tokelau to exercise freely and without interference their inalienable right to self-determination and independence in accordance with resolution 1514(XV) and all other relevant resolutions of the General Assembly;

5. Reaffirms that it is ultimately for the people of Tokelau themselves to determine freely 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. Also reaffirms the responsibility of the administering Power to promote the economic and social development of the Territory, and recommends that priority should continue to be given to the diversification of the Territory's economy in order to provide the foundations for sound social and economic development;

7. Urges the administering Power, in co-operation with the territorial Government, to take effective measures to safeguard and guarantee the inalienable right of the people of Tokelau to own and dispose of the natural resources of the Territory, including marine resources, and to establish and maintain control over the future development of those resources;

8. Urges the Government of New Zealand, the administering Power, to continue to respect fully the wishes of the people of Tokelau in carrying out the Territory's political and economic development, in order to preserve their social, cultural and traditional heritage;

9. Calls upon the administering Power, in consultation with the General Fono (Council), to continue to expand its development assistance to Tokelau in order to promote the economic and social development of the Territory;

10. Invites the specialized agencies and other organizations of the United Nations system, as well as other international and regional institutions, to extend or continue to extend all possible assistance to Tokelau, in consultation with the administering Power and the people of Tokelau;

11. Invites all governmental and non-governmental organizations, financial institutions, Member States and organizations of the United Nations system to grant Tokelau special emergency economic assistance to mitigate the effects of cyclone Ofa and to enable the Territory to meet its medium- and long-term reconstruction and rehabilitation requirements;

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 Tokelau at an appropriate time and in consultation with the administering Power, and to report thereon to the General Assembly at its forty-sixth session.

General Assembly resolution 45/29

20 November 1990 Meeting 44 Adopted without vote

Approved by Fourth Committee (A/45/685) without vote, 25 October (meeting 15); draft by Special Committee on decolonization (A/45/23); agenda item 18.

Meeting numbers. GA 45th session: 4th Committee 7-15; plenary 44.

Turks and Caicos Islands

On 1 August, the Special Committee on decolonization considered the question of the Turks and Caicos Islands. It had before it two Sec-

retariat working papers on the constitution, constitutional developments and economic and social conditions [A/AC.109/1023 & Corr.1 & Add.1], as well as on foreign economic and other interests [A/AC.109/1024], and the report of the Sub-Committee on Small Territories [A/AC.109/L.1733]. The Committee adopted the report and endorsed its conclusions and recommendations, transmitting them to the United Kingdom, the administering Power.

GENERAL ASSEMBLY ACTION

On 20 November, the General Assembly adopted resolution **45/28**.

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,

Recalling its resolution 1514(XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all resolutions and decisions of the United Nations relating to the Turks and Caicos Islands, including in particular General Assembly resolution 44/93 of 11 December 1989,

Conscious of the need to ensure the full and speedy implementation of the Declaration in respect of the Territory,

Having heard the statement of the representative of the United Kingdom of Great Britain and Northern Ireland, as the administering Power,

Bearing in mind the stated policy of the Government of the United Kingdom, the administering Power, that it remains ready to respond positively to the express wish of the people of the Territory on the question of independence,

Recalling that the efforts of the administering Power to resolve the 1986 constitutional crisis in the Territory resulted in the drafting of a new Constitution by the administering Power and the subsequent holding of general elections in March 1988,

Noting the entry into force of the new Constitution under the Turks and Caicos Islands Constitution Order 1988,

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 develop a wider economic base for the Territory,

Noting the announcement by the United Kingdom that, as from 1 January 1990, the territorial waters of the Turks and Caicos Islands would be expanded from three to twelve miles,

Welcoming the adoption by the territorial Government of a national development plan aimed at expanding the infrastructure of the Territory and strengthen-

ing several key sectors, including tourism, fisheries, water resources management and human resources development, and noting the appointment by the territorial Government of a new Tourist Board that is fully representative of all sectors of the industry and aimed at ensuring that Turks and Caicos Islanders have an equal opportunity to join the mainstream of development and employment in tourism,

Noting the establishment, under the 1988 Constitution, of a Public Service Commission to advise the Governor on civil service matters and of a Public Service Training Board under the Commission to advise on, and assist in, the supervision of policies and programmes for the training of public officers at all levels,

Noting with concern the vulnerability of the Territory to drug trafficking and related activities,

Noting the continuing contribution of the United Nations Development Programme, as well as regional institutions such as the Caribbean Development Bank, to the economic and social 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 assessing the situation in the Non-Self-Governing Territories, and considering that the possibility of sending a further visiting mission to the Turks and Caicos Islands at an appropriate time should be kept under review,

1. *Approves* the section 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;

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;

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 Territory as will enable the people of the Turks and Caicos Islands to exercise freely and without interference their inalienable right to self-determination and independence in accordance with resolution 1514(XV) and all other relevant resolutions of the General Assembly;

5. *Reaffirms* that it is ultimately for the people of the Turks and Caicos Islands themselves to determine freely 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. *Also* reaffirms that it is the responsibility of the administering Power under the Charter to develop its dependent Territories economically and socially, and urges the administering Power, in consultation with the Government of the Turks and Caicos Islands, to take the necessary measures to promote the economic and social development of the Territory;

7. *Urges* the administering Power, in co-operation with the territorial Government, to take effective measures to safeguard and guarantee the inalienable right of the people of the Turks and Caicos Islands to own and dispose of the natural resources of the Territory, including marine resources, and to establish and maintain control over the future development of those resources;

8. *Also* urges the administering Power, in consultation with the territorial Government, to continue to provide the necessary assistance for the **localization** of the civil service at all levels and for the training of local personnel;

9. *Calls upon* the administering Power to continue to take all necessary measures, in co-operation with the territorial Government, to counter problems related to drug trafficking;

10. *Invites* the **specialized** agencies and other **organizations** of the United Nations system to continue to take all necessary measures to accelerate progress in the social and economic life of the Territory;

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 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-sixth** session.

General Assembly resolution **45/28**

20 November 1990 Meeting 44 Adopted without vote

Approved by Fourth Committee (A/45/685) without vote, 25 October (meeting 15); draft by Special Committee on decolonization (A/45/23); agenda item 18.

Meeting numbers. GA 45th session: 4th Committee 7-15; plenary 44.

United States Virgin Islands

For its consideration of the question of the United States Virgin Islands, the Special Committee on **decolonization** had before it three working papers prepared by the Secretariat, containing information on constitutional and political developments, military installations and economic and educational conditions [A/AC.109/1029], on military activities [A/AC.109/1030] and on foreign economic and other interests [A/AC.109/1034]. On 1 August, the Committee adopted the report of the Sub-Committee on Small Territories [A/AC.109/L.1738] and endorsed its conclusions and recommendations, **transmitting** them to the United States, the administering Power.

GENERAL ASSEMBLY ACTION

On 20 November, the General Assembly adopted resolution **45/31**.

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,

Recalling its resolution 1514(XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all resolutions and decisions of the United Nations relating to the United States Virgin Islands, including in particular General Assembly resolution 44/99 of 11 December 1989,

Conscious of the need to ensure the full and speedy implementation of the Declaration in respect of the Territory,

Having heard the statement of the representative of the United States of America, as the administering Power,

Noting the statement by the representative of the administering Power that her Government continues to maintain its long-standing support for the principle of self-determination and that the Territories under its administration are pursuing their right to self-determination at a pace of their own choosing,

Also noting the statement by the representative of the administering Power that the referendum on the future status of the United States Virgin Islands planned for November 1989 had been rescheduled by the territorial Government for June 1991, as a result of the devastation of hurricane Hugo in September 1989, and that provision had been made for a further run-off election in December 1991,

Noting that the public education programme was begun in January 1989 and that efforts are being made to streamline the political education and referendum process by, *inter alia*, dividing the seven political options into three categories,

Noting the **statement** by the representative of the Territory that the Commission on Status and Federal Relations considered, *inter alia*, the relevance of international law in the process of self-determination, voter residency requirements for political status referendums and the role of the United Nations in observing acts of self-determination, and noting also the concerns expressed by the Commission and the territorial Government regarding residency requirements for participation in acts of self-determination, and the relevant United Nations resolutions regarding acts of self-determination in colonial Territories,

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 with concern the devastation caused by hurricane Hugo to the Territory, particularly to its social and economic infrastructure and to the tourism and agricultural sectors,

Noting the statement by the Governor of the Territory in February 1990 that he had requested **permis-**

sion from the administering Power to seek associate membership in the Organization of Eastern Caribbean States,

Noting the objections of the administering Power to the request by the United States Virgin Islands for associate membership in the Organization of Eastern Caribbean States and its statement that it would continue to encourage and support the Territory's informal co-operation with the members of that organization,

Noting the continued concern expressed by a petitioner at the reclamation and development of submerged land at Long Bay in the Charlotte Amalie Harbour, and noting also the statement by the representative of the administering Power that the issue had been settled by litigation and that those activities were subject to the regulatory powers of the Government of the Territory,

Noting with concern the vulnerability of the Territory to drug trafficking and related activities,

Noting the active interest of the Government of the United States Virgin Islands in participating in the related work of the international and regional organizations concerned,

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 assessing the situation in the Non-Self-Governing Territories, and considering that the possibility of sending a further visiting mission to the United States Virgin Islands at an appropriate time should be kept under review,

1. Approves the section 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;

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;

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 United States of America, as the administering Power, to continue 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 General Assembly resolution 1514(XV);

5. Reaffirms that it is ultimately for the people of the United States Virgin Islands themselves to determine freely their future political status in accordance with the relevant provisions of the Charter of the United Nations, the Declaration and the relevant resolutions of the General Assembly, and in that connection calls upon the administering Power, in co-operation with the territorial Government, to facilitate programmes

of political education in the Territory in order to foster an awareness among the people of the possibilities open to them in the exercise of their right to self-determination;

6. Reaffirms the responsibility of the administering Power to continue to promote the economic and social development of the United States Virgin Islands, and reiterates the importance of diversifying the Territory's economy with a view to reducing its heavy economic dependence on the administering Power;

7. Urges the administering Power, in co-operation with the territorial Government, to take effective measures to safeguard and guarantee the inalienable right of the people of the United States Virgin Islands to own and dispose of the natural resources of the Territory, including marine resources, and to establish and maintain control over the future development of those resources;

8. Expresses its concern about the continued depletion of the Territory's marine resources, and urges the administering Power, in consultation with the territorial Government, to take the necessary steps to reverse this trend;

9. Calls upon the administering Power to continue to take all necessary measures, in co-operation with the territorial Government, to counter problems related to drug trafficking;

10. Urges the administering Power to facilitate the participation of the United States Virgin Islands in various international and regional organizations;

11. Also urges the administering Power, Member States and relevant agencies of the United Nations system to continue to contribute generously towards the rehabilitation and reconstruction of the Territory in accordance with resolution 44/99;

12. Invites the specialized agencies and other organizations of the United Nations system to continue to take all necessary measures to accelerate progress in the social and economic life of the Territory;

13. 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;

14. Requests the Special Committee to continue the examination of this question at its next session, including the possible dispatch of a further visiting mission to the United States Virgin Islands at an appropriate time and in consultation with the administering Power, particularly in the light of the referendum referred to in the seventh and eighth preambular paragraphs of the present resolution, and to report thereon to the General Assembly at its forty-sixth session.

General Assembly resolution 45/31

20 November 1990 Meeting 44 Adopted without vote

Approved by Fourth Committee (A/45/685) without vote, 31 October (meeting 16); draft by Special Committee on decolonization (A/45/23); agenda item 18.

Meeting numbers. GA 45th session: 4th Committee 7-16; plenary 44.

Other matters

International Decade for the Eradication of Colonialism

In accordance with General Assembly resolution 43/47 [YUN 1988, p. 734] declaring the period 1990-2000 as the International Decade for the Eradication of Colonialism, the Secretary-General invited all States and organizations of the UN system to submit suggestions for the preparation of an action plan aimed at ushering in a world free of colonialism in the twenty-first century. An interim report [A/45/624], presented in October 1990, reproduced the replies received from 14 Member States, one UN organization and one intergovernmental organization.

GENERAL ASSEMBLY ACTION

In November, the General Assembly adopted decision **45/410**.

International Decade for the Eradication of Colonialism

At its 44th plenary meeting, on 20 November 1990, the General Assembly took note of the interim reports of the Secretary-General on the International Decade for the Eradication of Colonialism and recommended that the Secretary-General should request those States and organizations of the United Nations system which have not yet done so to reply not later than 1 April 1991 to his letter of 31 January 1989 and subsequent communications, and that he should invite them once again to submit suggestions so that they may be taken into account in the final report to be submitted to the Assembly at its forty-sixth session, which report would enable the Assembly to consider and adopt an action plan aimed at ushering in, in the twenty-first century, a world free from colonialism.

General Assembly decision **45/410**

126-O-23 (recorded vote)

Draft by Yugoslavia (A/45/L.18); agenda item 18.

Recorded vote in Assembly as follows:

In **favour**: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: None

Abstaining: Austria, Belgium, Belize, Canada, Denmark, Finland, France, Germany, Greece, Iceland, Ireland, Israel, Italy, Japan, Liechtenstein, Luxembourg, Netherlands, Norway, Portugal, Spain, Sweden, United Kingdom, United States.

Puerto Rico

In August 1990, the Special Committee on decolonization considered a separate item on Puerto Rico, based on its 1989 resolution [YUN 1989, p. 764] by which it reaffirmed the inalienable right of the people of Puerto Rico to self-determination and independence and requested its Rapporteur to report on the implementation of its resolutions on Puerto Rico. The Chairman of the Special Committee transmitted the 1989 resolution to the United States, while the Rapporteur requested information from the United States on action taken or envisaged to implement it.

Having considered the Rapporteur's report [A/AC.109/L.1746], the Committee adopted on 15 August a resolution [A/AC.109/1051] noting that the United States Congress was initiating a legislative process, with the participation of the main political parties of Puerto Rico, with a view to facilitating consultations with the people of Puerto Rico on their political future, and expressing its hope that the dialogue would continue.

Information from Non-Self-Governing Territories

States responsible for the administration of NSGTs continued to inform the Secretary-General about the Territories' economic, social and educational conditions under the terms of Article 73 e of the UN Charter. In his reports to the Special Committee on decolonization [A/AC.109/1039 & Corr.1] and the General Assembly [A/45/559], he listed the date of receipt of the information provided by the administering States and the period covered by their reports. Information was received in 1990 from the following countries on the Territories administered by them:

New Zealand: Tokelau

United Kingdom: British Virgin Islands, Cayman Islands, Falkland Islands (Malvinas), Gibraltar, Pitcairn, St. Helena, Turks and Caicos Islands

United States: American Samoa, Guam, United States Virgin Islands

The Secretary-General noted that Portugal had regularly informed him since May 1980, the latest by a note *verbale* of 19 March 1990 [A/45/172], that the conditions in East Timor prevented it from assuming its responsibilities for the Territory's administration. Spain had informed him in 1976 [YUN 1976, p. 808] that it had terminated its presence in Western Sahara and

considered itself exempt from any international responsibility in connection with the Territory's administration.

The Special Committee on decolonization considered the question of information from NSGTs in August and adopted a resolution, which became the basis for a draft recommended to the General Assembly.

GENERAL ASSEMBLY ACTION

On 20 November, the General Assembly adopted resolution **45/16**.

Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations

The General Assembly,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations and the action taken by the Special Committee in respect of that information,

Having also examined the report of the Secretary-General on the question,

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, as well as its resolution 1541(XV) of 15 December 1960,

Recalling also its resolution 44/83 of 11 December 1989, in which it requested the Special Committee to continue to **discharge** the functions entrusted to it under resolution 1970(XVIII),

Stressing the importance of timely transmission by the administering Powers of adequate information under Article 73 *e* of the Charter, in particular in relation to the preparation by the Secretariat of the working papers on the Territories concerned,

1. *Approves* the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the 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 Secretary-General to continue to ensure that adequate information is drawn from all available published sources in connection with the preparation of the working papers relating to the Territories concerned;

5. 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-sixth session.

General Assembly resolution 45/16

20 November 1990 Meeting 44 145-O-3 (recorded vote)

Approved by Fourth Committee (A/45/680) by recorded vote (136-0-3), 25 October (meeting 14); draft by Special Committee on decolonization (A/45/23); agenda item 111.

Meeting numbers. GA 45th session: 4th Committee 7-14; plenary 44.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gabon, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: None.

Abstaining: France, United Kingdom, United States.

Visiting missions

In 1990, the Chairman of the Special Committee on decolonization, as requested by the Committee in 1989, continued consultations with the administering Powers of NSGTs on the question of permitting access of visiting missions to the Territories. In July, he reported [A/AC.109/L.1741] on his extensive consultations, particularly in Port Vila, Vanuatu, and Bridgetown, Barbados, where the Committee organized seminars in observance of the thirtieth anniversary of the 1960 Declaration on decolonization (see above). The Chairman noted with satisfaction the readiness of a number of Powers to continue to provide all relevant information on the Territories under their administration, to participate in the Committee's work and to receive visiting missions.

The Chairman stressed the importance of administering Powers' participation in the work of the Committee and, in that regard, appealed to

the United Kingdom to reconsider its 1986 decision [YUN 1986, p. 916] not to participate. He also expressed the hope that the Committee would receive invitations from the United Kingdom to send visiting missions to Territories under its administration.

On 6 August, the Committee considered the issue and adopted a resolution by which it stressed the need to dispatch periodic visiting missions to colonial Territories in order to facilitate implementation of the 1960 Declaration and called on the administering Powers to receive UN missions and to participate in its work. The Committee requested its Chairman to continue consultations with the administering Powers and to report to it as appropriate.

Information dissemination

The Special Committee on decolonization in August considered the question of dissemination of information on decolonization. In its deliberations on the subject, it examined four reports [A/AC.109/L.1721, L.1723-25] of the Sub-Committee on Petitions, Information and Assistance on its consultations with the UN Secretariat, non-governmental organizations, the Organization of African Unity and national liberation movements. The Committee endorsed the conclusions and recommendations contained in the reports, with the understanding that consultations would be held in connection with the implementation of specific recommendations and that the reservations expressed by members would be reflected in the meeting record.

GENERAL ASSEMBLY ACTION

On 20 November, the General Assembly adopted resolution **45/35**.

Dissemination of information on decolonization

The General Assembly,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the dissemination of information on decolonization and publicity for the work of the United Nations in the field of decolonization,

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 44/102 of 11 December 1989,

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 in achieving self-determination, freedom and independence,

Noting with concern the measures of censorship imposed by the racist regime of South Africa upon the local and international media with respect to the policies and practices of apartheid,

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 chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the dissemination of information on decolonization and publicity for the work of the United Nations in the field of decolonization;

2. 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, by increasing the information on all the Territories under consideration by the Special Committee, 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 working relationship with the Organization of African Unity and other appropriate organizations by holding periodic consultations and exchanging relevant information;

(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 continue to provide full press release coverage for all meetings of the Special Committee and its subsidiary bodies;

(g) To ensure the availability of the necessary facilities and services to that end,

(h) To report to the Special Committee on the measures taken in the 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 to report thereon to the General Assembly at its forty-sixth session.

General Assembly resolution **45/35**

20 November 1990 Meeting 44 133-2-14 (recorded vote)

27-nation draft (A/45/L.17 & Add.1); agenda item 18.

Financial implications: 5th Committee, **A/45/686**; S-G, **A/C.5/45/35**.

Meeting numbers. GA 45th session: 5th Committee 31; plenary **42-44**.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Côte d'Ivoire, Cuba, Cyprus, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gabon, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Ireland, Jamaica, Japan, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: United Kingdom, United States.

Abstaining: Belgium, Bulgaria, Czechoslovakia, France, Germany, Hungary, Israel, Italy, Liechtenstein, Luxembourg, Netherlands, Panama, Poland, Romania.

Week of solidarity with the peoples of all colonial Territories and those in South Africa

In 1990, the UN Secretariat undertook a series of public information activities, assisted by UN information centres throughout the world, in observance of the Week of Solidarity with the Peoples of All Colonial Territories, as well as Those in South Africa, Fighting for Freedom, Independence and Human Rights (21-25 May). In commemoration of the Week, the Chairman of the Special Committee on decolonization issued a statement on 21 May. He reviewed developments in decolonization, particularly in Namibia (see PART FOUR, Chapter III) and South Africa, and urged Member States to mobilize maximum support for the peoples of South Africa and elsewhere struggling for freedom, independence and equal rights.

Scholarships

In accordance with the General Assembly's request in resolution **44/87** [YUN 1989, p. 764], the Secretary-General reported in October 1990 [A/45/560] on offers by Member States of study and training facilities for inhabitants of NSGTs. Over the years, he noted, 43 States had offered to make scholarships available. In 1990, Egypt informed him that it had made available 143 scholarships for the academic year 1990/91. The Federal Republic of Germany in 1989/90 had sponsored 10 university scholarships for students from South Africa and Namibia and 87 scholarships for professional training. It also provided for 30 on-the-spot scholarships in South Africa and 40 for Namibian students, as well as 171 on-the-spot scholarships for professional training. Israel informed the Secretary-General that it was awarding scholarships in 1990, as in previous years, consisting of 40-month post-graduate courses in exploration and development of ground-water resources, agriculture and meteorology, as well as in rural community development and cattle production and extension methods. The Libyan Arab Jamahiriya offered 10 university scholarships to students from Western Sahara and two for students from other NSGTs. The USSR offered grants in 1989/90 to 150 undergraduate and post-graduate students from NSGTs for study in academic institutions.

In addition, the Secretary-General reported, the UN Secretariat had received between 1 September 1989 and 30 September 1990 requests from 96 students for information on the availability of scholarships; 90 of them were not inhabitants of NSGTs. Requests for information and applications from Namibian students were forwarded to the Office of the Commissioner for Namibia for consideration under the scholarship programme for Namibians and to the UN Educational and Training Programme for Southern Africa (see PART TWO, Chapter I), as well as to the offering Governments.

GENERAL ASSEMBLY ACTION

On 20 November 1990, the General Assembly adopted resolution **45/20**.

Offers by Member States of study and training facilities for **inhabitants** of Non-Self-Governing Territories

The General Assembly,

Recalling its resolution **44/87** of 11 December 1989,

Having examined the report of the Secretary-General on offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories, prepared pursuant to General Assembly resolution **845(IX)** of 22 November 1954,

Conscious of the importance of promoting the educational advancement of the inhabitants of **Non-Self-Governing Territories**,

Strongly convinced that the continuation and expansion of offers of scholarships is essential in order to meet the increasing need of students from Non-Self-Governing Territories for educational and training assistance, and considering that students in those Territories should be encouraged to avail themselves of such offers,

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-sixth 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.

General Assembly resolution **45/20**

20 November 1990 Meeting 44 Adopted without vote

Approved by Fourth Committee (**A/45/684**) without vote, 25 October (meeting 15); 49-nation draft (**A/C.4/45/L.6**); agenda item 115.

Meeting numbers. GA 46th session: 4th Committee 7-15; plenary 44.

Chapter II

International Trusteeship System

During 1990, the Trusteeship Council, composed of China, France, the USSR, the United Kingdom and the United States, on behalf of the Security Council continued to supervise the one Trust Territory remaining under the International Trusteeship System—the Trust Territory of the Pacific Islands. The Territory, designated as a strategic area, was administered by the United States in accordance with the Trusteeship Agreement approved by the Security Council in 1947 [YUN 194647, p. 3981.

In December 1990, the Security Council terminated the Trusteeship Agreement with respect to three of the four entities of the Trust Territory—the Federated States of Micronesia, the Marshall Islands and the Northern Mariana Islands. The fourth entity, Palau, continued to be supervised by the Trusteeship Council and administered by the United States.

The Trusteeship Council held its twentieth special session on 8 January, to consider the dispatch of a visiting mission to observe a February plebiscite in Palau on the Compact of Free Association. Its fifty-seventh regular session was held between 21 May and 28 November, at which it considered the annual report of the Administering Authority for the year ended 30 September 1989, heard 10 petitioners, and examined 63 written petitions and four communications.

Trust Territory of the Pacific Islands

In accordance with Trusteeship Council resolution 2183(LIII) [YUN 1986, p. 918], the United States in 1990 continued to pursue the constitutional steps necessary to bring into force the Compact of Free Association with Palau. To that end, it had passed an Implementation Act in December 1989. In that same month, the United States had received a formal request from the President of Palau for a UN mission to observe a plebiscite on the Compact, to be held on 6 February 1990, and requested that a special session of the Trusteeship Council consider the issue [T/1940].

TRUSTEESHIP COUNCIL ACTION

At its twentieth special session on 8 January, the Trusteeship Council, by resolution 2192

(S-XX), decided to send a five-member mission to Palau.

Arrangements for the dispatch of a visiting mission to observe the plebiscite in Palau, Trust Territory of the Pacific Islands

The Trusteeship Council,

Aware of the plebiscite scheduled for 6 February 1990 in Palau, Trust Territory of the Pacific Islands, on the Compact of Free Association with the United States of America,

Having been invited by the Administering Authority to dispatch a mission to observe the plebiscite,

Considering that it would be desirable to include in such a mission representatives of countries of the region that are not members of the Trusteeship Council,

1. *Decides* to send to Palau a visiting mission to begin on or about 29 January 1990 and to end as soon as practicable after the declaration of the results of the plebiscite;

2. Further decides that the Visiting Mission to Palau should be composed of five members, the members to be representatives of China, Fiji, France, Papua New Guinea and the United Kingdom of Great Britain and Northern Ireland;

3. Directs the Visiting Mission to observe the plebiscite, specifically the polling arrangements, the casting of votes, the closure of voting, the counting of ballots and the declaration of results;

4. Requests the Visiting Mission to submit to the Trusteeship Council as soon as practicable a report on its observation of the plebiscite, containing such conclusions and recommendations as it may wish to make;

5. Requests the Secretary-General to provide the necessary staff and facilities to assist the Visiting Mission in the performance of its functions.

Trusteeship Council resolution 2192(S-XX)

8 January 1990

Meeting 1673

4-I

Z-nation draft (T/L.1272); agenda item 4.

Sponsors: France, United Kingdom.

Financial implications: S-G, T/L.1273.

In the February referendum, slightly more than 60 per cent of the electorate voted in favour of the Compact, which was not sufficient to satisfy the 75 per cent majority required under the Palauan Constitution.

According to the report of the United Nations Visiting Mission to observe the plebiscite in Palau [T/1942 & Corr.1], which visited Palau from 31 January to 10 February, the political campaign had been extremely low-key, peaceful and restrained, and the plebiscite had been conducted freely, fairly and in accordance with the rules, and its results reflected the wishes of the people of Palau.

Following consideration of the Visiting Mission's report, the Trusteeship Council on 1 June adopted resolution **2193(LVII)**.

Report of the United Nations Visiting Mission
to **observe** the plebiscite in Palau,
Trust Territory of the Pacific Islands,
February 1990

The *Trusteeship* Council,

Having examined at its fifty-seventh session the report of the United Nations Visiting Mission, *dispatched* by the Trusteeship Council at the invitation of the Administering Authority to observe the plebiscite in Palau, Trust Territory of the Pacific Islands, held on 6 February 1990,

Takes *note* of the report of the Visiting Mission;

Expresses its *appreciation* of the work accomplished by the Visiting Mission on its behalf.

Trusteeship Council resolution **2193(LVII)**

1 June 1990 Meeting 1681 Adopted without vote

3-nation draft (T/L.1275); agenda item 6.

Sponsors: China, France, United Kingdom.

Meeting numbers. TC 1674, 1677, 1678, 1680, 1681.

In its conclusions and recommendations, contained in its report to the Security Council [S/22212], the Trusteeship Council noted the statement of the representative of Palau before it on 21 May that the leadership of Palau was reviewing possible options with respect to the resolution of Palau's future political status. The Council welcomed the assurance of the Administering Authority that it was prepared to assist the Government of Palau, at its request, in any appropriate endeavour leading to the final determination of a political status chosen by the people of Palau.

The Trusteeship Council noted that the peoples of the Trust Territory, in the exercise of their right to self-government as set out in Article 76 b of the Charter of the United Nations, had elected to assume full responsibility for administration in the economic, social and educational fields. The Council considered that any difficulties over the interpretation of the new status agreements should be resolved in accordance with the procedures mutually agreed and laid down in the relevant new status agreements.

While welcoming the improvements reported in the tourism and fisheries sectors in Palau, the Council noted the concerns of its Government regarding economic development and self-sufficiency and shared the view that continued efforts were needed. The Council also welcomed the steps taken by the Administering Authority to assist Palau in particular in the areas of fisheries enforcement, the campaign against drug trafficking and abuse, public health and safety, and the operation and maintenance of public works facilities.

During its regular session, the Council had before it a Secretariat working paper issued on 14 May [T/L.1274], outlining the political, economic, social and educational conditions in the Trust Territory.

After considering four written communications and 63 petitions [T/INF/38], the Council decided on 23 May, without objection, to draw the attention of petitioners to the observations made during its current session by the Administering Authority and by other members of the Council.

On 1 June, again without objection, the Trusteeship Council decided to draw the Security Council's attention to its deliberations at its fifty-seventh session concerning the attainment of self-government or independence by the Trust Territory.

On 28 November, the Trusteeship Council adopted its report [S/22212] to the Security Council, containing information on its deliberations and decisions taken during its twentieth special and fifty-seventh regular sessions.

Consideration by Special Committee. The General Assembly's Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (Special Committee on decolonization) considered the question of the Trust Territory of the Pacific Islands on 1 August. It adopted the report of the Sub-Committee on Small Territories [A/AC.109/L.1737], endorsing its conclusions and recommendations, which were later transmitted to the United States, as well as to the President of the Trusteeship Council [T/1950] and to the President of the Security Council [S/21662], for the attention of their members. During its consideration, the Committee had before it a Secretariat working paper [A/AC.109/1038] containing information on political, economic and social development, as well as educational advancement and special issues such as the environment and war-damage claims. The United States, as the Administering Authority, did not take part in the Committee's consideration of the Trust Territory.

The Special Committee recommended a draft resolution to the General Assembly for adoption. By that text, the Assembly would have affirmed the inalienable right of the people of the Trust Territory to self-determination and independence, in accordance with the UN Charter and the 1960 Declaration on the Granting of Independence to Colonial Countries and Peoples [GA res.1514(XV)], and expressed the view that such factors as territorial size, geographical location, size of population and limited natural resources should not delay speedy implementation of the Declaration. The Assembly would have reaf-

firmed the importance of ensuring that the people of the Trust Territory fully and freely exercised their inalienable right **and** that the obligations of the Administering Authority were duly discharged. It would have welcomed the increasing **devolution** of power to the people of the Trust Territory and urged the **Administering** Authority to continue that process. Noting the intention of the Administering Authority to seek the termination of the Trusteeship Agreement on the Territory and its assurances that it would continue to fulfil its responsibilities, the Assembly would have called on it to discharge those responsibilities in strict conformity with the Charter and the 1960 Declaration. The Assembly would have affirmed its strong conviction that the presence of military bases and installations in the Trust Territory could constitute a major obstacle to implementing the Declaration and that it was the responsibility of the Administering Authority to ensure that their existence did not hinder the population of the Territory from exercising its right to **self-determination** and independence. It would have expressed the view that the Administering Authority should take all necessary measures to reduce the Trust Territory's economic dependence on it and facilitate the attainment of economic independence.

The Assembly would have urged the Administering Authority, in co-operation with the local authorities, to safeguard and guarantee the right of the people of the Trust Territory to own and dispose of the Territory's natural-including maritime-resources. It would have stressed the need to preserve the **Micronesian** people's cultural identity and heritage and taken note of the interest of the people of the Territory in creating a nuclear-free zone in the Pacific. Finally, the Assembly would have appealed to the Administering Authority to resume its participation in the related work of the Special Committee and to provide the Committee with up-to-date information on the Territory.

The text of the conclusions and recommendations concerning the Trust Territory, as well as the draft resolution, were contained in the report of the Special Committee to the Assembly [A/45/23].

GENERAL ASSEMBLY CONSIDERATION

On 25 October, the Chairman of the General Assembly's Fourth Committee, following consultations with the Chairman of the Special Committee on **decolonization** and with delegations concerned, suggested [A/45/685] that no action be taken on the draft resolution submitted by the latter Committee. The suggestion was adopted without objection.

SECURITY COUNCIL ACTION

On 22 December 1990, the Security Council met to consider a letter dated 7 December from the President of the Trusteeship Council to the President of the Security Council, transmitting a draft resolution recommended for adoption by the latter Council on the partial termination of the Trusteeship Agreement for the Trust Territory of the Pacific Islands [S/22008]. Also before the Council was a draft resolution tabled by China, France, the USSR, the United Kingdom and the United States [S/22001].

The Council President drew the attention of the members to letters from Papua New Guinea [S/22007], Vanuatu [S/22009] and Cuba [S/22034]. Both Papua New Guinea and Vanuatu, the latter on behalf of the South Pacific Forum, recommended to the Council the early termination of the Trusteeship Agreement in respect of the Northern Mariana Islands, the Federated States of Micronesia and the Republic of the Marshall Islands. Cuba transmitted letters of the Governor of the Northern Mariana Islands and the President of the Senate of **Palau** requesting the exclusion of the Northern Mariana Islands from the termination of the Trusteeship Agreement. New Zealand, which was invited at its request to participate in the discussion without the right to vote, endorsed the call for partial termination of the Agreement.

A motion by Cuba to adjourn the Council meeting until 8 January 1991 was rejected by 9 votes against to 2 in favour, with 4 abstentions. Putting forward its motion, Cuba said the Council had not had an opportunity to consider in depth the situation. Several questions had arisen in the course of consultations and no efforts had been made to carry out negotiations with all members in order to produce a text supported by all. Also, the Council had before it very specific requests from representatives of the people whose destiny it would be deciding, in which they asked that a hasty decision not be taken.

On the same date, the Security Council adopted resolution **683(1990)** by a vote of 14 to 1 (Cuba).

The Security Council,

Recalling Chapter XII of the Charter of the United Nations which established an international trusteeship system,

Conscious of its responsibility relating to strategic areas as set forth in Article 83, paragraph 1, of the Charter,

Recalling its resolution **21(1947)** of 2 April 1947, by which it approved the Trusteeship Agreement for the former Japanese Mandated Islands, since known as the Trust Territory of the Pacific Islands,

Noting that the Trusteeship Agreement designated the United States of America as Administering Authority of the Trust Territory,

Mindful that article 6 of the Trusteeship Agreement, in conformity with Article 76 of the Charter, obligated the Administering Authority, *inter alia*, to promote the development of the inhabitants of the Trust Territory towards self-government or independence as may be appropriate to the particular circumstances of the Trust Territory and its peoples and the freely expressed wishes of the peoples concerned,

Aware that, towards this end, negotiations between the Administering Authority and representatives of the Trust Territory began in 1969 and resulted in the conclusion of a Compact of Free Association in the case of the Federated States of Micronesia and the Marshall Islands, and a Commonwealth Covenant in the case of the Northern Mariana Islands,

Satisfied that the peoples of the Federated States of Micronesia, the Marshall Islands and the Northern Mariana Islands have freely exercised their right to self-determination in approving their respective new status agreements in plebiscites observed by visiting missions of the Trusteeship Council and that, in addition to these plebiscites, the duly constituted legislatures of these entities have adopted resolutions approving the respective new status agreements, thereby freely expressing their wish to terminate the status of these entities as **parts** of the Trust Territory,

Hoping that **the** people of Palau will be **able** in due course to complete the process of freely exercising their right to self-determination,

Taking note of Trusteeship Council resolution 2183 (LIII) of 28 May 1986 and of subsequent reports of the Trusteeship Council to the Security Council,

Determines, in the light of the entry into force of the new status agreements for the Federated States of Micronesia, the Marshall Islands and the Northern Mariana Islands, that the objectives of the Trusteeship Agreement have been fully attained, and that the applicability of the Trusteeship Agreement has terminated, with respect to those entities.

Security Council resolution 6831 (1990)

22 December 1990

Meeting 2972

14-1

5-nation draft (S/22001).

Sponsors: China, France, USSR, United Kingdom, United States.

Vote in Council as follows:

In favour: Canada, China, Colombia, Côte d'Ivoire, Ethiopia, Finland, France, Malaysia, Romania, USSR, United Kingdom, United States, Yemen, Zaire.

Against: Cuba.

Other aspects of the Trusteeship System

Fellowships and scholarships

During its regular session, the Trusteeship Council on 23 May considered a report of the Secretary-General on offers by Member States of study and training facilities for inhabitants of Trust Territories, covering the period from 20

May 1989 to 15 May 1990 [T/1948]. Responding to an invitation in General Assembly resolution 557(VI) [YUN1951, p. 788] to make available to qualified students from Trust Territories scholarships, fellowships and internships, 11 Member States (Czechoslovakia, Hungary, Indonesia, Italy, Mexico, Pakistan, Philippines, Poland, Tunisia, USSR, Yugoslavia) had in the past made such opportunities available.

The Secretary-General stated that to his request of 1 March 1990 to Member States for up-to-date information, only Italy and the USSR had responded. Italy offered no scholarship to the inhabitants of the Trust Territory, and none of them studied in the USSR during the academic year 1989/90. According to the report, information on available scholarships was included in the twenty-sixth edition of Study Abroad (1989/1990/1991), published by the United Nations Educational, Scientific and Cultural Organization.

The Council decided, without objection, to take note of the report.

Information dissemination

On 24 and 29 May, the Trusteeship Council considered a report of the Secretary-General on dissemination of information on the United Nations and the International Trusteeship System in Trust Territories, covering the period from 1 May 1989 to 30 April 1990 [T/1947]. According to the report, the Department of Public Information (DPI) distributed information material both directly to the Trust Territory and through the United Nations Information Centres (UNICs), primarily UNIC Tokyo. UNIC Tokyo was in constant contact with the Trust Territory in order to be kept aware of its people's information needs.

During the period under review, DPI produced press releases in English and in French dealing with the work of the Trusteeship Council. Council documents were airmailed to recipients in the Trust Territory. UN publications, radio programmes and video tapes were regularly sent to government offices, radio stations, newspapers, educational institutions, libraries and individuals.

All editions of the UN Chronicle, a quarterly DPI publication, were sent to UNIC Tokyo, which forwarded them to the Territory. The UN Chronicle in 1989 had covered the deliberations of the Trusteeship Council and the UN Visiting Mission to Palau. In response to a Council request in 1989, DPI had assembled a file of information materials, which had been distributed in the Trust Territory.

During consideration of the item by the Council, its Secretary informed members that in ad-

dition to distributing materials to libraries, schools and political institutions, the Secretariat intended to widen its information efforts in the Territory, to include outstanding individuals, **organizations**, reporters, Palau governmental authorities, members of parliament, and the Governors of the various states in Palau.

On 29 May, the Trusteeship Council, without objection, took note of the Secretary-General's report.

Co-operation with Special Committee on **decolonization**

At its 1990 regular session, the Trusteeship Council considered together the question of attainment of self-government or independence by the Trust Territories and the situation with regard to the implementation of the 1960 Declaration on the Granting of Independence to Colo-

nial Countries and Peoples, and co-operation with the Special Committee on **decolonization**.

During the deliberations, the USSR noted that the UN bodies dealing with **decolonization** had been called on to co-ordinate their efforts in order to help the peoples still living under colonial domination and trusteeship to achieve self-determination on the basis of freedom and social and political choice. It considered that such co-operation would undoubtedly benefit the Trust Territory's people.

Co-operation with **CERD**

On 24 May, the Trusteeship Council decided to consider jointly the question of co-operation with the Committee on the Elimination of Racial Discrimination (**CERD**) and the Second Decade to Combat Racism and Racial Discrimination (1983-1993) (see PART III, Chapter X).

The Council, without objection, took note of those two agenda items.

Chapter III

Namibia

The year 1990 was a historic one for United Nations efforts in the area of **decolonization**, as Namibia, the last remaining colony in Africa, attained its independence on 21 March. That event occurred nearly a quarter century after the General Assembly had acted to change the Territory's status to bring it under UN administration, and a dozen years after the Security Council laid out in resolution 435(1978) a detailed settlement plan for its independence. In his 1990 report on the work of the **Organization**, the **Secretary-General** said that the Namibian experience was a striking demonstration of the results that could be achieved by multilateral effort, by the active engagement of the principal organs of the United Nations and by members of the Security Council and other States undertaking a crucial role in negotiations.

Background

Namibia, with 824,292 square kilometres (slightly larger than France and the United Kingdom combined), had a population of 1.7 million, about 1.8 persons per square kilometre, compared to 18 for Africa as a whole. Its landscape varied considerably from arid to lush; it exported diamonds, uranium oxide and other minerals, beef and **karakul** pelts for fur coats; it also had some of the world's richest fishing waters.

A **pre-First World War** German colony, known as South West Africa, the Territory had been administered by South Africa since 1920, first under a League of Nations Mandate, and then, illegally, since 1966 when the General Assembly voted to revoke its Mandate. In 1967, the Assembly created the United Nations Council for Namibia as the legal Administering Authority for the Territory until its independence. Nevertheless, South Africa refused to **recognize** the authority of the United Nations and continued to rule the Territory. In 1968, the Territory was renamed Namibia. The Assembly in 1976 **recognized** the South West Africa People's **Organization** (SWAPO), led by Sam Nujoma, as the sole authentic representative of the Namibian people, and decided that any independence talks must be

between South Africa and SWAPO. In 1978, the Assembly, at a special session, expressed support for the armed struggle of the Namibian people and for a settlement within the framework of the United Nations.

To end the stalemate, the five Western members of the Security Council—Canada, France, the Federal Republic of Germany, the United Kingdom and the United States—submitted to the Council in 1978 a proposal for settling the question of Namibia. By resolution 435(1978), the Council endorsed the UN plan for Namibia and established the United Nations Transition Assistance Group (UNTAG) to supervise its implementation.

In 1980, South Africa accepted the plan. However, it did not agree to a cease-fire. Negotiations were again stalled when South Africa decided to link the independence of Namibia to the withdrawal of Cuban troops from Angola. In December 1988, Angola, Cuba and South Africa signed an agreement which opened the way to implementation of the UN plan for Namibia. Elections for a Constituent Assembly were held in November 1989. The work of UNTAG, which had supervised the elections leading to the creation of the Constituent Assembly on 9 February 1990, came to an end.

On 21 March, shortly after midnight, the **Namibian** flag—a bright yellow sun on a blue, red, green and white background—was raised at the National Stadium in **Windhoek**, the capital of Namibia, and Secretary-General **Javier Pérez de Cuéllar** swore in Namibia's first President, Sam Nujoma, marking the culmination of years of intense efforts by the United Nations to promote a peaceful transition to democracy and independence. "The whole world, especially Africa, rejoices with Namibia. What is a triumph for Namibia is a triumph for Africa and, indeed, for the principles that are enshrined in the Charter of the United Nations", the Secretary-General told the crowd of 30,000. "Africa's last colony is, from this hour, liberated", President Nujoma, who had led a liberation struggle for 34 years, affirmed, expressing the hope that the statesmanship and realism shown by South Africa's President, **F. W. de Klerk**, over Namibia would "continue to unfold in South Africa itself".

The following month, the Council for Namibia held its final session, from 9 to 11 April in Windhoek, reviewing its activities in fulfilment of its mandate. In a declaration at the conclusion of the meeting, the Council stated that for more than two decades its mission had been inspired by the steadfastness of the Namibian people and the solidarity of the international community, and it was proud of the assistance it had been able to extend to the Namibian people throughout its existence. It decided to transfer those programmes and activities that had not been completed, as well as its assets, to the Government of Namibia, and recommended to the General Assembly its own dissolution. In September, the Assembly dissolved the Council and removed from the agenda of its forty-fifth session the item "Question of Namibia", thus ending an important chapter in the history of the Organization.

The newly independent nation of Namibia was admitted to the United Nations on 23 April as the 160th member. Despite a relatively developed infrastructure, skilled workers and local capital, Namibia was expected to need significant external assistance during its first years of independence, with a particular need for foreign loans to cover the expected \$200 million annual budget deficit due to the loss of South African fiscal aid.

In June, a donors' pledging conference for Namibia was held in New York. Some \$650 million was pledged for the period 1990-1993 for reconstruction and development. In September, the Assembly requested the Secretary-General to ensure the continued role of the United Nations in the reconstruction and development of Namibia through programmes of assistance.

At an independence day rally, Namibian President Nujoma declared that his Government was drafting a code to spell out an "open and inviting" attitude to investment and to set out the kind of commitment expected from investors towards national development goals. The World Bank described Namibia as having three main economic challenges: reactivation of the economy, reduction of income disparities, and restraint and redirection of public expenditures.

Independence

On 28 March, the Secretary-General reported [S/21215] to the Security Council that shortly after midnight on 20/21 March, at the National Stadium in Windhoek, the flag of the Republic of South Africa was lowered and the flag of the Republic of Namibia was raised, thus marking Na-

mibia's accession to independence in accordance with Council resolution 435(1978) [YUN 1978, p. 915]. Immediately thereafter, the Secretary-General administered the oath of office to Sam Nujoma, leader of SWAPO, who had been elected President of the Republic of Namibia by the Constituent Assembly on 16 February. On 22 March, the South African Administrator General, Louis Pienaar, left Namibia. Thus, said the Secretary-General, the goal of independence for Namibia, for which the United Nations and its Member States had striven for so long, was achieved in dignity and with great rejoicing.

Constitution

The Constituent Assembly of Namibia, elected in November 1989 following the successful holding of UN-supervised elections, met on 9 February 1990 in Windhoek and approved, by consensus, the Constitution for an independent Namibia. As the fundamental law of the sovereign and independent Republic of Namibia, the Constitution reflected the "Principles for a Constituent Assembly and for an independent Namibia", adopted by all the parties concerned in 1982 [YUN 1982, p. 1292]. In a 16 March 1990 report [S/20967/Add.2], the Secretary-General transmitted to the Security Council the full and definitive text of the Constitution, together with a comparison between the new Constitution and the 1982 constitutional principles. The Constitution entered into force on Independence Day, 21 March, as established by the Constituent Assembly.

The 148-article Constitution provided for a unitary State, with a National Assembly of 72 members, elected by proportional representation, and a National Council consisting of two members from each of Namibia's regions to review bills passed by the National Assembly. In its preamble, it was recalled that the rights of the Namibian people had long been denied by colonialism, racism and *apartheid* and it was asserted that the Namibian people were determined to adopt a Constitution that expressed for themselves and their children the resolve to cherish and protect the gains of the long struggle. Namibians were resolved to foster national unity and reconciliation in a sovereign, secular, democratic and unitary State, securing to all citizens justice, liberty, equality and fraternity. Fundamental human rights and freedoms were enshrined in its 148 articles. Article 23 stated that the practice of racial discrimination and the practice and ideology of *apartheid* from which the majority of Namibians had suffered for so long was prohibited and might be made a punishable offence by Act of Parliament. At the same time, pro-

vision was made for affirmative action by Parliament for those who had been disadvantaged by past discrimination and for achieving a balanced structuring of the public service, the police force, the defence force and the prison service.

UN membership

On 6 April [S/21241], **Namibian** President **Nujoma** submitted to the Secretary-General an application for his country's membership in the United Nations, and requested that it be given priority consideration to enable Namibia to participate in the special session of the General Assembly devoted to economic development, to be held from 23 to 28 April.

On 17 April [S/PV.2917], the Security Council referred the application to the Committee on the Admission of New Members for examination and report [S/21251], waiving the time-limit for reporting in order to facilitate Namibia's early admission. On the same day [S/PV.2918], the Council, by resolution **652(1990)**, unanimously recommended to the General Assembly that Namibia be admitted to UN membership. It also adopted the proposal of the Committee that the item on admission of new Members be included in the agenda of the eighteenth special session of the Assembly.

On 23 April, the Assembly, at the first plenary meeting of its eighteenth special session, devoted to international economic co-operation (see PART THREE, Chapter I), adopted resolution **S-18/1**, admitting the Republic of Namibia to membership in the United Nations as its 160th member. (It later became the 159th member when the Yemen Arab Republic and the People's Democratic Republic of Yemen merged into a single State (see PART ONE, Chapter IV).)

Following Namibia's admission, the President of the General Assembly, **Joseph N. Garba** of **Nigeria**, paid tribute to the United Nations, which, he said, had worked tirelessly to help the people of Namibia achieve its independent nationhood, including the General Assembly, the Security Council, the Trusteeship Council, the Economic and Social Council, the Council for Namibia and the Secretary-General. He said that Namibia would forever be a reminder of what could be achieved when there was political will among nations. Namibia had shown that the path was open to negotiation for the achievement of a multiracial society committed to democracy, the rule of law and respect for inalienable human rights, ordered liberties and fundamental freedoms.

The Secretary-General said that the independence of Namibia and its admission to the United Nations had taken place at a moment of

great and creative change in the world. Old confrontations were crumbling and the search for a new harmony was visible in several areas that had been most plagued by conflict in recent decades. The United Nations, inspired by Namibia's admission to the Organization, looked to those emerging global opportunities with renewed hope and confidence.

Addressing the Assembly for the first time as a representative of a UN Member State, the Prime Minister of Namibia, **Hage Geingob**, expressed appreciation to the Organization of African Unity, the Movement of Non-Aligned Countries and all countries that had stood firm with Namibia in its struggle for freedom and justice. He also paid tribute to the UN system, particularly the Council for Namibia. He said that the new State would fulfil all obligations attendant upon its becoming a member of the world body. Namibia stood ready to take its place among the nations of the world to contribute positively towards the **realization** of world peace and harmony through the United Nations.

Post-independence activities

Council for Namibia

On 19 May 1967 [GA res. 2248(S-V)], the General Assembly, following its 1966 decision [GA res. 2145(XXI)] to terminate South Africa's Mandate over Namibia, established the United Nations Council for Namibia (then South West Africa), composed of 11 Member States and assisted by the Commissioner for Namibia, to administer the Territory. The Council held its first meeting on 16 August 1967; 23 years later, it was finally able to conclude its business at a final session in April 1990 in **Windhoek**, the first to be held within the territory of Namibia.

The activities of the Council were aimed primarily at bringing an end to South Africa's illegal presence in Namibia, achieving Namibia's independence, and protecting the rights and interests of Namibia and its people. In that connection, it **mobilized** international public opinion on, and disseminated information about, the political, military, economic and social aspects of the **Namibian** question by **organizing** conferences, seminars and symposia; by sending missions of consultation to various capitals; and by promoting Namibia's interests in the **specialized** agencies and other international organizations and conferences, and in intergovernmental and non-governmental organizations (NGOs).

In addition, the Council supervised the United Nations Fund for Namibia, providing assistance to **Namibians** through the three accounts of the Fund—the General Account for education, social and relief activities; the United Nations Institute for Namibia; and the Nationhood Programme for Namibia. Further, the Council disseminated information on the implementation of Decree No. 1 for the Protection of the Natural Resources of Namibia (see p. 957) and undertook activities in the legal sphere, most notably the institution of legal proceedings in the domestic courts of the Netherlands, and by supporting initiatives in various regions and countries to enact legislation imposing sanctions against South Africa. It also considered questions relating to the accession of Namibia to appropriate international conventions, covenants and agreements.

Special session

On 2 April 1990, the General Assembly, by decision **44/463**, noted the approval of the Committee on Conferences for the Council for Namibia to hold a special session in Namibia from 9 to 11 April.

The special session, held in the capital city of Windhoek at the invitation of the Government of Namibia, was to review the activities of the Council in fulfilment of its mandate as the legal Administering Authority for Namibia, and make recommendations to the Assembly concerning its dissolution and related matters arising as a consequence of Namibia's accession to independence.

Namibian President Sam Nujoma addressed the opening meeting. He expressed thanks and appreciation to all members of the Council, as well as observers, for their vital contribution and dedication to the struggle of the Namibian people. The Council's programmes and institutions, he said, had played a vital role in providing **Namibians** with the skills essential for the administration of an independent Namibia. The Council could therefore truly pride itself on having been part of the Namibian struggle against *apartheid* and colonialism.

The Council had before it a report on its activities since its establishment and a status report on the implementation of Decree No. 1 for the Protection of the Natural Resources of Namibia, and considered transitional arrangements for the United Nations Institute for Namibia and the Nationhood Programme for Namibia. It also had before it messages received on the occasion of the independence of Namibia by the Council President from countries and UN and other intergovernmental organizations [A/AC .131/324].

At the conclusion of the session, the Council issued a declaration [A/44/940-S/21270] in which it recalled the assumption 23 years before by the United Nations of direct responsibility for Namibia and the establishment of the Council as the legal Administering Authority for the Territory. That responsibility, it declared, was fulfilled on 21 March when Namibia attained independence. That achievement was a tribute to the heroism and determination of the Namibian people in their long struggle for national liberation in which SWAPO played a leading role. The struggle and the determination of the Namibian people was infused by international support, assistance and solidarity. The role played by the United Nations in that regard was unique and historic. The commitment of Member States to the Namibian cause was reflected in the activities of the United Nations, its specialized agencies and other intergovernmental organizations. The Council placed on record its appreciation of the support extended by the Organization of African Unity, the Movement of Non-Aligned Countries, the front-line States and many other nations, NGOs and individuals who had devoted themselves to the **Namibian** cause. It called on all to address with equal fervour and concern the immense challenges facing the new nation.

The Council decided to arrange, in consultation with Namibia, the smooth transfer of those programmes and activities that remained incomplete, as well as the assets of the Council, to the Government of Namibia. In the light of the fulfilment of its mandate, the Council recommended to the General Assembly its own dissolution.

The Council also adopted two resolutions: one thanking the Government and people of Namibia for the invitation to hold the special session in Windhoek and for the warm hospitality accorded to the participants; and the other paying tribute to Peter D. Zuze of Zambia, President of the Council.

GENERAL ASSEMBLY ACTION

On 11 September, at its resumed forty-fourth regular session, the General Assembly considered the agenda item "Question of Namibia". It had before it the report of the United Nations Council for Namibia [YUN 1989, p. 8091, and the section of the report [A/44/23 (Part V) & (Part V)/Add.1] 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 (Special Committee on decolonization) relating to Namibia.

Addressing the Assembly, the representative of Namibia, in the light of the forthcoming dissolu-

tion of the Council for Namibia, appealed to the international community to see that the ongoing programmes of the Council were not sacrificed. The Secretary-General should be given the means and the authority to oversee completion of those outstanding commitments, including the relocation of the United Nations Institute for Namibia and the satisfactory conclusion of its ongoing activities.

The Assembly, on 11 September, adopted resolution 44/243 A.

Dissolution of the United Nations Council for Namibia

The General Assembly,

Recalling its resolution 2248(S-V) of 19 May 1967, by which it decided to establish a United Nations Council for South West Africa as the legal Administering Authority for the Territory until independence,

Recalling also its resolution S-18/1 of 23 April 1990, by which it admitted the Republic of Namibia to membership in the United Nations,

Taking note of the declaration of the United Nations Council for Namibia adopted at its special plenary meetings, held at Windhoek from 9 to 11 April 1990, by which the Council decided to recommend to the General Assembly its own dissolution as a result of Namibia's attainment of freedom and independence,

Taking note also of the decision taken by the United Nations Council for Namibia at its special plenary meetings immediately to arrange, with the agreement of the Government of the Republic of Namibia, to co-ordinate the smooth transfer of the relevant programmes and activities of the Council to the Government of Namibia,

Taking note further of the decision of the United Nations Council for Namibia requesting the Office of the United Nations Commissioner for Namibia and the United Nations Institute for Namibia to organize in Namibia a seminar on programme planning for the national reconstruction and development of Namibia,

1. Commends the United Nations Council for Namibia, as the legal Administering Authority for the Territory until independence, for the fulfilment of the important responsibilities entrusted to it by the General Assembly in its resolution 2248(S-V) and for its unrelenting efforts to ensure the attainment by the Namibian people of self-determination and national independence;

2. Decides that the United Nations Council for Namibia, having fulfilled the important mandate entrusted to it by General Assembly resolution 2248(S-V) relating to the Territory, is hereby dissolved;

3. Requests the Secretary-General to continue to provide the necessary resources in order to complete the implementation of the programme activities approved by the United Nations Council for Namibia for 1990, as set forth in annex I to the present resolutions;

4. Requests the Secretary-General immediately to arrange, in consultation with the Government of Namibia, to co-ordinate the transfer to the Government of Namibia of the programmes, activities and assets of the United Nations Council for Namibia, including archival collections consisting of, inter alia, major resolutions and decisions of the United Nations on the ques-

tion of Namibia and other relevant documents and official correspondence, as well as, in particular, those relating to the implementation of Decree No. 1 for the Protection of the Natural Resources of Namibia and to the accession to international conventions and representation of Namibia in specialized agencies of the United Nations and intergovernmental organizations;

5. Requests the Secretary-General, in recognition of the unique and direct responsibility that the United Nations had assumed over Namibia prior to independence, to ensure the continued role of the United Nations in the reconstruction and development of the newly independent State of Namibia by providing the necessary resources and staff within the Secretariat for the delivery of such programmes of assistance;

6. Also requests the Secretary-General to provide assistance as may be requested by the Government of Namibia in the preparation of a comprehensive national census in order to determine accurate demographic and other relevant socio-economic statistics on Namibia;

7. Further requests the Secretary-General to consider as a matter of priority the redeployment within the United Nations Secretariat and other organizations of the United Nations system of the staff of the Office of the United Nations Commissioner for Namibia.

General Assembly resolution 44/243A

11 September 1990 Meeting 96 Adopted without vote
Draft by Council for Namibia (A/44/24/Add.1) & Add.1/Corr.1/Rev.1); agenda item 36.

Financial implications. 5th Committee, A/44/975: S-G, A/C.5/44/56/Rev.1. Meeting numbers. GA 44th session: 5th Committee 66; plenary 96.

After adopting resolutions 44/243 A and B, the Assembly deleted the item on the question of Namibia from the provisional agenda of its forty-fifth session.

Also on 11 September, the Assembly, in response to a request of the Special Committee on decolonization [A/44/974], by decision 44/469, decided, in the light of the independence of Namibia, to change the title of item 115 of the provisional agenda of its forty-fifth session regarding foreign economic interests impeding efforts to eliminate colonialism, apartheid and racial discrimination in southern Africa by deleting specific reference to Namibia.

Lifting of sanctions

On 1 March, Sam Nujoma, President-elect of Namibia, informed the Secretary-General that, in accordance with the Constitution of the Republic of Namibia, Walvis Bay now formed an integral part of Namibia. As of 21 March, he said, Walvis Bay should be recognized as a bona fide port of entry to Namibia for refined oil products and other goods. He recalled the international campaign to isolate South Africa because of its apartheid policy, which included a ban, since 1977 [GA res. 32/105 G], on the sale of oil and oil products with a destination to South African ports, includ-

ing Walvis Bay. He requested the Secretary-General to advise all oil-producing countries and trading nations to lift the ban of oil and other goods destined for Namibia and of the desire of the future Namibian Government to distance itself from South African influence by being able to trade freely in the world market.

On 5 March [A/45/159-S/21181], the Secretary-General transmitted to the President of the General Assembly the request of the President-elect of Namibia, and recommended that the Assembly be convened to take appropriate action.

The Assembly President, on 12 March [A/45/187-S/21221], informed the Secretary-General that he agreed that the most expeditious way of responding to the request would be for the Assembly to rescind its earlier decision on sanctions. He was, however, inclined to await the independence of Namibia before taking action to enable the new administration to assume and exercise full control of its territory before the sanctions were lifted and to ensure that, while lifting the ban on oil and other goods destined for Namibia, the Assembly did not undermine existing sanctions against South Africa. He would commence consultations to convene the Assembly so that action could be taken after Namibia's independence.

UN Transition Assistance Group

The United Nations Transition Assistance Group (UNTAG), the establishment of which the Security Council authorized by resolution 435(1978) [YUN 1978, p. 915] to ensure the early independence of Namibia through free elections under the control of the United Nations, began operations on 1 April 1989 [YUN 1989, p. 790]. Only after agreement was reached between Angola, Cuba and South Africa on the withdrawal of Cuban troops from Angola, did South Africa consent to co-operate with the Secretary-General to ensure Namibia's independence, and SWAPO agreed to a cessation of hostilities. UNTAG's tasks included keeping Namibia's borders under surveillance, preventing infiltration and intimidation, and ensuring the safe return of refugees and their free participation in the electoral process.

The mission successfully completed its work with the holding of elections from 7 to 11 November 1989 throughout Namibia, and the attainment of independence by Namibia on 21 March 1990. At the height of the mission, UNTAG numbered nearly 8,000 individuals from more than 100 nations who worked at more than 200 duty stations throughout the Territory. Of that

number, 17 persons lost their lives during the year-long mission.

In his final report [S/21215] on the implementation of resolution 435(1978), dated 28 March 1990, the Secretary-General stated that the goal of independence for Namibia, for which the United Nations and its Members had striven for so long, had been achieved. As a result, the mandate entrusted to UNTAG had come to an end. The remaining personnel were being withdrawn, with the exception of those who were to remain in Namibia for a limited period under bilateral arrangements negotiated between their Governments and Namibia. A small rear party was to remain to finalize the administrative aspects of UNTAG's withdrawal, including the disposal of assets.

Support programmes for Namibia

UN Fund for Namibia

The United Nations Fund for Namibia, for which voluntary contributions were the main financial source, over the years served as the main instrument through which the Council for Namibia, acting as its trustee, channelled assistance to Namibians. The Fund had three main programmes with special accounts: the Nationhood Programme for Namibia; the United Nations Institute for Namibia; and educational, social and relief assistance (General Account).

The Nationhood Programme provided manpower training and conducted surveys and analyses of Namibian economic and social sectors, including identification of development tasks and policy options. Under manpower training, hundreds of Namibians continued their training at various institutions, mostly in African countries. Some 23 projects under the Programme had been inactive for more than a year. Of the 11 remaining projects, 4 were about to be closed and 3 were being continued for about 5 students each. Training was also done through the United Nations Vocational Training Centre in Cuacra, Angola, and the Namibia Secondary Technical School in Loudima, Congo. The assistance project to the school was subject to review by the Governing Board of the Vocational Training Centre and negotiations with the Government of Namibia.

The United Nations Institute for Namibia, located in Lusaka, Zambia, trained middle-level skilled manpower for an independent Namibia and carried out applied research in various sectors of the Namibian economy. During 1990, it had become apparent that the resources of the Institute for Namibia Account were insufficient to meet the fi-

nancial requirements of the Institute. The Institute's revised budget for 1990 of \$5,300,800 exceeded income for the year and cash reserves carried forward from 1989 by some \$1.4 million. Accordingly, on 21 June, the Senate of the Institute requested an examination of the finances, and, at its thirty-first session (Windhoek, 28-29 August), it recommended the closure of the Institute. On 30 September, the Institute ceased operation and the Secretary-General appointed a senior official to undertake the liquidation of its assets and the discharge of its liabilities.

Educational, social and relief assistance, particularly in the form of scholarships, was the main activity financed by the Fund's General Account. It also financed vocational and technical training; provided assistance in health and medical care, nutrition and social welfare; acquired books and periodicals for Namibian refugee camps and SWAPO offices; and facilitated the attendance of Namibian representatives at international seminars, meetings and conferences.

The individual scholarship programme provided sponsorship for 185 Namibian students, the majority of whom were studying in the United States. It also supported six training projects similar to those of the Nationhood Programme and one project for financing the operating expenses of the Namibia Secondary Technical School in Loudima.

To support the work of the United Nations Trust Committee for the United Nations Fund for Namibia (see resolution 44/243 B below), the Secretary-General in December proposed the establishment of a Transitional Unit for Namibia in the Department for Special Political Questions, Regional Co-operation, Decolonization and Trusteeship. The Unit would implement residual programmes of the Council for Namibia, in particular activities financed by the Fund for Namibia, co-ordinate the transfer to Namibia of the Vocational Training Centre in Cuacra, and determine the status of the Namibia Secondary Technical School.

On 21 December, by resolution 45/248 B, section I, the General Assembly accepted the Secretary-General's proposal.

GENERAL ASSEMBLY ACTION

The General Assembly, on 11 September, adopted resolution 44/243 B.

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,

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

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

Recalling further its resolution 31/153 of 20 December 1976, by which it decided to launch the Nationhood Programme for Namibia, a comprehensive assistance programme within the United Nations system, covering both the period of the struggle for independence and the initial years of independence of Namibia,

Noting that the current programmes under the General Account, the United Nations Institute for Namibia Account and the Nationhood Programme Account of the United Nations Fund for Namibia should be completed,

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

2. Takes note also of the declaration of the United Nations Council for Namibia adopted at its special plenary meetings held at Windhoek from 9 to 11 April 1990, by which the Council recognized that some of its current programmes and activities remain incomplete;

3. Decides that the United Nations Fund for Namibia shall continue to operate in order to ensure the orderly completion of all programmes and activities currently financed from it and as set forth in annex II to the present resolutions and that a report in this respect shall be made to the General Assembly at an appropriate time;

4. Decides also that the United Nations Fund for Namibia shall operate under the custody of the Secretary-General;

5. Decides further to establish the United Nations Trust Committee for the United Nations Fund for Namibia, the composition and guidelines of which shall follow the pattern of the Committee on the United Nations Fund for Namibia, to serve as the trustee of the Fund until its dissolution;

6. Requests the Committee, with the agreement of the Government of Namibia, to take the necessary measures to ensure the completion of ongoing programmes and activities currently financed from the United Nations Fund for Namibia;

7. Decides that the United Nations Institute for Namibia, having fulfilled its mandate to provide substantive support in its areas of competence in the struggle for freedom of the Namibians and the establishment of an independent Namibia and in view of the critical financial difficulties which it is experiencing, shall cease its operations on 30 September 1990;

8. Requests the Secretary-General, in consultation with the United Nations Trust Committee for the United Nations Fund for Namibia, and in co-operation with the Governments of Namibia and Zambia, to implement the closure of the United Nations Institute for Namibia as provided for in paragraph 7 above, and to liquidate its assets and discharge its liabilities and, having regard to the needs of Namibia and the successor institution to the Institute, to make available any residual net assets for utilization by such successor institution;

9. Expresses its deep appreciation to the Government of Zambia for accommodating the United Nations

Institute for Namibia prior to Namibia's independence and extending services, courtesies and privileges to facilitate the Institute's operations in Zambia;

10. Requests the Secretary-General, in co-operation with the Governments concerned, to co-ordinate the transfer to Namibia of the United Nations Vocational Training Centre for Namibia at Cuacra, Angola, and to determine the future status of the Namibia Secondary Technical School at Loudima, the Congo, and expresses its deep appreciation to the Governments of Angola and the Congo for the courtesies and hospitality that they have extended to these institutions;

11. Expresses its appreciation to all States, specialized agencies and other organizations and institutions of the United Nations system, and to governmental and non-governmental organizations that have made contributions to the United Nations Fund for Namibia, as well as to all individuals who have done so;

12. Requests the Secretary-General to appeal to Governments, intergovernmental and non-governmental organizations and individuals for voluntary contributions to the United Nations Fund for Namibia;

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

14. 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 its contribution to the United Nations Fund for Namibia;

15. Decides that Namibians currently benefiting from assistance through the United Nations Educational and Training Programme for Southern Africa and through the United Nations Trust Fund for South Africa shall continue to be eligible for such assistance until they complete their programmes;

16. Requests the Secretary-General to credit as soon as possible to the United Nations Fund for Namibia the sum of 1.5 million United States dollars already appropriated for 1990 under the regular budget;

17. Requests the Secretary-General to continue to provide the necessary resources for the performance of the activities financed from the United Nations Fund for Namibia.

ANNEX I

Programme activities approved by the United Nations Council for Namibia for 1990 to be carried out following the dissolution of the Council

The United Nations Council for Namibia approved the programme activities enumerated below for 1990:

1. Preparation of reports on the political, military and social situation in Namibia, and on the activities of foreign economic interests in the Territory, for the period from 1 April 1989 until independence;

2. Preparation of a report on contacts between Member States and South Africa to cover the period from 1 April 1989 until independence;

3. Preparation of a report on the activities of the Council for the period from 1 September 1989 until independence;

4. Organization of a seminar on programme planning for the national reconstruction and development of Namibia and preparation of its final report;

5. Preparation of draft chapters on Namibia for inclusion in the Yearbook of the United Nations for the years 1986 to 1990;

6. Preparation of a draft study of Article 81 of the Charter of the United Nations for inclusion in Supplement No. 7 of the Repertory of Practice of United Nations Organs,

7. Compilation of archival materials relating to United Nations action on Namibia and deemed to be of use or interest to Namibia, including major resolutions and decisions of the United Nations on the question of Namibia and other relevant documents and official correspondence;

8. Drafting of a historical account of the responsibilities and programmes undertaken by the Council since its inception.

ANNEX II

Programmes and activities financed from the United Nations Fund for Namibia

A. Nationhood Programme Account

1. The Nationhood Programme Account of the Fund finances sixteen training and education projects for Namibians in various fields of study. Two of these projects provide funding for the United Nations Vocational Training: Centre for Namibia at Cuacra, Angola, which is to be relocated to Namibia in late 1990 or early 1991.

B. General Account

2. The individual scholarship programme of the General Account provides sponsorship for one hundred eighty-five Namibian students, the majority of whom are studying at university level in the United States of America.

3. The General Account also supports six training projects similar to those of the Nationhood Programme and one project that makes a major contribution to the operating expenses of the Namibia Secondary Technical School at Loudima, the Congo.

4. The General Account provides social and medical assistance for expatriate Namibians in need, generally students, and covers the return travel expenses of scholarship holders who have completed their degrees.

C. Institute for Namibia Account

5. The Institute for Namibia Account of the Fund provided most of the funding for the budget of the United Nations Institute for Namibia at Lusaka. The Institute shall cease its operations on 30 September 1990.

General Assembly resolution 44/243 B

11 September 1990 Meeting 96 Adopted without vote
Draft by Council for Namibia (A/44/24/Add.1 & Add.1/Corr.1/Rev.1); agenda item 36.

Financial implications. 5th Committee, A/44/975; S-G, A/C.5/44/56/Rev.1. Meeting numbers. GA 44th session: 5th Committee 66; plenary 96.

UN Educational and Training Programme

In a September report to the General Assembly [A/45/553], the Secretary-General stated that the United Nations Educational and Training Programme for Southern Africa, between 1 September 1989 and 31 August 1990, had granted 117 new scholarships to Namibians and extended 244

more, in addition to those financed by the United Nations Fund for Namibia.

The Programme was expected to continue to provide new scholarship awards to Namibian students for a transitional period of one year following Namibia's accession to independence.

Economic and social matters

The Namibian economic picture showed some sharp contrasts: on the one hand, the country had a relatively high per capita income and well-developed physical infrastructure; however, a small minority enjoyed incomes and health and education services at levels comparable to those of a Western European country, while the vast majority endured living conditions that were barely above subsistence and suffered from highly inadequate public services.

Namibia had an expensive, fragmented and unbalanced public administration, with separate services for each of 11 ethnic groups through separate administrations. Prior to independence, as much as 30 per cent of public administration costs were covered by direct budget aid from South Africa. Now that such support had ended, the Namibian Government needed assistance while it reduced and rationalized administrative structures. An estimated 30 per cent of the Namibian labour force was out of work. The agricultural profile was characterized by skewed distribution and unequal development of land, as well as an emphasis on livestock rather than crop production. Some 30 to 40 per cent of school-age children did not attend classes, and 60 per cent of the teachers were unqualified, with another 30 per cent under-qualified, the vast majority of whom were to be found in the 10 black educational authorities. There were also problems in the areas of public health, water and sanitation. An acute housing shortage was compounded by the arrival of many returnees from exile and by demilitarization.

Protection of natural resources

The UN Council for Namibia had adopted in 1974 [YUN 1974, p. 152] Decree No. 1 for the Protection of the Natural Resources of Namibia, by which no person or entity was permitted to explore, extract or export any natural resource of Namibia without the consent of the Council. Pursuant to General Assembly resolution 36/121 C [YUN 1981, p. 1163], authorizing the Council to take measures to ensure compliance with its De-

cree, including legal proceedings in the domestic courts of States, the Council in 1985 decided to commence legal proceedings in the Netherlands [YUN 1985, p. 1124].

On 10 April 1990, the Council heard a report by its Counsel, Willem Christiaan van Manen, on certain consequences of Namibia's independence regarding the litigation brought by the Council for Namibia against the Dutch firm Urenco Nederland Ultra-Centrifuze Nederland and the Government of the Netherlands on the protection of the natural resources of Namibia within the context of Decree No. 1. He said that in the litigation the Council was seeking a court order to prohibit Urenco from carrying out orders of enriched uranium and to instruct the State to supervise Urenco's compliance with the order by applying a system of "negative certificates of origin". The question raised was whether, in the light of Namibia's independence and the imminent dissolution of the Council, the litigation should be continued. Since 21 March, purchase contracts for uranium were being made with the consent of Namibia. The Council's claim would therefore seem to be lacking sufficient interest. However, there would seem to be sufficient interest in continuing the litigation for contracts made before that date. On the question of the substitution of Namibia for the Council in the litigation, if Namibia wished to continue the litigation or keep its option open to do so, certain arrangements would have to be made between the Council and Namibia before the Council ceased to exist. If that was sufficient under UN law, such an arrangement could take the form of an agreement or other instrument whereby the Council transferred certain assets to Namibia, including its right to claim the order sought in the litigation and all rights and obligations relating to the litigation and the period before the transfer. Such an agreement would be a normal arrangement in the course of winding up the Council's affairs.

In resolution 44/243 A, the General Assembly decided to transfer to the Government of Namibia all relevant documents and official correspondence, in particular those relating to the implementation of Decree No. 1.

System-wide activities

In response to a 1989 request of the Governing Council of the United Nations Development Programme (UNDP) [YUN 1989, p. 81], the Administrator reported [DP/1990/3] that the 1989 mission to Namibia had estimated the population at 1.7 million and per capita gross domestic product (GDP) at \$1,044, lower than the World Bank estimate of

\$1,200. GDP showed a disparity ranging from \$14,650 annually for whites (5 per cent of the total population) to \$63 for non-whites supported by the traditional economy, representing 55 per cent of the total population.

On 22 June [E/1990/29 (dec. 90/32)], the Administrator's proposal to consolidate the funds available for the fourth cycle (1987-1991) indicative planning figure (IPF) for Namibia, which, including an independence bonus, totalled \$15.67 million, including the uncommitted portion of the IPF for national liberation movements available for SWAPO. It invited Governments to contribute generously at the donors' conference (see below) to the UNDP Trust Fund for Namibia, created in 1989.

The Administrative Committee on Coordination, at its October session [ACC/1990/DEC/15-22 (dec. 1990/18)], assigned to its Organizational Committee the responsibility for keeping under review the provision of assistance to Namibia by organizations of the UN system.

The Second United Nations Conference on the Least Developed Countries (Paris, 3-14 September 1990) [A/CONF.147/18] (see PART THREE, Chapter I) adopted a resolution on economic assistance and least developed country status for Namibia. The Conference encouraged the international community and the UN system to support the fledgling economic and social structures of the new nation and its development aspirations. It considered that Namibia should be given special consideration in support of its economic and social development and, accordingly, invited the General Assembly to include Namibia in the list of least developed countries.

The Assembly, in resolution 45/198 of 21 December, requested the Committee for Development Planning to consider including Namibia in the list of LDCs and decided to give Namibia special consideration in support of its economic and social development, in accordance with the resolution of the Conference. The international community and the UN system were encouraged to support the economic and social structures of Namibia and its development aspirations.

The UN programme of activities for the 1990-1991 biennium called for the holding of a seminar, subject to the agreement of Namibia, on programme planning for reconstruction and development. The seminar would undertake an in-depth analysis and assessment of programmes and projects, as well as resource requirements for assistance to Namibia.

UN pledging conference

A donors' pledging conference to mobilize financial, material and technical support for the reconstruction and development of Namibia was held in New York on 21 and 22 June, under the auspices of UNDP. To assist the donor community in elaborating a support strategy, Namibia, with the assistance of the United Nations, had prepared a general policy statement on its reconstruction and development, a preliminary economic review, a private-sector policy paper and an investment programme, including project profiles.

Namibia's requirements for the period 1990-1992 were estimated at some \$810 million. At the conference, pledges were announced of more than \$200 million for 1990 for reconstruction and development, including \$60 million in the form of concessional grants or loans. That did not include possible credits or loans from international development banks. Further pledges totalling \$150 million per year for 1991-1993, of which some \$30 million would be in the form of concessional lending, were also announced.

Transnational corporations

The Commission on Transnational Corporations (TNCS), at its sixteenth session in April 1990 [E/1990/2] (see PART THREE, Chapter V), considered the report [A/44/576-S/20867] and recommendations of the Panel of Eminent Persons established to conduct the second public hearings on the activities of TNCs in South Africa and Namibia. The Executive Director of the UN Centre on Transnational Corporations, referring to the independence of Namibia, stated that the new country would undoubtedly need continuing technical assistance in the formulation and implementation of appropriate investment policies. In that regard, the Centre was already engaged in the preparation of a new investment code at the request of the Government.

The Commission on TNCS took note of the Panel's report.

Social issues

Women and children

The Commission on the Status of Women, at its February/March session [E/1990/25] (see PART THREE, Chapter XIII), following consideration of a report by the Secretary-General on developments in the situation of women and children in Namibia [E/CN.6/1990/8] (see PART TWO, Chapter I), recommended a resolution for adoption by the Economic and Social Council.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 24 May, the Economic and Social Council adopted resolution 1990/6.

Women and children in Namibia

The Economic and Social Council,

Welcoming the independence of Namibia, proclaimed on 21 March 1990,

Bearing in mind the tremendous responsibilities that the Government of that newly independent country will face,

Recalling the active role played by Namibian women in the struggle for liberation and independence,

1. Expresses its appreciation to the Commission on the Status of Women for its support in the struggle for Namibian independence;

2. Recognizes the sustained efforts of Namibian women to achieve full and equal participation with

men in political, social and economic activities and to continue their contribution to the construction of a free and independent Namibia;

3. Appeals to the international community to provide financial, technical and other forms of assistance to enable the Government of Namibia to implement measures aimed at improving the condition of women and children in that country;

4. Urges governmental, intergovernmental and non-governmental organizations to make resources available to assist in the rehabilitation and resettlement of returning Namibian women and children.

Economic and Social Council resolution 1990/6

24 May 1990

Meeting 13

Adopted without vote

Approved by Second Committee (E/1990/68) without vote, 8 May (meeting 8); draft by Commission on Status of Women (E/1990/25), orally amended by Chairman; agenda item 4.

PART FIVE

Legal questions

Chapter I

International Court of Justice

The International Court of Justice (ICJ) in 1990 continued to shape international law by considering and adjudicating cases brought before it by States. During the year, it dealt with seven contentious cases, and an eighth was referred to it during the year. The Court delivered a Judgment and made six Orders.

The General Assembly and the Security Council held elections in November to fill vacancies caused by the expiration of the term of office of five judges.

Poland and Spain deposited with the Secretary-General declarations recognizing the jurisdiction of the Court as compulsory, as contemplated in Article 36, paragraph 2, of the ICJ Statute.

At the beginning of the year, the Legal Counsel of the United Nations, on behalf of the Secretary-General, wrote to the ICJ President inviting the Court, in connection with the United Nations Decade of International Law, declared by the General Assembly in 1989, to submit views on the programme for the Decade and on appropriate action to be taken during it, including the possibility of holding a third international peace conference or other suitable international conference at the end of the Decade.

Judicial work of the Court

In 1990, the Court made an Order on an application by Nicaragua to intervene in the case concerning the Land, Island and Maritime Frontier Dispute (El Salvador/Honduras) and an Order on a request by Guinea-Bissau for provisional measures in the case concerning the Arbitral Award of 31 July 1989 (Guinea-Bissau v. Senegal). The Court or its President made a further three Orders on the conduct of proceedings in several pending cases. A Chamber of the Court delivered a Judgment on the application by Nicaragua for permission to intervene in the case concerning the Land, Island and Maritime Frontier Dispute (El Salvador/Honduras); the President of that Chamber also made an Order on the conduct of the proceedings in that case.

One new case concerning a territorial dispute (Libyan Arab Jamahiriya/Chad) was referred to the Court on 31 August.

The 1990 activities of ICJ were described in two reports to the General Assembly, covering the periods from 1 August 1989 to 31 July 1990 [A/45/4] and from 1 August 1990 to 31 July 1991 [A/46/41]. By decision 45/405 of 25 October 1990, the Assembly took note of the first report.

Military and paramilitary activities in and against Nicaragua (Nicaragua v. United States)

In its Judgment of 27 June 1986 [YUN 1986, p. 981] on the merits of the case concerning military and paramilitary activities in and against Nicaragua, the Court had found, *inter alia*, that the United States was under an obligation to make reparation to Nicaragua for all injuries caused by certain breaches of obligations under international law. It further decided that the form and amount of such reparation, failing agreement between the Parties, would be settled by the Court. In 1987, after having ascertained the views of Nicaragua and affording the United States an opportunity to state its views, the Court had made an Order [YUN 1987, p. 1047] fixing time-limits for written proceedings on the question of the form and amount of reparation to be made in the case. While Nicaragua had duly filed its Memorial in 1988 [YUN 1988, p. 793], the United States did not file a Counter-Memorial by the fixed date of 29 July 1988.

At a meeting on 22 June 1990, called by the President of the Court to ascertain the views of Nicaragua and the United States on the date for reopening of oral proceedings on compensation in the case, the Agent of Nicaragua informed the President of the position of his Government, already set out in a 20 June letter from the Agent to the Court. He indicated that the new Government of Nicaragua was carefully studying the different matters it had pending before the Court, that the case was very complex, and that, added to the many difficult tasks facing the Government, there were special circumstances which would make it extremely inconvenient for it to take a decision on what procedure to follow in this case during the coming months. The President of the Court stated that he would inform the Court of Nicaragua's position and would take no action in the meantime to fix a date for hearings.

Border and transborder armed actions (Nicaragua v. Honduras)

The dispute concerning border and transborder armed actions had been before the Court since 1986 [YUN 1986, p. 983], when Nicaragua instituted proceedings against Honduras, alleging border and transborder armed actions, military attacks and threats of force from Honduras against it. In its Judgment of 20 December 1988 [YUN 1988, p. 794], the Court had found that it had jurisdiction to entertain Nicaragua's Application and that the latter was admissible. The President of the Court had fixed time-limits for written proceedings on the merits, which were extended to 8 December 1989 by an Order in August 1989 [YUN 1989, p. 816]. The Memorial of Nicaragua was filed within the prescribed time-limit. In December 1989, both Parties transmitted to the Court the text of an agreement reached by the Presidents of the Central American countries at San Isidro de Coronado, Costa Rica, which contained a paragraph recording an agreement between the Presidents of Nicaragua and Honduras aimed at achieving an extra-judicial settlement of the dispute, and which requested the postponement of the date for fixing the time-limit for the Honduran Counter-Memorial until 11 June 1990. Subsequent to that date, the President of the Court consulted the Parties and concluded that they did not desire the new time-limit for the Counter-Memorial to be fixed for the time being. He informed them that he would so advise the Court. No further developments took place.

Land, island and maritime frontier dispute (El Salvador/Honduras)

In 1990, a Chamber of the Court remained seized of the land, island and maritime frontier dispute between El Salvador and Honduras, which had been referred to the Court in 1986 [YUN 1986, p. 984] by the two Central American countries on the basis of a Special Agreement between them. Each Party had filed a Memorial within the time-limit of 1 June 1988 which had been fixed by the Court after ascertainment of the Parties' views. By Orders of January and December 1989 [YUN 1989, p. 817], the Court extended time-limits for the filing of each Party's Counter-Memorial and Reply, which were filed within the prescribed time-limits of 10 February 1989 and 12 January 1990, respectively.

In November 1989, Nicaragua had addressed to the Court an Application under Article 62 of the ICJ Statute for permission to intervene in the case, stating as its object the protection of its legal rights in the Gulf of Fonseca and adjacent maritime areas, and expressing the view that its request was a matter exclusively within the proce-

dural mandate of the full Court. In an Order of 28 February 1990 [I.C.J. Sales No. 576], adopted by 12 votes to 3, the Court, having considered the observations submitted by the Parties and the Applicant's comments thereon, concluded that it was sufficiently informed of the views of the States concerned, without there being any need for oral proceedings, and found that it was for the Chamber formed to deal with the case to decide whether the Application for permission to intervene should be granted. Judge Shigeru Oda (Japan) appended a declaration, and Judges Taslim Olawale Elias (Nigeria), Nikolai K. Tarasov (USSR) and Mohamed Shahabuddeen (Guyana) appended dissenting opinions to the Order.

Between 5 and 8 June, the Chamber, at five public sittings, heard oral arguments on the Nicaraguan Application presented on behalf of Nicaragua, El Salvador and Honduras.

At a public sitting held on 13 September 1990, the Chamber delivered its Judgment on the Application by Nicaragua for permission to intervene [I.C.J. Sales No. 584], the operative clause of which read as follows:

The Chamber,

Unanimously,

1. Finds that the Republic of Nicaragua has shown that it has an interest of a legal nature which may be affected by part of the Judgment of the Chamber on the merits in the present case, namely its decision on the legal regime of the waters of the Gulf of Fonseca, but has not shown such an interest which may be affected by any decision which the Chamber may be required to make concerning the delimitation of those waters, or any decision as to the legal situation of the maritime spaces outside the Gulf, or any decision as to the legal situation of the islands in the Gulf;

2. Decides accordingly that the Republic of Nicaragua is permitted to intervene in the case, pursuant to Article 62 of the Statute, to the extent, in the manner and for the purposes set out in the present Judgment, but not further or otherwise.

Judge Oda appended a separate opinion to the Judgment.

By an Order of 14 September 1990 [I.C.J. Sales No. 585], the President of the Chamber, having ascertained the views of the Parties and of the intervening State, fixed 14 December 1990 as the time-limit for the submission by Nicaragua of a written statement, and 14 March 1991 as the time-limit within which the Parties might, if they so desired, furnish their written observations on the written statement of Nicaragua. The written statement by Nicaragua and the observations of the Parties were filed within the prescribed time-limit.

Maritime delimitation in the area
between Greenland and Jan Mayen
(Denmark v. Norway)

In 1988 [YUN 1988, p. 795], Denmark had instituted proceedings against Norway and requested the Court to decide where a single line of delimitation should be drawn between Denmark's and Norway's fishing zones and continental shelf areas in the waters between the east coast of Greenland and the Norwegian island of Jan Mayen. By an Order of 14 October 1988, the Court had fixed 1 August 1989 as the time-limit for the Memorial of Denmark and 15 May 1990 for the Counter-Memorial of Norway. Both the Memorial and the Counter-Memorial were filed within the prescribed time-limits.

Taking into account an agreement between the Parties that there should be a Reply and a Rejoinder, the President of the Court, by an Order of 21 June 1990 [I.C.J. Sales No. 579], fixed 1 February 1991 as the time-limit for the Reply of Denmark and 1 October 1991 for the Rejoinder of Norway.

Aerial incident of 3 July 1988
(Iran v. United States)

In 1989 [YUN 1989, p. 816], Iran instituted proceedings against the United States over the aerial incident of 3 July 1988, involving the destruction of an Iranian aircraft and the killing of its 290 passengers and crew by missiles launched from the United States guided-missile cruiser USS Vincennes in Iranian airspace. By an Order of 13 December 1989, the Court had fixed 12 June 1990 as the time-limit for the filing of the Iranian Memorial and 10 December 1990 for the filing of the Counter-Memorial of the United States.

By an Order of 12 June 1990 [I.C.J. Sales No. 578], made in response to a request by Iran and after the views of the United States had been ascertained, the President of the Court extended to 24 July 1990 the time-limit for the filing of the Memorial of Iran and to 4 March 1991 the time-limit for the Counter-Memorial of the United States. The Memorial was filed within the prescribed time-limit thus extended.

Certain phosphate lands
in Nauru (Nauru v. Australia)

In May 1989 [YUN 1989, p. 816], the Republic of Nauru filed an Application instituting proceedings against Australia in a dispute relating to the rehabilitation of certain phosphate lands mined under Australian administration before Nauruan independence. Nauru claimed that Australia had breached the trusteeship obligations it had accepted under the Charter of the United

Nations and the 1947 Trusteeship Agreement for Nauru [YUN 1947-48, p. 138].

The Court had, by an Order of 18 July 1989, fixed 20 April 1990 as the time-limit for the Memorial of Nauru and 21 January 1991 for the Counter-Memorial of Australia. The Memorial was filed within the prescribed time-limit.

Arbitral Award of 31 July 1989
(Guinea-Bissau v. Senegal)

In August 1989 [YUN 1989, p. 816], Guinea-Bissau had filed an Application instituting proceedings against Senegal in a dispute concerning the validity of the Arbitral Award of 31 July 1989 by the Arbitration Tribunal formed to determine the maritime boundary between the two States. Guinea-Bissau claimed that the Tribunal's decision, though supposed to serve as an award, did not in fact amount to one, and it asked the Court to declare the decision inexistent, null and void, and that Senegal was not justified in seeking to require Guinea-Bissau to apply it.

By an Order of 1 November 1989, the Court had fixed 2 May 1990 as the time-limit for the filing of the Memorial of Guinea-Bissau and 31 October 1990 for the filing of the Counter-Memorial of Senegal. Both the Memorial and the Counter-Memorial were filed within the prescribed time-limits.

On 18 January 1990, a request was filed in the Registry whereby Guinea-Bissau, on the ground of actions stated to have been taken by the Senegalese navy in a maritime area which Guinea-Bissau regarded as an area disputed between the Parties, requested the Court to indicate the following provisional measures: "In order to safeguard the rights of each of the Parties, they shall abstain in the disputed area from any act or action of any kind whatever, during the whole duration of the proceedings until the decision is given by the Court."

Having held public sittings on 12 February 1990 to hear the oral observations of both Parties on the request for provisional measures, the Court, in an Order of 2 March 1990 [I.C.J. Sales No. 577], adopted by 14 votes to 1, dismissed that request. Judges Evensen and Shahabuddeen appended separate opinions to the Order. Judge ad hoc Thierry appended a dissenting opinion.

Territorial dispute
(Libyan Arab Jamahiriya v. Chad)

On 31 August 1990, the Libyan Arab Jamahiriya filed in the Registry of the Court a notification of an agreement between it and Chad, entitled "Framework Agreement on the Peaceful Settlement of the Territorial Dispute between the

Great Socialist People's Libyan Arab Jamahiriya and the Republic of Chad", concluded in Algiers on 31 August 1989. The "Framework Agreement" provided, in article 1, that the two Parties undertake to settle first their territorial dispute by all political means, including conciliation, within a period of approximately one year, unless the heads of State decided otherwise. In article 2, it was provided that in the absence of a political settlement of their territorial dispute, the two Parties undertook to submit the dispute to the International Court of Justice. According to the notification, the question put to the Court could be defined in the following terms: "In further implementation of the Accord-Cadre [Framework Agreement], and taking into account the territorial dispute between the Parties, to decide upon the limits of their respective territories in accordance with the rules of international law applicable in the matter."

On 3 September 1990, Chad filed in the Registry of the Court an Application instituting proceedings against the Libyan Arab Jamahiriya, based on article 2 (a) of the "Framework Agreement" and subsidiarily on article 8 of a Franco-Libyan Treaty of Friendship and Good-Neighbourliness of 10 August 1955. By that Application, Chad requested the Court to determine the course of the frontier between both countries in accordance with the principles and rules of international law applicable in the matter as between the Parties.

Subsequently, the Agent of Chad, by a 28 September letter, informed the Court, *inter alia*, that his Government had noted that its claim coincided with that contained in the notification addressed to the Court on 31 August 1990 by the Libyan Arab Jamahiriya, and considered that those two notifications related to one single case, referred to the Court in application of the Algiers Agreement, which constituted the Special Agreement, the principal basis of the Court's jurisdiction to deal with the matter.

At a meeting on 24 October 1990 between the President of the Court and the representatives of

the Parties, it was agreed that the proceedings in the case had in effect been instituted by two successive notifications of the Special Agreement constituted by the "Framework Agreement" of 31 August 1989, that filed by the Libyan Arab Jamahiriya on 31 August 1990, and the communication from Chad filed on 3 September 1990, read in conjunction with the letter from the Agent of Chad of 28 September 1990, and that the procedure in the case should be determined by the Court on that basis, pursuant to Article 46, paragraph 2, of the Rules of the Court.

Having ascertained the views of the Parties, the Court decided, by an Order of 26 October 1990 [I.C.J. Sales No. 589], that, as provided in Article 46, paragraph 2, of the Rules of the Court, each Party should file a Memorial and a Counter-Memorial, within the same time-limit; the date of 26 August 1991 was fixed as the time-limit for the Memorials. Chad chose G. M. Abi-Saab to sit as Judge *ad hoc*.

Organizational questions

Elections to the Court

In 1990, five new members of the Court were elected to fill the vacancies due to the expiration on 5 February 1991 of the terms of office of the following Judges: Jose M. Ruda (Argentina), Kéba Mbaye (Senegal), Sir Robert Y. Jennings (United Kingdom), Gilbert Guillaume (France) and Raghunandan Swarup Pathak (India).

On 15 November, the Security Council and the General Assembly, independently of each other, elected the five members. The General Assembly adopted decision 45/307 on the composition of the Court. Judges Sir Robert Y. Jennings and Gilbert Guillaume were re-elected and Messrs. Andrés Aguilar Mawdsley (Venezuela), Christopher G. Weeramantry (Sri Lanka) and Raymond Ranjeva (Madagascar) were elected to be members of the Court, all as from 6 February 1991 (see also APPENDIX III).

Chapter II

Legal aspects of international relations

In 1990, the United Nations continued to address legal aspects of international relations and the promotion of friendly relations between States.

The Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization proceeded with the development of international law in the areas of maintenance of international peace and security, and considered working papers pertaining to the enhancement of fact-finding by the United Nations. It also dealt with the preparation of a handbook on peaceful settlement of disputes between States and with conciliation rules of the United Nations. In the area of rationalization of existing UN procedures, the Special Committee adopted a draft document on the subject and submitted it to the General Assembly for consideration.

In November, the General Assembly expressed its appreciation for the work of the International Law Commission (ILC) on the question of an international criminal jurisdiction. It invited ILC to continue elaboration of the draft Code of Crimes against the Peace and Security of Mankind, including the possible establishment of an international criminal court or other international criminal trial mechanism. ILC reviewed issues regarding State liability, responsibility and immunities; draft articles concerning the relations between States and international organizations; and codification of international law relating to non-navigational uses of international watercourses.

During the year, the United Nations also continued to promote and develop international law governing States and diplomatic relations, as well as international treaties and agreements. The Secretary-General received reports from States concerning serious violations of the security of diplomats and consular missions and representatives to States and international organizations, as well as views on measures to enhance their protection and safety. The Assembly condemned all acts of violence against diplomatic and consular missions and representatives and urged States to ensure their safety and prevent such acts. The General Assembly also dealt with such topics as improvement of consular relations, and the status of diplomatic bags and couriers, conciliation rules of the United Nations and good-

neighbourliness between States. In addition, the Secretariat continued its depositary function for agreements, conventions and treaties deposited with the Secretary-General.

The Committee on Relations with the Host Country again reported in 1990 on matters relating to the security of all missions and the safety of their personnel. The General Assembly expressed its appreciation for the efforts made by the host country and urged it, in the light of travel regulations issued by it, to bear in mind its obligation to facilitate the functioning of the United Nations and the missions accredited to it. In addition, the Secretary-General reported on the observer status of national liberation movements and co-operation between the United Nations and the Asian-African Legal Consultative Committee.

Special Committee on UN Charter and Role of Organization

Strengthening the role of the United Nations

The Secretary-General, in his annual report to the General Assembly on the work of the Organization [A/45/1], stated that the exercise of the authority of the Security Council in the manner envisioned in the Charter, the mutual reinforcement of Council and General Assembly efforts, close co-operation between the Council and the Secretary-General, the growing role and diversified missions of the Secretariat and the prospective revitalization of the Economic and Social Council's role all testified to a strengthening of the institutions embodied in the Organization. During the year, the United Nations had had remarkable success in conducting a variety of operations aimed at managing peaceful transitions in societies which were the scenes of conflict or had suffered upheavals. Those operations had combined elements of peace-keeping and peace-making so as to have radically altered the concepts of the arrangement between the two. The composite nature of those operations meant that the tasks assigned to them had multiplied.

The Secretary-General reiterated his suggestions, contained in his 1989 report [YUN 1989, p. 8], for strengthening the peacemaking capacity of the United Nations, and preventive diplomacy. He proposed improving fact-finding arrangements, establishing a United Nations presence in unstable areas and instituting subsidiary bodies, where appropriate, for monitoring potential conflict situations. He also suggested that the Security Council could have a peace agenda that would not be confined to items formally inscribed at the request of Member States, and that the Council could have periodic meetings to survey the political scene and identify points of danger in the world.

The rule of law in international affairs, the Secretary-General said, should also be promoted by a greater recourse to the International Court of Justice, not only in adjudicating disputes of a legal nature but also in rendering advisory opinions on the legal aspect of a dispute. The authorization of the Secretary-General to request such an opinion would greatly add to the means of peaceful solutions of international crisis situations.

The Secretary-General indicated that the recognition of the need to strengthen the rule of law in international relations had been crystallized at the forty-fourth session of the General Assembly, in the declaration of the 1990s as the United Nations Decade of International Law.

Discussing the new kinds of security challenges, the Secretary-General stressed that the efforts of regional agencies should be in harmony with those of the United Nations in accordance with the Charter. Because political and security considerations and economic and social issues were intertwined, it was necessary to rationalize the work of various bodies of the United Nations. The Organization, including its intergovernmental structures in the economic and social sector, should be more responsive to the emerging needs of, and new challenges faced by, the international community, and a higher degree of specialization would be needed to strengthen the technical underpinnings of the Economic and Social Council and the General Assembly.

With regard to reform within the Secretariat, the Secretary-General said that, despite the economies that had been effected, the Organization would not be able to play the role expected of it by the Governments and peoples of the world unless all Governments met their financial obligations fully and within the proper time-frame.

Public perceptions of the United Nations had radically changed, the Secretary-General said; it was now seen as a centre of agreement and deci-

sion a barrier against chaos in international relations and the one institution that could best assure that the actions of nations were governed by international law and responded to the demands of justice.

Maintenance of international peace and security

The Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, at its 1990 session (New York, 12 February-2 March) [A/45/33], accorded priority 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, pursuant to General Assembly resolution 44/37 [YUN 1989, p. 846].

The Committee's Working Group had before it revised versions of two working papers concerning fact-finding by the United Nations, both originally submitted at the 1989 session of the Special Committee, one by Belgium, the Federal Republic of Germany, Italy, Japan, New Zealand and Spain [A/AC.182/L.60/Rev.1], and the other by Czechoslovakia and the German Democratic Republic [A/AC.182/L.62/Rev.1]. After a joint discussion of the working papers and further work by the co-sponsors, a unified document was presented to the Working Group [A/AC.182/L.66]. Following informal consultations held by the Chairman, the co-sponsors declared their intention to prepare a revised version of the unified document.

Peaceful settlement of disputes between States

In 1990, the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization continued work on the peaceful settlement of disputes. It devoted a meeting to a general exchange of views on the question.

Communication. In a joint statement [A/45/598-S/21854] transmitted to the Secretary-General by a 3 October letter, the United States and the USSR, noting the improvement of relations between East and West, called for a strengthening of UN efforts to promote international peace and security by enhancing UN peace-keeping, peacemaking and crisis prevention functions, and enhancing the efficiency of the executive machinery of the Organization.

Report of Secretary-General. The Secretary-General, as requested by General Assembly resolution 44/31 [YUN 1989, p. 821], submitted in September 1990 a report, with later addendum

[A/45/436 & Add.1], containing replies received from Member States and international intergovernmental organizations on the implementation of the 1982 Manila Declaration on the Peaceful Settlement of International Disputes [GA res. 37/10] and on ways and means of increasing its effectiveness. The replies, which included proposals and considerations for a broader implementation of the Declaration, were from Afghanistan, Argentina, the Byelorussian SSR, Ireland (on behalf of the 12 States members of the European Community) and Romania, and from five UN specialized agencies and the Asian-African Legal Consultative Committee.

By decision 45/412 of 28 November, the General Assembly, on the Sixth (Legal) Committee's recommendation, noted the Secretary-General's report and decided that the question of the peaceful settlement of disputes between States should be examined within the framework of the programme for the United Nations Decade of International Law (see PART FIVE, Chapter IV) and in the Special Committee, as appropriate.

Handbook on peaceful settlement of disputes

In 1990, the Special Committee examined a progress report on the preparation of a handbook on the peaceful settlement of disputes between States [A/AC.182/L.64], submitted by the Secretary-General in response to General Assembly resolution 44/37. In the report, the Secretary-General informed the Special Committee that only one chapter of the handbook had yet to be reviewed by the Secretariat and that the handbook as a whole was expected to be submitted to the next session of the Special Committee. He explained that the preparation of the handbook had been carried out within the limits of existing resources and exclusively by regular Secretariat staff, and that more expeditious implementation was not feasible given the current financial situation of the United Nations.

In resolution 45/44, the Assembly requested the Secretary-General to complete the work on the preparation of the draft handbook, 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 Committee and in the Special Committee, and to submit it, in its final form, to the Special Committee at its 1991 session.

UN conciliation rules

In 1990, the General Assembly considered United Nations conciliation rules as a method of amicably settling disputes arising in the context of relations between States. The item was allocated to

the Sixth Committee, after Guatemala had requested that it be included in the provisional agenda of the Assembly's forty-fifth session. Annexed to Guatemala's July letter [A/45/143] conveying that request were draft conciliation rules as well as an explanatory memorandum stating that the rules constituted a model set of norms which could be adopted by any party following a simple proposal accepted by the other party, with possible modifications to facilitate a settlement by conciliation. The suggested machinery, Guatemala said, added to the already existing means of peaceful settlement, had both formal and substantive advantages and would help fill a gap created by the fact that the Optional Protocols on the settlement of disputes accompanying the Vienna Conventions on diplomatic and consular relations made provision for prior recourse to conciliation but gave States no indication of how such conciliation was to be conducted.

Sixth Committee consideration. On 17 October, Guatemala placed a draft resolution [A/C.6/45/L.2] containing the draft rules before the Sixth Committee. At the same time, it stated that since the draft rules were lengthy and complicated, it would not insist on putting the text to a vote, but suggested that the Secretary-General be requested to circulate the text of the draft rules, together with any amendments submitted during the session, to all Governments, relevant UN agencies, regional intergovernmental organizations and international legal institutions.

GENERAL ASSEMBLY ACTION

On 28 November, the General Assembly adopted decision 45/413.

United Nations rules for the conciliation of disputes between States

At its 48th plenary meeting, on 28 November 1990, the General Assembly, on the recommendation of the Sixth Committee, having taken into account the document relating to the draft conciliation rules of the United Nations submitted to the Assembly at its forty-fifth session, decided:

(a) To request the Secretary-General to circulate that document, together with the amendments submitted during the forty-fifth session, to all Member States, organs and competent specialized agencies of the United Nations, regional intergovernmental organizations and international legal bodies interested in the draft conciliation rules and to invite them to send to him their observations, comments and suggestions thereon;

(b) Also to request the Secretary-General to submit to the General Assembly at its forty-sixth session a report containing the replies received;

(c) That the question of the rules for the conciliation of disputes between States should be examined as part of the programme of the United Nations Decade of International Law and in the Special Committee on

the Charter of the United Nations and on the Strengthening of the Role of the Organization, as appropriate.

General Assembly decision 45/413

28 November 1990 Meeting 48 Adopted without vote

Approved by Sixth Committee (A/45/742) without vote. 16 November (meeting 43); draft by Guatemala (A/C.6/45/L.9); agenda item 147.

Meeting numbers. GA 45th session: 6th Committee 17-19, 43; plenary 48.

Other matters

Good-neighbourliness between States

By a 17 September letter to the Secretary-General [A/45/511], Romania requested that consideration of the item "Development and strengthening of good-neighbourliness between States" be deferred until the 1991 session of the General Assembly and be included in the provisional agenda of that session. The request was made because of the unprecedented number of items inscribed on the 1990 provisional agenda, as well as to allow the Sixth Committee to concentrate its attention at the current session on the preparation of the programme for the United Nations Decade of International Law.

On 21 September 1990, by decision 45/402, the General Assembly included the item "Development and strengthening of good-neighbourliness between States" in the provisional agenda of its 1991 session.

Rationalization of UN procedures

As requested by the General Assembly in 1989 [YUN 1989, p. 846], the Special Committee, at its 1990 session, kept under active review the question of the rationalization of existing UN procedures. The Special Committee's Working Group had before it a working paper [A/AC.182/L.43/Rev.5] submitted by France and the United Kingdom; the document had originally been presented at the Special Committee's 1985 session [YUN 1985, p. 1177], and was subsequently revised at its 1986 [YUN 1986, p. 1000], 1987 [YUN 1987, p. 1072] and 1989 [YUN 1989, p. 846] sessions. The Special Committee also had before it a proposal set out in a conference room paper by the USSR at its 1989 session, as well as various proposals tabled by delegations during the current session, and a paper [A/AC.182/L.67] put forward by the Chairman following informal consultations. As a result of intensive work, the Committee completed the draft document on the rationalization of existing UN procedures and presented it to the General Assembly for consideration and adoption.

GENERAL ASSEMBLY ACTION

On 28 November, the General Assembly adopted resolution 45/44.

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,

Recalling 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 relevant resolutions adopted at subsequent sessions,

Beating in mind the reports of the Secretary-General on the work of the Organization submitted to the General Assembly at its thirty-seventh, thirty-ninth, fortieth, forty-first, forty-second, forty-third, forty-fourth and forty-fifth sessions, as well as 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 its session held in 1990.

Expressing its satisfaction at the completion of the work on the draft document on rationalization of existing United Nations procedures, adopted by the General Assembly at its present session,

Mindful of the desirability of further work being done by the Special Committee in the field of the peaceful settlement of disputes between States,

Noting with appreciation the progress achieved in the elaboration of the draft handbook on the peaceful settlement of disputes between States,

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 Social Committee will hold its next session from 4 to 22 February 1991;

3. Requests the Special Committee, at its session in 1991, in accordance with the provisions of paragraph 4 below:

(a) To accord priority 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 and, in this context:

(i) To endeavour to complete its consideration of the proposal on fact-finding by the United Nations in the field of the maintenance of international peace and security with a view to submitting its conclusions, in an appropriate form, to the General Assembly at its forty-sixth session;

(ii) To consider the proposals relating to the maintenance of international peace and security that were submitted to the Special Committee during its session in 1990, as well as those which might be submitted to it at its session in 1991;

(b) To continue its work on the question of the peaceful settlement of disputes between States and, in this context:

(i) To consider proposals relating to this question that might be submitted to the Special Committee;

(ii) To consider the final text of the draft handbook on the peaceful settlement of disputes between States with a view to recommending its publication to the General Assembly at its forty-sixth session;

4. Also requests the Special Committee to be mindful of the importance of reaching general agreement

whenever that has significance for the outcome of its work;

5. Decides that the Special Committee shall accept the participation of observers of Member States in its meetings, including those of its working group;

6. Requests the Secretary-General to complete the work on the preparation of the 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 Committee and in the Special Committee, and to submit it, in its final form, to the Special Committee at its session in 1991;

7. Requests the Special Committee to submit a report on its work to the General Assembly at its forty-sixth session;

8. Decides to include in the provisional agenda of its forty-sixth 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".

General Assembly resolution 45/44

29 November 1990 Meeting 48 147-0-1 (recorded vote)

Approved by Sixth Committee (A/45/739) by recorded vote (94-0-1). 8 November (meeting 34); 26-nation draft (A/C.6/45/L.3); agenda item 144.

Financial implications. 5th Committee, A/45/728; S-G, A/C.5/45/34, A/C.6/45/L.6.

Meeting numbers. GA 45th session: 5th Committee 31; 6th Committee 10-17, 34; plenary 48.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Saint Lucia, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: None.

Abstaining: Libyan Arab Jamahiriya.

On the same date, the General Assembly also adopted resolution 45/45.

Rationalization of existing United Nations procedures

The General Assembly,

Recalling its resolution 44/37 of 4 December 1989,

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 its session held in 1990,

Conscious of the need to discharge in the most efficient manner the functions incumbent upon it under the Charter of the United Nations,

1. Approves the conclusions of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization as set forth in the annex to the present resolution;

2. Decides that the conclusions referred to in paragraph 1 above shall be reproduced as an annex to its rules of procedure.

ANNEX

Conclusions of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization concerning the rationalization of existing United Nations procedures

1. Without prejudice to Article 18 of the Charter of the United Nations and with a view to facilitating the work of the United Nations, including, whenever possible, the adoption by the General Assembly of agreed texts of resolutions and decisions, informal consultations should be carried out with the widest possible participation of Member States.

2. When an electronic voting system is available for recording how votes were cast, a roll-call vote should as far as possible not be requested.

3. Before the end of each session of the General Assembly, the General Committee should, in the light of the experience it has acquired during that session, consider drawing up its observations on the organization of the work of the session, with a view to facilitating the organization of the work of future sessions of the Assembly.

4. The agenda of the General Assembly should be simplified by grouping or merging, to the extent possible, related items and, where it is appropriate for discussion of a particular item, by setting an interval of more than a year between the discussions on it. For this purpose, the Chairman of the Main Committee concerned or, as appropriate, the President of the Assembly, should undertake consultations with delegations.

5. The General Committee should consider, at the beginning of each session of the General Assembly, recommending that certain Main Committees should meet in sequential order, taking into account such matters as the number of meetings required for the consideration of the questions with which they are charged at that session, the organization of the work of the whole session and the problem of participation of smaller delegations.

6. In making recommendations as to how agenda items should be allocated to the Main Committees and to the plenary Assembly, the General Committee should ensure the best use of the expertise of the Committees.

7. When the General Assembly considers whether it needs to establish subsidiary organs, in accordance with Article 22 of the Charter, it should give careful consideration as to whether the subject-matter in question could be dealt with by existing organs, including its Main Committees and their working groups. Subsidiary organs should seek constantly to improve their procedures and methods of work in order to ensure effective consideration of questions allocated to them by the Assembly.

8. The dates and length of the sessions of bodies of the General Assembly that meet inter-sessionally should be determined as soon as possible by the Assembly, as appropriate, following advice from the Commit-

tee on Conferences, on the proposal of the Secretary-General. The Assembly should take account of the past experience, the state of current work in regard to the mandate given to the body in question and the need to avoid as far as possible overlapping meetings of bodies that deal with subject-matter of a similar nature.

9. Informal consultations about the work of bodies of the General Assembly that meet inter-sessionally should continue to be held in advance of the sessions of such bodies in order to facilitate the conduct of their sessions, especially as regards the composition of the bureau and the organization of work.

10. Resolutions should request observations from States or reports by the Secretary-General in so far as they are likely to facilitate the implementation of the resolutions or the continued examination of the question.

General Assembly resolution 45/45

28 November 1990 Meeting 48 149-0-1 (recorded vote)

Approved by Sixth Committee (A/45/739) by recorded vote 192-0-1, 8 November (meeting 34); 3-nation draft (A/C.6/45/L.4); agenda item 144.

Sponsors: France, USSR, United Kingdom.

Meeting numbers. GA 45th session: 6th Committee 10-17.34; plenary 48.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cyprus, Czechoslovakia, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Saint Lucia, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: None.

Abstaining: Cuba.

International Law Commission

In 1990, the 34-member International Law Commission (ILC) dealt with a variety of issues, including the draft Code of Crimes against the Peace and Security of Mankind and the establishment of an international criminal court. The Commission also examined reports by its Special Rapporteurs on State liability, responsibility and immunities, as well as on relations between States and international organizations. In addition, it considered two reports on draft articles on non-navigational uses of international watercourses.

Draft code of crimes against peace and security

In 1990, at its forty-second session (Geneva, 1 May-20 July) [A/45/10], ILC continued work on the draft Code of Crimes against the Peace and Security of Mankind. The draft Code, originally prepared by ILC in 1954 [YUN 1954, p. 411] in response to General Assembly resolution 177(II) [YUN 1947-48, p. 215], defined crimes under international law for which individuals responsible were to be punished. In 1954, the Assembly postponed consideration of the draft Code because of questions which had arisen over the definition of aggression [YUN 1954, p. 412]. In 1981, the Assembly invited ILC to resume its work on the draft Code, which it did the following year [YUN 1982, p. 1375]. The title of the Code in English was amended by the Assembly in 1987 [YUN 1987, p. 1058] by replacing the word "offences" with "crimes", in order to achieve greater uniformity and equivalence between different language versions.

ILC consideration. ILC considered in 1990 the eighth report [A/CN.4/430 & Add.1] on the draft Code by its Special Rapporteur, Doudou Thiam (Senegal). It contained three draft articles dealing, respectively, with complicity, conspiracy and attempt, as well as two draft articles on illicit traffic in narcotic drugs as a crime against peace, and illicit traffic in narcotic drugs as a crime against humanity. Following a discussion of the report, ILC referred the articles to its Drafting Committee, together with revised versions submitted by the Special Rapporteur in the light of the debate. In 1990, the Commission provisionally adopted, on the recommendation of its Drafting Committee, three new articles for inclusion in Chapter II of the draft Code, namely, articles 16 (international terrorism), 18 (recruitment, use, financing and training of mercenaries) and X (illicit drug trafficking). The three articles provisionally adopted were transmitted to the Assembly by the Secretary-General in September [A/45/469].

Sixth (Legal) Committee consideration. The texts of the three new articles were discussed by the Sixth Committee between 29 October and 20 November. The Chairman of ILC introduced them in greater detail and said that two of them—articles 16 and 18—belonged in the part of the draft Code devoted to crimes against peace. The Commission had provisionally decided that article X belonged in the part of the draft Code to be devoted to crimes against humanity. By taking that approach, the Commission had wished to stress that the activities in question posed a danger for all mankind, and to emphasize that they threatened not only the public order of the country where they occurred, but also the international community as a whole.

International criminal jurisdiction

In response to General Assembly resolution 44/39, ILC continued in 1990 a working group to address the question of establishing an international criminal court or other international criminal trial mechanism with jurisdiction over persons alleged to have committed crimes that may be covered under the draft Code of Crimes against the Peace and Security of Mankind. ILC had pronounced itself in favour of such a trial mechanism for the first time in 1950 [YUN 1950]. p. 857]. In 1983, the Commission had reported to the Assembly that some members considered that a code unaccompanied by penalties and by a competent criminal jurisdiction would be ineffective, and asked the Assembly whether its mandate extended to the preparation of the statute of a competent international criminal jurisdiction for individuals [YUN 1983. p. 1110]. The Commission's 1990 examination of the subject reflected a broad agreement in principle on the desirability of the establishment of a permanent international criminal court to be brought into relationship with the UN system, although different views were expressed as to the structure and scope of jurisdiction of such a court. The Commission concluded that establishing an international criminal court would be a progressive step in developing international law and strengthening the rule of law, but would be successful only if widely supported by the international community.

Report of Secretary-General. The Secretary-General submitted to the General Assembly in October 1990 a report [A/49/437] containing responses from 12 Governments to Assembly resolution 44/32, requesting the views of Member States on the 1983 conclusions of ILC on the preparation of the statute of a competent international jurisdiction for individuals.

GENERAL ASSEMBLY ACTION

On 28 November, the General Assembly adopted resolution 45/41.

Report of the International Law Commission on the work of its forty-second session

The General Assembly,

Having considered the report of the International Law Commission on the work of its forty-second session,

Emphasizing the need for the progressive development of international law and its codification in order to make it a more effective means of implementing the purposes and principles set forth in the Charter of the United Nations and in the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations and to give increased importance to its role in relations among States,

Noting with appreciation the work of the International Law Commission on the elaboration of the draft Code

of Crimes against the Peace and Security of Mankind which could contribute to the strengthening of international peace and security.

Recognizing the importance of referring legal and drafting questions to the Sixth Committee, including topics that 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 international community, may be suitable for the progressive development and codification of international law and therefore may be included in the future programme of work of the International Law Commission,

Taking note with Appreciation of the section of the report of the International Law Commission concerning the question of the possible establishment of an international criminal jurisdiction and noting the debate in the Sixth Committee pertaining to this topic,

Considering that experience has demonstrated the usefulness of structuring the debate on the report of the International Law Commission in the Sixth Committee in such a manner that conditions are provided for concentrated attention on each of the main topics dealt with in the report, and that this process is facilitated when the Commission indicates specific issues on which expressions of views by Governments are of particular interest for the continuation of its work,

1. Takes note of the report of the International Law Commission on the work of its forty-second session;
2. Requests the International Law Commission to continue its work on the topics in its current programme, listed as items 3 to 8 in paragraph 9 of its report, taking into account the comments of Governments, whether in writing or expressed in the General Assembly, with a view to reaching at its forty-third session the goals indicated in paragraphs 537 to 542 of its report;
3. Invites the International Law Commission, as it continues its work on the elaboration of the draft Code of Crimes against the Peace and Security of Mankind, to consider further and analyse the issues raised in its report concerning the question of an international criminal jurisdiction, including the possibility of establishing an international criminal court or other international criminal trial mechanism;
4. Expresses its appreciation for the efforts of the International Law Commission to improve its procedures and methods of work, and to formulate proposals on its future programme of work;
5. Requests the International Law Commission:
 - (a) To consider further its methods of work in all their aspects, bearing in mind that the staggering of the consideration of some topics might contribute, *inter alia*, to a more effective consideration of its report in the Sixth Committee;
 - (b) To pay special attention to indicating in its annual report, for each topic, those specific issues on which expressions of views by Governments, either in the Sixth Committee or in written form, would be of particular interest for the continuation of its work;
6. Invites the International Law Commission, when circumstances so warrant, to request a special rap-

porteur to attend the session of the General Assembly during the discussion of the topic for which that special rapporteur is responsible, and requests the Secretary-General to make the necessary arrangements within existing resources;

7. Recommends the continuation of efforts to improve the ways in which the report of the International Law Commission is considered in the Sixth Committee, with a view to providing effective guidance for the Commission in its work;

8. Decides that the Sixth Committee, in structuring its debate on the report of the International Law Commission at the forty-sixth session of the General Assembly, should continue to bear in mind the possibility of reserving time for informal exchanges of views on matters relating to the work of the Commission;

9. Recommends that the debate on the report of the International Law Commission at the forty-sixth session of the General Assembly commence on 28 October 1991;

10. Takes note of the comments of the International Law Commission on the question of the duration of its session, as presented in paragraph 552 of its report, and expresses the view that the requirements of the work for the progressive development of international law and its codification and the magnitude and complexity of the subjects on the agenda of the Commission make it desirable that the usual duration of its sessions be maintained;

11. Also takes note of the intention of the International Law Commission, expressed in paragraph 548 of its report, to allow for two weeks of concentrated work in its Drafting Committee at the beginning of the forty-third session of the Commission, and requests the Commission to report on the results of that arrangement;

12. 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 summary records and other documentation of the International Law Commission;

13. Urges Governments and, as appropriate, international organizations to respond in writing 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;

14. Reaffirms its wish that the International Law Commission continue to enhance its co-operation with intergovernmental legal bodies whose work is of interest for the progressive development of international law and its codification;

15. Once again expresses the wish that seminars will continue to be held in conjunction with the 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, appeals to States that can do so to make the voluntary contributions that are urgently needed for the holding of the seminars, and expresses the hope that every effort will continue to be made by the Secretary-General, within existing resources, to provide the seminars with adequate services, including interpretation, as required;

16. 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 forty-fifth session of the General Assembly, together with such written statements as delegations may circulate in conjunction with their oral statements, and to prepare and distribute a topical summary of the debate.

General Assembly resolution 45/41

28 November 1990 Meeting 48 Adopted without vote

Approved by Sixth Committee (A/45/735) without vote, 20 November (meeting 45); 43-nation draft (A/C.6/45/L.19); agenda items 140 & 142. Meeting numbers. GA 45th session: 6th Committee 23-39,45; plenary 48.

A draft resolution [A/C.6/45/L.13] on the establishment of an international criminal court or other trial mechanism was introduced in the Sixth Committee but later withdrawn. It would have invited ILC to continue its work on the establishment of such a court, paying particular attention to the possibility of the court being vested by States with jurisdiction over an agreed set of crimes selected from those currently under ILC consideration.

State liability, responsibility and immunities

With respect to State liability, responsibility and immunities, ILC considered, in 1990, draft articles on international liability for injurious consequences arising out of acts not prohibited by international law, consequences arising from an internationally wrongful act, and draft articles on State immunities.

State liability

In 1990, ILC had before it the sixth report by Julio Barboza (Argentina) [A/CN.4/428 & Corr.1-4 & Add.1], its Special Rapporteur on the topic of State liability, dealing with draft articles on international liability for injurious consequences arising out of acts not prohibited by international law. The report examined further the possibility of whether the obligations in respect of activities involving risk and those with harmful effects should be treated together or separately; offered another approach to the concept of activities involving risk; introduced a set of revised procedural rules in respect of activities with harmful transboundary consequences; and considered all the substantive rules bearing on the question of liability. The report proposed a complete outline of a set of 33 draft articles on State liability.

The Special Rapporteur also considered extending the topic to include harm to areas beyond national jurisdiction of States, the so-called "global commons". His report raised complex policy and technical issues, and many Commission members felt that they needed more time to reflect on those issues and, therefore, were able

to make only tentative remarks. The Commission decided to reconsider such issues at its next session.

State responsibility

With respect to State responsibility, ILC discussed the substantive consequences arising from an internationally wrongful act (delict) other than cessation and restitution in kind. In this connection, it considered a second report [A/CN.4/425 & Corr.1 & Add.1 & Add.1/Corr.1] by the Special Rapporteur, Gaetano Arangio-Ruiz (Italy), which dealt with three consequences: reparation by equivalent (article 8); interest (article 9); and satisfaction and guarantees of non-repetition (article 10). The report also examined the impact of fault, in a broad sense, on the forms and degrees of reparation.

The Commission referred articles 8, 9 and 10 to its Drafting Committee, together with comments regarding specific aspects of the articles.

State immunities

In 1990, ILC had before it the third report on State immunities by its Special Rapporteur, Motoo Ogiso (Japan) [A/CN.4/431 & Corr.1], reviewing the entire set of draft articles and suggesting certain reformulations and taking into account views expressed by Commission members at a previous session, as well as by Governments, through written comments and in the Sixth Committee of the General Assembly in 1989.

The Commission focused on articles 12 to 28, including the title of part III, and decided to refer those articles to its Drafting Committee, together with the proposals of the Special Rapporteur as well as those submitted in the plenary session. The Drafting Committee provisionally adopted on second reading articles 1 to 10 and 12 to 16. As the second reading could not be concluded and a number of provisions were still pending, the Commission agreed that a detailed discussion of the articles adopted so far by the Drafting Committee would not serve any useful purpose. It accordingly decided to defer their final adoption until after the completion of the remaining articles and to confine itself at the current session to noting the oral report of the Drafting Committee Chairman. The Commission stated that the entire set of articles as formally adopted was expected to be submitted in 1991, together with commentaries, to the General Assembly.

Relations between States and international organizations

In 1990, ILC had before it the fourth [A/CN.4/424 & Corr.1] and fifth [A/CN.4/432] reports on relations between States and international organizations, by its Special Rapporteur, Leonardo Díaz-González (Venezuela). Consideration of the topic was divided into two parts. The first part, dealing with the status, privileges and immunities of representatives of States to international organizations, was completed in 1975 with the adoption of the Vienna Convention on the Representation of States in their Relations with International Organizations of a Universal Character [YUN 1975, p. 880].

In-depth consideration of the second part, dealing with the status, privileges and immunities of international organizations, their officials, experts and other persons engaged in their activities not being representatives of States, began in 1977 [YUN 1977, p. 949].

In 1990, the Commission discussed the fourth report [YUN 1989, p. 834] of the Special Rapporteur. The fifth report could not be considered, owing to lack of time.

In examining the fourth report, the Commission discussed the general approach to the topic, as well as the 11 draft articles submitted by the Special Rapporteur, covering such matters as general provisions, legal personality, and property, funds and assets of international organizations. The Commission decided to refer the articles to its Drafting Committee. (See also "Treaties involving international organizations" and "Host country relations" below.)

Draft articles on non-navigational uses of international watercourses

Continuing its work on the non-navigational uses of international watercourses, ILC in 1990 had before it the second part of the fifth report [A/CN.4/421/Add.2] and the sixth report [A/CN.4/427 & Corr.1 & Add.1] by its Special Rapporteur, Stephen C. McCaffrey (United States).

In the second part of the fifth report, which had been introduced at the 1989 session [YUN 1989, p. 831], the Special Rapporteur submitted two draft articles: article 24 (Relationship between navigational and non-navigational uses; absence of priority among uses) and article 25 (Regulation of international watercourses), which were to constitute part V and part VI of the draft articles, respectively.

The first part of the sixth report covered the management of international watercourses, security of hydraulic installations, and implementation of the draft articles. It included three new

draft articles: articles 26 (Joint institutional management), 27 (Protection of water resources and installations) and 28 (Status of international watercourses and water installations in time of armed conflict).

Also included was a proposed annex I to the draft articles, entitled "Implementation of the draft articles", which contained eight articles: "Definition", "Non-discrimination", "Recourse under domestic law", "Equal right of access", "Provision of information", "Jurisdictional immunity", "Conference of the Parties" and "Amendments to the draft articles". The second part of the sixth report dealt with the settlement of disputes; it was introduced at the 1990 session, but not discussed for lack of time.

The Commission, on the recommendation of the Special Rapporteur, referred articles 24 to 28, together with article 3, paragraph 1, and article 4 of annex I, to its Drafting Committee.

After examining the Drafting Committee's report, the Commission adopted provisionally the following articles: articles 22 (Protection and preservation of ecosystems), 23 (Prevention, reduction and control of pollution), 24 (Introduction of alien or new species) and 25 (Protection and preservation of the marine environment), comprising part IV of the draft, entitled "Protection and preservation", as well as articles 26 (Prevention and mitigation of harmful conditions) and 27 (Emergency situations), comprising part V of the draft, entitled "Harmful conditions and emergency situations".

The articles provisionally adopted in 1990 were transmitted to the General Assembly by the Secretary-General in September [A/45/469]. In resolution 45/41 on the work of ILC, the Assembly requested the Commission to continue consideration of the topic, taking into account the comments of Governments, with a view to completing the first reading of the draft articles at its 1991 session.

States and international law

With continuing acts of violence against diplomatic and consular missions and representatives in various parts of the world, the General Assembly in 1990 again dealt with the issue of their protection, security and safety, and with the related topics of consular relations and the status of diplomatic bags and couriers. (For information on matters of State liability, responsibility and immunities, see above, under "International Law Commission".)

Diplomatic relations

Protection of diplomats

During 1990, States continued to become parties to various international instruments relating to the protection of diplomats and diplomatic and consular relations. As at 31 December 1990, the status was as follows: 152 States parties to the 1961 Vienna Convention on Diplomatic Relations [YUN 1961, p. 512], with Angola acceding in 1990; 43 States parties to the Optional Protocol concerning acquisition of nationality [YUN 1961, p. 516] and 55 States parties to the Optional Protocol concerning the compulsory settlement of disputes, with Nicaragua acceding to both during the year; 127 parties to the 1963 Vienna Convention on Consular Relations [YUN 1963, p. 510], with Angola acceding in 1990; 36 States parties to the Optional Protocol concerning the acquisition of nationality [YUN 1963, p. 512] and 43 States parties to the Optional Protocol concerning the compulsory settlement of disputes, with Nicaragua acceding to both in 1990; 77 States parties to the 1973 Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents [GA res. 3166(XXVIII)], with Maldives and Nepal acceding during the year.

In resolution 45/39, the General Assembly referred to recent flagrant violations of international law concerning the protection, security and safety of diplomatic and consular missions and representatives, and expressed concern over the abuse of diplomatic or consular privileges and immunities, particularly in cases involving violence. On 18 August, in resolution 664(1990), the Security Council demanded that Iraq rescind its orders for the closure of diplomatic and consular missions in Kuwait and the withdrawal of the immunity of their personnel. In resolution 667(1990) of 16 September, it condemned aggressive acts by Iraq against diplomatic premises and personnel in Kuwait, including the abduction of foreign nationals, and, in resolution 674(1990) of 29 October, the Council expressed alarm over the situation of the personnel of diplomatic and consular missions in Kuwait and Iraq.

Report of Secretary-General. In 1987, the General Assembly had requested [YUN 1987, p. 1068] 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 personnel, and asked the Secretary-General to solicit information on violations from States and to circulate the reports received. Accordingly, the Secretary-General in

January 1990 requested States to submit information on such violations, as well as their views on measures to enhance protection and safety. In September, the Secretary-General submitted to the Assembly a report [A/45/455 & Add.1-3] containing 55 replies from States, as well as listing States parties to the relevant conventions.

Violations reported ranged from burglary and the occupation of diplomatic premises to several cases of murder involving consular personnel or their families. Other attacks on missions and representatives included bombings or shootings at cars or diplomatic buildings or residences; muggings; incursions into diplomatic missions; confiscation of property or vandalism; and invasion of privacy. Two communications related to Iraq's occupation of Kuwait (see PART TWO, Chapter III).

GENERAL ASSEMBLY ACTION

On 28 November, the General Assembly adopted resolution 45/39.

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,

Conscious of the need to develop and strengthen friendly relations and co-operation among States,

Convinced that respect for the principles and rules of international law governing diplomatic and consular relations 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,

Alarmed by the repeated 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,

Recalling Security Council resolutions 664(1990) of 18 August 1990, 667(1990) of 16 September 1990 and 674(1990) of 29 October 1990 regarding, inter alia, certain recent flagrant violations of international law concerning the protection, security and safety of diplomatic and consular missions and representatives,

Mindful of the universal condemnation of those violations during the debate on the question in the Sixth Committee at the forty-fifth session of the General Assembly,

Concerned at the abuse of diplomatic or consular privileges and immunities, particularly if acts of violence are involved,

Emphasizing the duty of States to take all appropriate measures as required by international law, including measures of a preventive nature, and to bring offenders to justice,

Welcoming measures already taken by States to this end in conformity with their international obligations,

Convinced that the role of the United Nations, which includes the reporting procedures established under General Assembly resolution 35/168 of 15 December 1980 and further elaborated in later Assembly resolutions, is important in promoting efforts to enhance the protection, security and safety of diplomatic and consular missions and representatives,

Reaffirming its resolution 43/167 of 9 December 1988,

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 can never be justified;
3. Calls for the immediate cessation of continuing violations of the protection, security and safety of diplomatic and consular missions and representatives and for respect of the right of free passage of diplomatic and consular personnel coming from or returning to the sending State;
4. Urges States to observe, implement and enforce the principles and rules of international law governing diplomatic and consular relations and, in particular, to ensure, in conformity with their international obligations, the protection, security and safety of the missions, representatives and officials mentioned in paragraph 2 above officially present in territories under their jurisdiction, including practical 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, representatives and officials;
5. Also urges States to take all necessary measures at the national and international levels to prevent any acts of violence against the missions, representatives and officials mentioned in paragraph 2 above and to bring offenders to justice;
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 the 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. Also calls upon States, in cases where a dispute arises in connection with a violation of their international obligations concerning the protection of the missions or the security of the representatives and officials mentioned in paragraph 2 above, to make use of the means for peaceful settlement of disputes, including the good offices of the Secretary-General, and requests the Secretary-General, when he deems it appropriate, to offer his good offices to the States directly concerned;
9. Requests all States to report to the Secretary-General in accordance with paragraph 9 of resolution 42/154 of 7 December 1987;

10. Requests the Secretary-General to issue a report on the item, in accordance with paragraph 12 of resolution 42/154, containing also an analytical summary of the reports received under paragraph 9 above, on an annual basis, as well as to proceed with hi; other tasks pursuant to the same resolution;

11. Decides to include in the provisional agenda of its forty-seventh session the item entitled "Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives".

General Assembly resolution 45/39
28 November 1990 Meeting 48 148-1 (recorded vote)

Approved by Sixth Committee (A/732) by recorded vote (120-1), 20 November (meeting 45); 21-nation draft (A/C.6/45/L.15); agenda item 137. Meeting numbers. GA 45th session: 6th Committee 5-7, 45; plenary 48.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.
Against: Iraq.

Following approval of the text by the Sixth Committee, Kuwait withdrew a draft resolution [A/C.6/45/L.15] by which the Assembly would have strongly condemned the aggression against diplomatic and consular missions and representatives in Kuwait and Iraq and would have demanded that Iraq immediately protect the safety and well-being of diplomatic and consular personnel and take no action to hinder the diplomatic and consular missions in performing their functions, including access to their nationals and the protection of their person and interest. The text approved by the Committee satisfied in part the objectives embodied in its own, Kuwait said.

Consular relations

In 1990, the General Assembly considered the improvement of consular relations by supplementing the provisions of the 1963 Vienna Convention on Consular Relations [YUN 1963, p. 510] with an additional protocol relating to consular functions.

Sixth Committee consideration. The item "Additional protocol on consular functions to the Vienna Convention on Consular Relations" was

included in the provisional agenda of the forty-fifth session of the General Assembly pursuant to a request by Austria and Czechoslovakia, expressed in an April letter [A/45/141]. In an explanatory memorandum, to which was attached the text of the draft of the additional protocol, they proposed to supplement the 1963 Convention, which concentrated on consular privileges and immunities, with specific rules regarding consular functions. The item was allocated to and considered by the Sixth Committee.

GENERAL ASSEMBLY ACTION

On 28 November, the General Assembly adopted resolution 45/47.

Additional protocol on consular functions to the Vienna Convention on Consular Relations

The General Assembly,

Recalling that the Vienna Convention on Consular Relations of 24 April 1963 sets the basic framework for the exercise of consular functions,

Considering that paragraph 2 of article 73 of the Convention provides that nothing in the Convention shall preclude States from concluding international agreements confirming or supplementing or extending or amplifying the provisions thereof,

Having in mind further development of the international practice in the field of consular functions as a result of an increased co-operation among States,

Realizing that one of the functions of the General Assembly in promoting international co-operation consists in initiating studies and making recommendations for the purpose of encouraging the progressive development of international law and its codification,

Having considered the item entitled "Additional protocol on consular functions to the Vienna Convention on Consular Relations",

1. Reaffirms its conviction that the Vienna Convention on Consular Relations has played, for over two decades, and will continue to play an essential role in promoting co-operation and understanding among States, by creating favourable conditions for the activities of consular posts and for the conduct of consular relations;

2. Takes note with interest of the proposal concerning the elaboration of an additional protocol on consular functions to the Vienna Convention on Consular Relations;

3. Requests the Secretary-General to seek the views of Member States and of other States parties to the Convention on the proposal and on the procedure to be followed in considering this question, and to submit a report thereon to the General Assembly at its forty-sixth session;

4. Decides to include in the provisional agenda of its forty-sixth session the item entitled "Additional protocol on consular functions to the Vienna Convention on Consular Relations".

General Assembly resolution 45/47

28 November 1990 Meeting 48 Adopted without vote

Approved by Sixth Committee (A/45/741) without vote, 16 November (meeting 43); 6-nation draft (A/C.6/45/L.11); agenda item 146.

Sponsors: Austria, Colombia, Cyprus, Czechoslovakia, Madagascar, United States.

Meeting numbers. GA 45th session: 6th Committee 20-22, 43; plenary 48.

Status of diplomatic bags and couriers

In 1990, in accordance with General Assembly resolution 44/36 [YUN 1989, p. 833], consultations were held in the Sixth Committee on the draft articles on the status of the diplomatic courier and the diplomatic bag not accompanied by diplomatic courier and on the draft optional protocols thereto, which had been adopted by ILC in 1989 [YUN 1989, p. 833]. The question of how to deal further with these draft instruments with a view to reaching a generally acceptable decision was also discussed. The Chairman orally reported on the results of the informal consultations, and the Committee took note of his report.

GENERAL ASSEMBLY ACTION

On 28 November, the General Assembly adopted resolution 45/43.

Consideration of the draft articles on the status of the diplomatic courier and the diplomatic bag not accompanied by diplomatic courier and of the draft optional protocols thereto

The General Assembly,

Recalling its resolution 44/36 of 4 December 1989, in which it noted that the International Law Commission, taking into account the written comments of Governments and views expressed in debates in the Assembly, had completed at its forty-first session the second reading of the draft articles on the status of the diplomatic courier and the diplomatic bag not accompanied by diplomatic courier and also had prepared a draft optional protocol on the status of the courier and the bag of special missions and a draft optional protocol on the status of the courier and the bag of international organizations of a universal character,

1. Expresses its satisfaction at the useful informal consultations that were held during its forty-fifth session, pursuant to paragraph 2 of its resolution 44/36, to study the draft articles on the status of the diplomatic courier and the diplomatic bag not accompanied by diplomatic courier and the draft optional protocols thereto, as well as the question of how to deal further with those draft instruments with a view to facilitating the reaching of a generally acceptable decision in the latter respect, and takes note of the oral report of the Chairman of the Sixth Committee on those consultations;

2. Decides that those informal consultations will be resumed at its forty-sixth session;

3. Also decides to include in the provisional agenda of its forty-sixth session the item entitled "Consideration of the draft articles on the status of the diplomatic courier and the diplomatic bag not accompanied by diplomatic courier and of the draft optional protocols thereto".

General Assembly resolution 45/43

28 November 1990 Meeting 48 Adopted without vote

Approved by Sixth Committee (A/45/738) without vote, 20 November (meeting 45); draft by Chairman (A/C.6/45/L.8/Rev.1); agenda item 143.

Meeting numbers. GA 45th session: 6th Committee 42, 45; plenary 48.

Host country relations

In 1990, the Committee on Relations with the Host Country considered various aspects of the relations between the United Nations diplomatic community and the United States, its host country, as requested by the General Assembly in 1989 [YUN 1989, p. 847]. The Committee's annual report [A/45/26] to the General Assembly contained summaries of discussions, which took place at five meetings.

In January, the Committee resumed consideration of matters relating to the security of missions and the safety of their personnel. Cuba, by a 29 December 1989 letter to the Committee Chairman, had complained about a demonstration at its Mission premises. The host country assured the Committee of its commitment to working out solutions to such problems and said that the particular matter concerning the Cuban Mission had been resolved satisfactorily. In November 1990, Cuba informed the Committee of hostile demonstrations which, it said, had been held regularly for the past 11 months in front of its Mission. During those demonstrations, there had been repeated incidents of verbal abuse and physical aggression against members of the Mission and their families. The United States expressed regret over the incidents and assured the Committee that its authorities were working closely to deter any illegal action by demonstrators and that it would not tolerate unlawful demonstrations.

In October, Iraq informed the Committee that the United States had refused to allow a special Iraqi aircraft, bringing the Iraqi Foreign Minister and other members of the Iraqi delegation to the 1990 session of the General Assembly, to land in New York. In the circumstances, Iraq had decided not to participate in the work of the Assembly at the ministerial level. Iraq viewed the action of the host country as a violation of sections 11 and 12 of the Headquarters Agreement. The United States observed that the Headquarters Agreement, while providing that the host country should not impose any impediment for transit to and from the Headquarters district, nevertheless made no reference to an obligation to allow special flights. It further stated that the Iraqi Foreign Minister would have been allowed entry into the host country had he arrived by a commercial flight.

With respect to travel regulations, Bulgaria welcomed the elimination of travel restrictions

for some Eastern European countries, but noted that restrictions imposed by the host country continued to be a problem for Bulgaria. The United States responded that those measures had been justified by national security concerns and that its recent action did not represent a change of policy per se. Still, it would continue to be responsive to changes. The USSR expressed appreciation that discriminatory travel restrictions were being re-examined by the host country, and said that although some problems remained, including discriminatory restrictions on the travel by personnel of a number of missions, those should be resolved in a spirit of co-operation.

Other matters brought before the Committee related to entry visas issued by the host country; acceleration of immigration and customs procedures; exemption from taxes; the possibility of establishing a commissary at UN Headquarters for diplomatic personnel and staff; use of motor vehicles, parking and related matters; insurance, education and health; and public relations of the UN community in the host city.

On 30 April, the United States introduced to the Committee the new Commissioner of the New York City Commission for the United Nations and the Consular Corps, Paul O'Dwyer. On 18 June, the Secretary-General and the newly elected Mayor of the City of New York, David N. Dinkins, both addressed the Committee.

On 14 November, the Committee expressed its appreciation for the host country's efforts to maintain appropriate conditions for the normal work of delegations and missions accredited to the United Nations; noted the positions of the affected Member States, of the Secretary-General and of the host country concerning travel regulations for personnel of certain missions and Secretariat staff members of certain nationalities; appealed to the host country to review measures relating to diplomatic vehicles so that they responded to the needs of the diplomatic community, and to consult with the Committee on matters relating to transportation; stressed the particular importance of a positive perception of the increasingly vital work of the United Nations; and urged that efforts be continued to build public awareness of the crucial role of the United Nations and the missions accredited to it in the solution of global and regional problems and the strengthening of international peace and security.

GENERAL ASSEMBLY ACTION

On 28 November, the General Assembly adopted resolution 45/46.

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,

Recalling Article 105 of the Charter of the United Nations, the Convention on the Privileges and Immunities of the United Nations and the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations and the responsibilities of the host country,

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,

Welcoming the increased interest shown by Member States in participating in the work of the Committee,

1. Endorses the recommendations and conclusions of the Committee on Relations with the Host Country contained in paragraph 69 of its report;

2. Considers that the maintenance of appropriate conditions for the normal work of the delegations and the missions accredited to the United Nations is in the interests of the United Nations and all Member States, and expresses the hope that the host country will continue to take all measures necessary to prevent any interference with the functioning of missions;

3. Expresses its appreciation for the efforts made by the host country and hopes that outstanding problems raised at the meetings of the Committee will be duly resolved in a spirit of co-operation and in accordance with international law;

4. Urges the host country, in the light of the consideration by the Committee of travel regulations issued by the host country, to continue to bear in mind its obligations to facilitate the functioning of the United Nations and the missions accredited to it;

5. Stresses the importance of a positive perception of the work of the United Nations, and urges that efforts be continued to build up public awareness by explaining, through all available means, the importance of the role played by the United Nations and the missions accredited to it in the strengthening of international peace and security;

6. Requests the Secretary-General to remain actively engaged in all aspects of the relations of the United Nations with the host country;

7. Requests the Committee to continue its work, in conformity with General Assembly resolution 2819(XXVI) of 15 December 1971;

8. Decides to include in the provisional agenda of its forty-sixth session the item entitled "Report of the Committee on Relations with the Host Country".

General Assembly resolution 45/46

28 November 1990 Meeting 48 Adopted without vote

Approved by Sixth Committee (A/45/740) without vote, 20 November (meeting 45); draft by Cyprus (A/C.6/45/L.8); agenda item 145.

Meeting numbers. GA 45th session: 6th Committee 44, 45; plenary 48.

Treaties and agreements

Treaties involving international organizations

The 1986 Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations [YUN 1986, p. 1006] was ratified in 1990 by Argentina, and acceded to by Czechoslovakia, Liechtenstein, Spain and Switzerland. The Convention, which was not in force, had 11 parties as at 31 December 1990.

Registration and publication of treaties

During 1990, some 967 international agreements and 523 subsequent actions were received by the Secretariat for registration or filing and recording. In addition, there were 321 registrations of formalities concerning agreements for which the Secretary-General performed depositary functions.

The texts of international agreements registered or filed and recorded are published in the United Nations Treaty Series in the original languages, with translations into English and French, where necessary. In 1990, the following volumes of the Treaty Series covering treaties registered or filed in 1975, 1979, 1980, 1981 and 1982 were issued: 984, 1135, 1145, 1153, 1202, 1207, 1214, 1219, 1232, 1244, 1280.

Multilateral treaties

New multilateral treaties

The following treaties, concluded under United Nations auspices, were deposited with the Secretary-General in 1990:

International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, adopted by the General Assembly of the United Nations on 18 December 1990 (see PART THREE, Chapter X)

Regulations of the Agreement concerning the Adoption of Uniform Conditions of Approval and Reciprocal Recognition of Approval for Motor Vehicle Equipment and Parts, done at Geneva on 20 March 1958:

Regulation No. 84: Uniform provisions concerning the approval of power-driven vehicles equipped with internal combustion engine with regard to the measurement of fuel consumption; Regulation No. 85: Uniform provisions concerning the approval of internal combustion engines intended for the propulsion of motor vehicles of categories M and N with regard to the measurement of the net power, Regulation No. 86: Uniform provisions concerning the approval of agricultural or forestry tractors with regard to the installation of lighting and light-signalling devices, and Regulation No. 87: Uniform provisions concerning the approval of daytime running lamps for power-driven vehicles.

Treaties deposited with Secretary-General

The number of multilateral treaties for which the Secretary-General performed depositary functions stood at 405 at the end of 1990. During the year, 203 signatures were affixed to treaties for which the Secretary-General performed depositary functions, and 414 instruments of ratification, accession, acceptance and approval or notification were transmitted to him. In addition, he received 225 communications from States expressing observations or declarations and reservations made at the time of signature, ratification or accession.

International organizations and international law

In 1990, the United Nations continued its work on international organizations and international law. (See also "States and international law" above.)

Observer status of national liberation movements

In September 1990, the Secretary-General presented to the General Assembly a report [A/45/438] containing replies from Cyprus and Ecuador on implementation of a 1988 General Assembly resolution on the observer status of national liberation movements recognized by the Organization of African Unity and/or by the League of Arab States [GA res. 43/160 B]. The Assembly had called on States, in particular those which acted as host to international organizations or to conferences convened by, or held under the auspices of, international organizations, to accord to those movements the facilities, privileges and immunities necessary to perform their functions in accordance with the provisions of the 1975 Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character [YUN 1975, p. 880].

GENERAL ASSEMBLY ACTION

On 28 November, the General Assembly adopted resolution 45/37.

Observer status of national liberation movements recognized by the Organization of African Unity and/or by the League of Arab States

The General Assembly,

Recalling its resolutions 35/167 of 15 December 1980, 37/104 of 16 December 1982, 39/76 of 13 Decem-

ber 1984, 41/71 of 3 December 1986 and 43/160 B of 9 December 1988,

Recalling also its resolutions 3237(XXIX) of 22 November 1974 and 3280(XXIX) of 10 December 1974,

Taking note of the report of the Secretary-General,

Bearing in mind the resolution of the United Nations Conference on the Representation of States in Their Relations with International Organizations relating to the observer status of national liberation movements recognized by the Organization of African Unity and/or by the League of Arab States,

Noting that the Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character, of 14 March 1975, regulates only the representation of States in their relations with international organizations,

Taking into account the current practice of inviting the above-mentioned national liberation movements to participate as observers in the sessions of the General Assembly, specialized agencies and other organizations of the United Nations system and in the work of the conferences held under the auspices of such international organizations,

Convinced that the participation of the national liberation movements referred to above in the work of international organizations helps to strengthen international peace and co-operation,

Desirous of ensuring the effective participation of the above-mentioned national liberation movements as observers in the work of international organizations and of regulating, to that end, their status and the facilities, privileges and immunities necessary for the performance of their functions,

Noting that many States have recognized those national liberation movements and have granted them facilities, privileges and immunities in their countries,

1. Urges all States that have not done so, in particular those which are host to international organizations or to conferences convened by, or held under the auspices of, international organizations of a universal character, to consider as soon as possible the question of ratifying, or acceding to, the Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character;

2. Calls once more upon the States concerned to accord to the delegations of the national liberation movements recognized by the Organization of African Unity and/or by the League of Arab States and accorded observer status by international organizations, the facilities, privileges and immunities necessary for the performance of their functions, in accordance with the provisions of the Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character;

3. Requests the Secretary-General to report to the General Assembly at its forty-seventh session on the implementation of the present resolution.

General Assembly resolution 45/37

28 November 1990 Meeting 48 116-9-26 (recorded vote)

Approved by Sixth Committee (A/45/730) by recorded vote (82-10-24), 20 November (meeting 45); 5-nation draft (A/C.6/45/L.12); agenda item 135.

Sponsors: Cuba, Kuwait, Libyan Arab Jamahiriya, Somalia, Yemen, Meeting numbers. GA 45th session: 6th Committee 10, 43, 45; plenary 48.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Lucia, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Belgium, France, Germany, Israel, Italy, Luxembourg, Netherlands, United Kingdom, United States.

Abstaining: Australia, Austria, Bulgaria, Canada, Costa Rica, Czechoslovakia, Denmark, Dominica, El Salvador, Finland, Greece, Honduras, Hungary, Iceland, Ireland, Japan, Liechtenstein, Malta, New Zealand, Norway, Poland, Portugal, Romania, Spain, Sweden, Turkey.

Asian-African Legal Consultative Committee

Pursuant to General Assembly resolution 43/1 [YUN 1988, p. 830], the Secretary-General submitted in September 1990 a report [A/45/504] on co-operation between the United Nations and the Asian-African Legal Consultative Committee (AALCC), an organization which in 1980 [YUN 1980, p. 469] had been invited by the Assembly to participate in its sessions and to work in the capacity of a permanent observer.

The report reviewed the activities of AALCC in the context of a programme of co-operation in the following areas: representation at meetings and conferences; exchange of documentation and information; and identification of areas where the Committee's supportive role might be most productive. In particular, AALCC focused on the issues of strengthening the role of the United Nations through rationalization of functional modalities; wider use of the International Court of Justice; measures to further the work of the Assembly's Sixth Committee; law of the sea; international economic co-operation for development; refugees; zones of peace and international co-operation; and illicit traffic in narcotic drugs. The Committee also dealt with criteria for the distinction between terrorism and a people's struggle for liberation; deportation of Palestinians as a violation of international law, particularly the 1949 Geneva Convention relative to the Protection of Civilian Persons in Time of War; and transboundary movements of hazardous wastes and their disposal.

GENERAL ASSEMBLY ACTION

On 16 October 1990, the General Assembly adopted resolution 45/4.

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, 39/47 of 10 December 1984, 40/60 of 9 December 1985, 41/5 of 17 October 1986 and 43/1 of 17 October 1988,

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,

Having heard the statement made on 16 October 1990 by the Secretary-General of the Asian-African Legal Consultative Committee on the steps taken by the Consultative Committee to ensure continuing, close and effective co-operation between the two organizations,

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

2. Notes with appreciation the continuing efforts of the Asian-African Legal Consultative Committee towards strengthening the role of the United Nations

and its various organs, including the International Court of Justice, through programmes and initiatives undertaken by the Consultative Committee;

3. Notes with satisfaction the commendable progress achieved towards enhancing co-operation between the United Nations and the Consultative Committee in wider areas;

4. Notes with appreciation the decision of the Consultative Committee to participate actively in the programmes of the United Nations Decade of International Law;

5. Requests the Secretary-General to submit to the General Assembly at its forty-seventh session a report on co-operation between the United Nations and the Consultative Committee;

6. Decides to include in the provisional agenda of its forty-seventh session the item entitled 'Co-operation between the United Nations and the Asian-African Legal Consultative Committee'.

General Assembly resolution 45/4

16 October 1990 Meeting 31 Adopted without vote

17-nation draft (A/45/L.4/Rev.1 & Add.1); agenda item 20.

Chapter III

Law of the sea

In 1990, the 1982 United Nations Convention on the Law of the Sea continued to set legal standards for the use of the world's seas and oceans, assuring a remarkable degree of conformity in the maritime practices of States even before its entry into force. During the year, the number of parties to the Convention increased to 45. The Secretary-General reported in November on developments relating to the Convention and its implementation, and took the initiative to convene informal consultations to promote dialogue aimed at achieving universal participation in the Convention.

The Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea, at its eighth session, continued to examine issues related to the implementation of the obligations of the registered pioneer investors and their certifying States and the preparation of draft agreements, rules, regulations and procedures for the International Sea-Bed Authority. It received, in August, an application from China for registration as a pioneer investor, which would bring the number of pioneer investors to six.

The Assembly, the Council and the Secretariat were to be the principal organs of the Authority. The Assembly, consisting of all the members, would be the supreme organ of the Authority. The Council was to function as the Executive organ, with the power to establish specific policies in conformity with the Convention and the Assembly. The Secretariat would be composed of a Secretary-General and staff.

In December, the General Assembly called on all States that had not yet done so to consider ratifying or acceding to the Convention and to observe the provisions of the Convention when enacting national legislation. It urged Member States, in particular those with advanced marine capabilities, to review relevant policies and programmes in the context of the integration of the marine sector in national development strategies, and to explore prospects for intensifying co-operation with developing States.

The Assembly requested international and governmental organizations and multilateral funding agencies to intensify assistance to developing countries in their efforts to realize the

benefits of the legal regime established by the Convention.

UN Convention on the Law of the Sea

Signatures and ratifications

During 1990, three States—Angola, Botswana and Uganda—ratified the United Nations Convention on the Law of the Sea, bringing the number of ratifications to 45.

The Convention was adopted by the Third United Nations Conference on the Law of the Sea in 1982 [YUN 1982, p. 178]. When the period for signature closed in 1984, it had received 159 signatures [YUN 1984, p. 108]. The Convention was to enter into force 12 months after receipt of the sixtieth instrument of ratification or accession.

Developments relating to the Convention

In response to General Assembly resolution 44/26 [YUN 1989, p. 841], the Secretary-General reported in November 1990 [A/45/721 & Corr.1] on developments relating to the Convention and on its implementation. The report examined the status of the Convention and informed the Assembly about its impact on State practice and national policy, settlement of specific conflicts and disputes, peaceful uses of the sea, protection and preservation of the marine environment, maritime safety and vessel-source pollution, and conservation and management of living marine resources. The work of the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea was also described, as were the activities of the Secretariat's Office for Ocean Affairs and the Law of the Sea.

In 1990, the Secretary-General convened informal consultations to promote dialogue aimed at achieving universal participation in the Convention, during which he continued to encourage all States that had not done so to ratify or accede to it. It had to be recognized, he stated, that problems with some aspects of the deep sea-bed mining provisions of the Convention had inhibited some States from ratifying or acceding to it, and that

those problems had to be addressed. He noted that during the eight years since the adoption of the Convention a number of important political and economic changes had taken place—some directly affecting deep sea-bed mining, others affecting international relations in general—which had to be taken into account in considering those problems. Nevertheless, he was encouraged by the positive and constructive response from States in those consultations and intended to continue his efforts.

Although not yet in force, the Convention had none the less achieved a high level of conformity in State practice with regard to the extent and exercise of national sovereignty and jurisdiction. It was generally agreed that a 12-mile territorial sea, claimed by some 110 States, was the international legal norm, as was the 200-mile exclusive economic zone (EEZ) claimed by some 78 States. An additional 18 States claimed exclusive fishing zones. The success of the EEZ concept in improving resource management and environmental protection was increasingly recognized, most recently by North Sea States in their decision to co-ordinate the establishment of EEZs in that region. According to the report, the majority of States recognized the needs to harmonize their laws, regulations and practice with the provisions of the Convention, an example of which was a United States/USSR joint declaration of September 1989 [YUN 1989, p. 837].

With respect to regional co-operation, the Secretary-General noted that the prospects of accelerated development of national capabilities and rational integrated management of the oceans had led to a number of regional initiatives in marine affairs since the Convention was adopted. An example was the international agreement on the organization for the Indian Ocean Marine Affairs Co-operation (IOMAC), adopted at the Second Ministerial Conference of coastal and hinterland States of the Indian Ocean and other maritime user States, which met at Arusha, United Republic of Tanzania, from 3 to 7 September 1990. The initiative for IOMAC had been taken in 1981 and was the result of measures aimed at giving practical effect to the emerging new ocean regime embodied in the Convention and the broad realization that marine development was possible only if efficiently co-ordinated in its various components. According to the Secretary-General, the agreement represented a unique and pioneering international endeavour to forge co-operation between the developing States of Asia and Africa, some of which were among the least developed and whose populations were increasingly dependent on the ocean for their nutritional

needs, transport, communications and security in view of the intensifying competition for access to resources and maritime activity. In May, the follow-up Committee to the Ministerial Conference on Fisheries Co-operation among African States bordering the Atlantic Ocean (Rabat, Morocco, April 1989) investigated ways and means to enhance the implementation of the recommendations of the Conference and considered the legal and institutional arrangements likely to promote fisheries co-operation among member States of the Conference. The Committee decided to identify and carry out projects likely to foster such co-operation.

Another area of enhanced international co-operation was the integrated management of coastal and ocean resources. According to the Secretary-General, a number of countries were undertaking serious efforts towards the rational use of marine resources, the protection and preservation of the environment and the control of interactions among the various users of the ocean and the coastal areas. For example, countries of the Association of South-East Asian Nations (ASEAN) had taken the initiative to develop integrated coastal management strategies to ensure sustainable development of their renewable resources. In Ecuador, six special management zones had been created in a coastal management scheme designed to enable the development of coastal areas within a framework of conservation of the resource base through intersectoral integration.

With regard to conflict and dispute settlement, the report described recent maritime boundary delimitation agreements, such as the June 1990 treaty between the USSR and the United States, concluding negotiations on a new boundary delimitation in the Bering Sea, and an August 1990 maritime boundary agreement between the Cook Islands and the French Republic of French Polynesia. A December 1989 agreement between Australia and Indonesia created joint development zones for exploration and exploitation of petroleum resources in the area between the Indonesian Province of East Timor and northern Australia. The treaty, concluded after 10 years of negotiation, enabled the two countries to enter into provisional arrangements of a practical nature to benefit from resources, without prejudice to the boundary issue. The report also noted that in 1990 the International Court of Justice (ICJ) was seized with two cases concerning maritime boundary disputes, one between Guinea-Bissau and Senegal and the other between El Salvador and Honduras (see PART FIVE, Chapter I).

The report also pointed to efforts related to the peaceful uses of the sea. At the Third Review Conference (September 1989) [YUN 1989, p. 81] of the Parties to the Sea-Bed Treaty [GA res. 2660(XXV)], the three nuclear-weapon States declared that they had not placed any nuclear weapons or weapons of mass destruction on the sea-bed outside the zone of application. Committee-level consensus was reached at the Fourth Review Conference (Geneva, 28 August-14 September 1990) (see PART ONE, Chapter II) of the 1968 Treaty on the Non-Proliferation of Nuclear Weapons (NPT) [GA res. 2373(XXII)] on the importance for disarmament of nuclear-weapon-free zones based on arrangements freely arrived at among States of a region. Within the context of the United Nations Disarmament Commission's 1990 session, consultations on naval disarmament yielded a number of conclusions [A/45/42, annex II], prominent among them the need to extend existing agreements on avoiding incidents at sea and to modernize the law regulating naval warfare, particularly for the benefit of civilian maritime activities. The Secretary-General also noted that Argentina and the United Kingdom had agreed, on 15 February, to take a series of measures aimed at building confidence and contributing to a more normal situation in the south-west Atlantic, including, among others, an information and consultation system for movements of armed forces units.

The report also discussed developments in the protection and preservation of the marine environment (see also PART THREE, Chapter VIII). The Group of Experts on Scientific Aspects of Marine Pollution (GESAMP) had concluded that, although concerns might differ from region to region, the major causes of immediate concern on a global basis were coastal development and the attendant destruction of habitats, eutrophication, microbial contamination of seafood and beaches, fouling of the seas by plastic litter, progressive build-up of chlorinated hydrocarbons and accumulation of tar on beaches. Issues of particular concern were the apparent increases in harmful algae blooms, eutrophication with associated regional anoxia, and fish diseases. They had also concluded that global climate change might be the most important environmental issue in the long term.

The United Nations Environment Programme/World Meteorological Organization (UNEP/WMO) Intergovernmental Panel on Climate Change (IPCC) reported in June its conclusion that global warming would accelerate sea-level rise, with serious implications, particularly for small island countries and fisheries. While research and improved observations would pro-

duce progressively more reliable climate and sea-level predictions, IPCC said, the problems were complex and the scale of programmes required was such that rapid results could not be expected. An important objective of the international community would be to introduce arrangements for periodic examination, critical review of and -reporting on the state of the marine environment and of the impact of environmental and resource management policies.

Environmental monitoring was a basic component of management or regulatory regimes and, according to the Secretary-General, considerable attention would have to be paid to the development of international systems for monitoring and data and information exchange. The report also pointed to the importance of strengthening law and policy of the marine environment and improving the effectiveness of existing international law. It stated that the Convention on the Law of the Sea provided the necessary framework of rights and obligations for all ocean uses, and that its importance had been stressed in all discussions regarding the future development of international environmental law and policy. Measures with regard to transboundary movement of hazardous wastes and the status of protected areas were also discussed.

With regard to maritime safety and vessel-source pollution, the International Maritime Organization (IMO) in 1989 had stressed that effectiveness of maritime safety and pollution prevention standards in preventing or reducing marine pollution depended on their universal application and strict observance. It emphasized that the prevention of maritime casualties was the primary and preferred method for avoiding pollution and that the adequacy of related international instruments had to be continuously reviewed. Imo called for prompt submission of reports of casualty investigations, since those would yield information crucial to the development of new measures, and for an examination of the human role and the design of tankers in accidents. In that context, the report also considered the human factor in maritime casualties, the routing of ships and response to accidents.

With regard to the conservation and management of living marine resources, the report noted that world fisheries continued to face mounting problems. Biological, technical and economic forces were at work, among them the scarcity of resources in the wake of overfishing, degradation of ecosystems and natural stock fluctuations, and a trend towards intensified fishing due to advanced technology. Under those conditions, more attention was given, nationally and internationally, to the consideration of the objectives of

resources management and the tools to be used. While the freedom to fish on the high seas was a well-established principle of international law, it was not unqualified, the report stated. Under the Convention, all members of the international community had the duty to take, and co-operate with other members in taking, such measures as might be necessary to ensure the conservation of living marine resources on the high seas. It was the obligation of members of the international community to ensure that their fisheries were adequately regulated and monitored to permit the full and timely assessment of fishing impacts and the state of the exploited population. Such assessment had to be conducted with the co-operation and participation of other members with interests in the living resources of the region. The report also pointed out that the conservation and management of living resources was prominent on the international agenda for the United Nations Conference on Environment and Development, to be held in Rio de Janeiro in 1992, and that the Convention provided the necessary framework to that end.

Portraying trends and prospects in world fisheries, as well as regional situations, the report noted that the main catch increases were in the north-west and south-east Pacific regions.

Marine scientific research

In response to General Assembly resolution 44/26 [YUN 1989, p. 841], the Secretary-General reported [A/45/563] in October 1990 on the state of marine scientific research in the light of the provisions of the Convention. The report elaborated on the new legal régime for marine scientific research, progress in marine sciences, and research tools and issues. It stated that the Convention, which devoted the entire part XIII to the question of marine scientific research, laid down a comprehensive global regime under which States were required to conduct marine scientific research and co-operate in such research.

According to the report, the recognition of the ocean as a resource capable of making a growing and substantial contribution to sustainable economic development and of the need to understand its role in the total global system had placed new and increased demands on marine science. Increased interests in coastal and shelf processes had been paralleled by a growing need to understand the holistic behaviour of the total global ocean system, particularly the way in which it acted as a control on climate variability through circulation and heat exchange. As the Secretary-General had pointed out in a previous report [YUN 1989, p. 837] on the subject, oceanography, far from being a mature science, was still in the pro-

cess of discovery, and the chief source of new understanding came from new observations, not from theory. Global prediction models had to be verified against observations of such factors as sea level, temperature and salinity, and had to be compared with measured fluxes of heat, water, particles and gases between the atmosphere, the ocean and the ocean floor. The ocean sciences were thus entering an intensive data-gathering phase that would last through the late 1990s and perhaps beyond.

What was most needed, according to the report, was closer co-operation and co-ordination among States and international organizations in further promoting and facilitating the conduct of research; dissemination of knowledge, information and data obtained; and developing human resources urgently needed in many countries. The Convention provided for specific obligations of States and international organizations in that regard. In addition, there was a fundamental duty inscribed in the Convention to assist the efforts of developing countries to acquire technology and scientific knowledge.

The report went on to review progress in the marine sciences in the disciplines of physics, chemistry, biology, geology and geophysics. As major research issues, it identified marine resource management; protection of the marine environment; oceans and climate; coastal dynamics and sea-level rise; and global marine observing services.

Ocean resources

In response to General Assembly resolution 44/26 [YUN 1989, p. 841], the Secretary-General reported in November 1990 [A/45/712] on the realization of benefits under the Convention and measures taken in response to needs of States regarding the development and management of ocean resources. The report was based on information received from 23 States, 7 programmes and organizations of the UN system, 13 specialized agencies and 5 international organizations.

The report reviewed the major requirements of States for development of the ocean sector. According to the Secretary-General, the level of national activity reflected to a great deal the level of development of the countries concerned. Accordingly, the report identified a wide range of needs, from basic requirements in the case of countries that were not in a position to take any substantial measures to develop the ocean potential as provided by the Convention to the needs of those that had some capabilities and had taken early initiatives to secure jurisdiction over their extended maritime zones, adopt ocean development policies and implement programmes and

projects. The positive experiences of the more advanced countries in ocean resource development served sometimes as references in the report and as a sound basis for assessing needs of other States that were aiming to further their level of development. Experiences in a region or subregion were highly relevant to the development of methods and mechanisms for other States of the same region and, when appropriate, of other regions. A comprehensive review of the efficacy of current measures and evaluation of alternative strategies, methods and mechanisms for maximizing the opportunities of States for the realization of benefits would require an in-depth study of practical experiences and ongoing activities of a cross-section of States and of competent organizations and institutions at the national and regional levels, as well as at the international level by intergovernmental conferences and bodies and the programmes of international organizations with competence in marine-related activities.

The report further discussed potentials and challenges of ocean resource development under the ocean régime established by the Convention; national ocean development policies; the integration of the requirements of the Convention into national legislation; technological, human and financial resources; environmental needs; surveillance and enforcement of compliance; living and non-living resources; maritime transport and ports; recreation uses; and international co-operation.

The report considered international co-operation to be a most effective means for developing the national capabilities of States. It noted that attempts were being made to establish or augment such co-operation in a number of regions or subregions and acknowledged a continuing need to provide assistance and advice to States to strengthen their efforts in that regard.

GENERAL ASSEMBLY ACTION

On 14 December, the General Assembly adopted resolution 45/145.

Law of the sea

The General Assembly,

Recalling its previous resolutions, including resolution 44/26 of 20 November 1989, regarding the law of the sea,

Recognizing that, as stated in the third preambular paragraph of the United Nations Convention on the Law of the Sea, 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 apply them in a manner consistent with that character and 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.

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 (hereinafter referred to as "the Area"), as well as the resources of the Area, are the common heritage of mankind,

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

Recalling with satisfaction the expressions of willingness to explore all possibilities of addressing issues, as referred to in the statements made at the end of the meeting of the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea, held in New York from 14 August to 1 September 1989, in order to secure universal participation in the Convention,

Recognizing 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,

Noting with satisfaction the progress made in the Preparatory Commission since its inception, including the registration in 1987 as pioneer investors of the Institut français de recherche pour l'exploitation de la mer (IFREMER), the Government of India, Deep Ocean Resources Development Co., Ltd. (DORD) and Yuzhmorgeologiya, whose applications were submitted by the Governments of France, India, Japan and the Union of Soviet Socialist Republics respectively, bearing in mind that such registration entails both rights and obligations,

Recalling with satisfaction the designation by the Preparatory Commission of reserved areas for the Authority from the application areas submitted by the pioneer investors pursuant to resolution II,

Noting the submission to the Preparatory Commission of an application by the Government of China on behalf of the China Ocean Mineral Resources Research and Development Association (COMRA) for registration as a pioneer investor under resolution II,

Noting also 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 regime established by the Convention,

Concerned that the developing countries are as yet unable to take effective measures for the full realization of these benefits owing to the lack of resources and of the necessary scientific and technological capabilities,

Recognizing the need to enhance and supplement the efforts of States and competent international organizations to enable developing countries to acquire such capabilities,

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

Noting with appreciation the initiative of the Secretary-General to promote dialogue aimed at achieving universal participation in the Convention,

Deeply concerned at the current state of the marine environment,

Mindful of the importance of the Convention for the protection of the marine environment,

Noting with concern the use of fishing methods and practices that can have an adverse impact on the conservation and management of marine living resources,

Recalling that States have a duty to take, or co-operate with other States in taking, such measures for their nationals as may be necessary for the conservation of the living resources of the high seas,

Conscious of the urgent need to increase the scientific knowledge of the marine environment,

Taking note of activities carried out in 1990 under the major programme on marine affairs, set forth in chapter- 25 of the medium-term plan for the period 1984-1989 and extended for the period 1990-1991, in accordance with the report of the Secretary-General, as approved in General Assembly resolution 38/59 A, and the report of the Secretary-General,

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 pursuance of paragraph 20 of General Assembly resolution 44/26,

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 and overwhelming support for the Convention, as evidenced, *inter alia*, by the one hundred and fifty-nine signatures and forty-five of the sixty ratifications or accessions required for entry into force of the Convention;

3. Invites all States to make renewed efforts to facilitate universal participation in the Convention;

4. 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 regime for the uses of the sea and its resources;

5. Calls upon all States to safeguard the unified character of the Convention and related resolutions adopted therewith and to apply them in a manner consistent with that character and with their object and purpose;

6. Also calls upon States to observe the provisions of the Convention when enacting their national legislation;

7. Notes the progress being made by the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea in all areas of its work;

8. Notes with satisfaction the Understanding on the Fulfilment of Obligations by the Registered Pioneer Investors and their Certifying States adopted by the Preparatory Commission on 30 August 1990;

9. Expresses its appreciation to the Secretary-General for his efforts in support of the Convention and for the effective execution of the major programme on marine affairs set forth in chapter 25 of the medium-term plan for the period 1984-1989 and extended for the period 1990-1991 and requests him to take into account the prospective entry into force of the Convention and the increased needs of States for assistance in the imple-

mentation of the Convention in the medium-term plan for the period 1992-1997;

10. Also expresses its appreciation to the Secretary-General for the report prepared in pursuance of paragraph 20 of General Assembly resolution 44/26 and requests him to carry out the activities outlined therein, as well as those aimed at the strengthening of the legal régime of the sea, special emphasis being placed on the work of the Preparatory Commission, including the implementation of resolution II of the Third United Nations Conference on the Law of the Sea;

11. Welcomes regional efforts by developing countries to integrate the ocean sector in national development plans and programmes through the process of international co-operation and assistance, in particular the recent initiatives mentioned in the report of the Secretary-General;

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 legal regime 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 co-operate and lend assistance in these endeavours;

13. Urges interested Member States, in particular States that have advanced marine capabilities, to review relevant policies and programmes in the context of the integration of the marine sector in national development strategies, and to explore prospects for intensifying co-operation with developing States, including States of regions active in this field;

14. Requests the competent international organizations, the United Nations Development Programme, the World Bank and other multilateral funding agencies, in accordance with their respective policies, to intensify financial, technological, organizational and managerial assistance to the developing countries in their efforts to realize the benefits of the comprehensive legal regime established by the Convention and to strengthen co-operation among themselves and with donor States in the provision of such assistance;

15. Welcomes the report of the Secretary-General submitted pursuant to paragraph 13 of General Assembly resolution 44/26, in which were identified the needs of States in regard to the development and management of ocean resources and the measures currently taken by States and by the competent international organizations in responding to those needs, and requests the Secretary-General to transmit that report to all Member States and competent international organizations, agencies and bodies for their review and to take their comments into account in the preparation of the report to be submitted to the Assembly at its forty-sixth session;

16. Approves the decision of the Preparatory Commission to hold its ninth regular session at Kingston from 25 February to 22 March 1991 and to hold a summer meeting in New York in 1991;

17. Recognizes that the protection of the marine environment will be significantly enhanced by the implementation of applicable provisions of the Convention;

18. Expresses its appreciation to the Secretary-General for the study on marine scientific research submitted pursuant to paragraph 19 of General Assembly resolu-

tion 44/26, in which it was underscored that research and monitoring needs in the field of marine science call for enhanced international co-operation in order to provide a sound basis for resource management and the protection and preservation of the marine environment and for the study of the influence of the oceans on the global environment;

19. Reiterates its call to States and other members of the international community to strengthen their co-operation in the conservation of marine living resources, including the prevention of the use of fishing methods and practices that can have an adverse impact on the conservation and management of marine living resources;

20. Requests the Secretary-General to report to the General Assembly at its forty-sixth session on developments pertaining to the Convention and all related activities and on the implementation of the present resolution;

21. Decides to include in the provisional agenda of its forty-sixth session the item entitled "Law of the sea".

General Assembly resolution 45/145

14 December 1990 Meeting 68 140-2-6 (recorded vote)

51-nation draft (A/45/L.29 & Add.1); agenda item 33.

Meeting numbers. GA 45th session: plenary 64, 65, 68.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Dominica, Dominican Republic, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian SSR, USSR, United Republic of Tanzania, Uruguay, Vanuatu, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Turkey, United States.

Abstaining: Ecuador, Germany, Israel, Peru, United Kingdom, Venezuela.

Preparatory Commission for Sea-Bed Authority and Tribunal

The Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea held its eighth session at Kingston, Jamaica, from 5 to 30 March, and a summer meeting in New York from 13 to 31 August [A/45/721 & Corr.1]. Among the matters considered were the implementation of resolution II, adopted by the Third United Nations Conference on the Law of the Sea in 1982 [YUN 1982, p. 216], regarding the obligations of the regis-

tered pioneer investors and their certifying States, and the preparation of draft agreements, rules, regulations and procedures for the International Sea-Bed Authority.

The Preparatory Commission resumed consultations on the modalities for the implementation of the obligations of the registered pioneer investors and their certifying States. The matter was finally resolved during the summer meeting, when the General Committee, on behalf of the Preparatory Commission, adopted the Understanding on the Fulfilment of Obligations by the Registered Pioneer Investors and their Certifying States [LOS/PCN/L.87].

On 22 August, the Preparatory Commission received an application from China [LOS/PCN/I13] on behalf of the China Ocean Mineral Resources Research and Development Association (COMRA) for registration as a pioneer investor. China's application for exploration rights referred to an area in the north Pacific Ocean totalling 300,000 square kilometres. It stated that while China was comparatively rich in land-based mineral resources, its per capita possession of mineral resources was much lower than the world average. The reason for its application was to develop, under the principles set out under the Convention, new sources of mineral resources, both to meet part of the country's need and to make a contribution to the whole of mankind in the exploitation of the international sea-bed.

In August, the Preparatory Commission decided [LOS/PCN/I15] to convene a meeting of the Group of Technical Experts to examine and report to the General Committee on China's application and to convene the General Committee of the Preparatory Commission during its ninth session, to be held at Kingston in February/March 1991, in order to consider the application.

At its 1990 session, the Commission conducted [LOS/PCN/L.82/Rev.1] the second reading of the draft Headquarters Agreement between the International Sea-Bed Authority and Jamaica, and provisionally approved, without amendments, the preamble and a substantial number of articles. At the beginning of the second reading, the plenary reached an understanding that articles on which it would be difficult to achieve agreement in plenary would be left for the consultations of the Chairman with interested delegations. A number of articles were thus referred, and the Chairman reported the results of those consultations to the plenary. The plenary also conducted the first reading of the draft Protocol on the Privileges and Immunities of the International Sea-Bed Authority and approved without amendments the preamble and a substantial

number of articles. Further articles were provisionally approved as orally amended.

Informal consultations continued on the establishment of a Finance Committee. The participants in the consultations expressed their view that they were useful and should be continued at the next session in order to provide the Secretariat with sufficient guidance for the preparation of a revised paper on the Committee. It was agreed that the following main issues should be addressed: composition of the Finance Committee; its status with regard to such organs as the Assembly and the Council; and functions and decision-making. Broad agreement was reached on the Committee's status and composition, and it was understood that the question of decision-making in the Committee would be considered within the broader context of decision-making in the organs of the Authority. It was agreed that the Preparatory Commission should not make any recommendations to the Authority with regard to the establishment of subsidiary organs, with the exception of the Finance Committee. With respect to the issue of observers, agreement was reached on the list of entities contained in the draft rules of procedure of the Assembly. The question of the nature and extent of observer participation in the work of the Assembly and the Council was deferred to a later stage.

Special Commissions

The Preparatory Commission's four Special Commissions continued to work in accordance with their respective mandates.

Developing land-based producer States

The mandate of Special Commission 1 was to undertake studies on the problems which would be encountered by the developing land-based producer States likely to be most seriously affected by the production of sea-bed minerals.

During 1990, the Special Commission completed the first reading of the 66 provisional conclusions that would provide the basis for final recommendations to the Authority. At the summer meeting, the Special Commission considered a revised list of the provisional conclusions, which incorporated the comments and suggestions of delegations in the course of the first reading and covered projection of production from the Area (the sea-bed beyond national jurisdiction); application by developing land-based producer States; and consideration of applications, determination of measures to assist developing land-based producer States. The Commission gave preliminary consideration to the provisional conclusions, except those directly related to the issues

under consideration in the Ad Hoc Working Group. In his March statement on the progress of the Commission's work [LOS/PCN/L.78], the Chairman reported that fruitful suggestions had been made by delegations with regard to combining some closely related provisional conclusions, condensing or rearranging others and placing some in proper positions so as to ensure a rational and consistent overall structure. It was recognized that the list of 66 conclusions was not exhaustive. Some delegations felt that sea-bed mining would occur only in the distant future, and that detailed provisional conclusions might be premature. Others felt that most if not all the conclusions would remain valid regardless of uncertainties about the future.

The Ad Hoc Working Group of the Special Commission continued its discussions on certain "hard-core" issues, especially compensation to developing land-based producer States actually or likely to be affected by sea-bed production, subsidized sea-bed mining, dependency thresholds and trigger thresholds. The Chairman put forward revisions to suggestions discussed in the Working Group during the 1989 summer meeting and the March 1990 session of the Preparatory Commission with a view to facilitating agreement on both the criteria for the identification of developing land-based producer States [LOS/PCN/SCN.I/1990/CRP.18/Rev.1] and assistance to those States affected by sea-bed production [LOS/PCN/SCN.I/1990/CRP.19/Re.1]. Reports of the Chairman of the Working Group were annexed to statements on progress by the Chairman of Special Commission 1 in March [LOS/PCN/L.78] and August [LOS/PCN/L.83].

The Enterprise

Special Commission 2 was charged with making preparations for the establishment of the Enterprise, the operational arm of the Authority.

Based on a reading of the suggestion submitted by the Chairman, it was generally agreed that the purpose of transitional arrangements for the Enterprise could be: ensuring the continuity of the work initiated by the Preparatory Commission; introducing modifications and additions as required; providing a focus within the Authority for the collection and analysis of all information and data pertinent to the development of the sea-bed mining industry; providing expert advice on the scientific, technical and economic aspects of the Authority's policies and programmes relating to the Enterprise; and providing a mechanism for the implementation of a Training Programme for the Enterprise, initiated by the Preparatory Commission. The Special Commission also continued its review and article-by-article

reading of working paper 16 on the structure and organization of the Enterprise. It concentrated on those provisions that called for annotations and on those that would enable the Preparatory Commission to comment on provisions of the Convention in the interest of promoting reasonable interpretation and to suggest draft provisions to facilitate effective application.

At the Special Commission's summer meeting, the Special Representative of the Secretary-General for the Law of the Sea introduced a working paper on a draft basic joint venture contract for the Enterprise [LOS/PCN/SCN.2/WP.18 & Add.1], to be considered at the 1991 session of the Preparatory Commission. The Chairman's Advisory Group on Assumptions reviewed current market developments in respect of nickel, copper, cobalt and manganese, and continued to examine economic and technical factors and parameters for arriving at a new set of basic assumptions for a deep sea-bed mining model.

Special Commission 2 had adopted the Training Programme for the Enterprise at its 1989 session [YUN 1989, p. 8391. In 1990, it examined ways of expediting implementation of the Programme, bearing in mind particularly the various administrative and time-consuming steps required for its initiation. On the basis of a number of suggestions advanced by the Chairman, and using the device of informal Expanded Bureau meetings in which the registered pioneer investors were active participants, the Special Commission made a number of recommendations which were adopted by the Preparatory Commission.

Although opinions differed on the structure of the Enterprise and its status vis-à-vis the Authority, it was strongly suggested that a Director-General would be necessary, who would work full-time on matters pertinent to the Enterprise and would have a separate budget not hidden within the broader administrative expenses of the Authority. Further discussion of transitional arrangements was made a first priority of the next session of Special Commission 2.

In March [LOS/PCN/L.80] and in August [LOS/PCN/L.85], the Chairman of Special Commission 2 reported on the progress of work.

Sea-bed mining code

Special Commission 3 was entrusted with preparing rules, regulations and procedures for the exploration and exploitation of the deep sea-bed.

In 1990, it concluded the first reading of draft regulations on production authorization and began its consideration of part VIII of the draft Regulations on Prospecting, Exploration and Exploitation of Polymetallic Nodules in the Area,

on protection and preservation of the marine environment in the Area [LOS/PCN/SCN.3/WP.6/Add.5], which had been prepared by the Secretariat. The Special Commission began a general exchange of views on the draft in March and then commenced the first reading, embarking on an article-by-article examination of the draft regulations in August. Twenty-one of the 27 draft articles were discussed, covering such subjects as scope of the regulations, the use of terms, conditions for carrying out activities in the Area, the exclusion of areas for exploitation, environmental reference zones, environmental reports and impact statements, inspectors, compliance, liability for harm to the environment, the rights and obligations of coastal States, emergency orders, and responsibilities of sponsoring States. The need for further studies of the marine environment in the international sea-bed Area was noted; safe methods of exploitation and adequate regulations could be established only on the basis of appropriate comprehensive experimental data and information on the effects of exploitation of polymetallic nodules on the living and non-living components of the marine environment. It was emphasized that there should be a balance in the draft between the need to protect and preserve the marine environment from activities in the Area and the need to develop the resources of the Area.

The Special Commission held a seminar on the environmental aspects of deep sea-bed mining dealing with a wide range of issues at the beginning of the summer meeting. Experts from France, the Federal Republic of Germany, India, Japan, Norway, Sweden, the USSR and the United States participated in the seminar, which was felt to be very useful in the consideration of the draft regulations of the mining code on the protection and preservation of the marine environment. The predominant theme was that little was known about the consequences of deep sea-bed mining and that more substantial research needed to be conducted.

The activities of Special Commission 3 were described in its Chairman's statements on the progress of work in March [LOS/PCN/L.79 & Corr.1] and August [LOS/PCN/L.84].

International Tribunal

Special Commission 4, dealing with the preparation of recommendations regarding practical arrangements for the establishment of the International Tribunal for the Law of the Sea, continued to consider the administrative arrangements, structure and financial implications of the Tribunal and the draft relationship arrangements be-

tween the United Nations and the Tribunal prepared by the Law of the Sea Secretariat.

During consideration of working papers on the administration of the Tribunal [LOS/PCN/SCN.4/WP.8 & Add.1.2 & Add.1/Corr.1], it was generally agreed that there was a need for maximum economy in its establishment and functioning while maintaining the highest level of efficiency. The suggestion was made that the costs of members' allowances and of the Registry of the Tribunal should be further reduced and that, in its initial phase, the Tribunal should employ a minimal staff with a view to increasing it gradually as the case-load required. There was some debate on the number of official languages to be used by the Tribunal since that would have direct impact on costs.

The Special Commission also examined the draft Agreement on Co-operation and Relationships between the United Nations and the Tribunal [LOS/PCN/SCN.4/WP.9 & Add.1]. It discussed governing principles, mutual recognition of rights and responsibilities, co-operation and co-ordination, exchange of information, administrative co-operation and personnel arrangements, and budgetary and financial arrangements. The view was expressed that a decision of principle would have to be taken as to the necessity for the Tribunal to conclude a relationship agreement with the Authority, since that would tend to influence some of the decisions of the Tribunal. It was explained that the independence of the Tribunal should be maintained at all costs.

The Special Commission's Chairman reported in March [LOS/PCN/L.81] and August [LOS/PCN/L.86] on the progress of its work.

Other matters

Office for Ocean Affairs and the Law of the Sea

In 1990, the Office for Ocean Affairs and the Law of the Sea continued to provide information, advice and assistance primarily to States, but also to global and regional bodies of the UN system and other organizations, subregional organizations and academic institutions, scholars and others. The programme implemented by the Office sought to facilitate the establishment by States of national legislative frameworks that would secure for them the extended maritime areas of sovereignty and jurisdiction under the new legal regime, while assisting them in exercising their rights and fulfilling their obligations

under the Convention and reaping the benefits of it. To that end, the programme provided methodological approaches to, and formulated guidelines for, integrated marine policy-making and management and assessed their applications in specific instances, in particular at the regional and national levels. Technical studies and training courses covering general issues, as well as sea-use planning, the development of the marine areas under national jurisdiction on an environmentally sound and sustainable basis, marine scientific research and the assessment of ocean non-fuel mineral resources were also implemented.

The Office continued to monitor and analyse developments related to the new ocean regime at the global, regional, subregional and national levels. Those functions required continuing research and data and information collection and evaluation, which were supported, among other means, by the convening of groups of technical experts on specialized subjects and by developing the Office's reference library and its Law of the Sea Information System (LOSIS).

As the focal point for marine affairs within the United Nations, the Office participated in and supported inter-agency programmes, as well as inter-agency co-ordination activities and mechanisms, with a view to promoting co-operation in areas of common interest and a consistent approach towards the new regime for the oceans. It continued to provide integrated service to the Preparatory Commission, including the implementation of resolution II of the Third United Nations Conference on the Law of the Sea on the registration of pioneer investors in deep sea-bed mining. It also prepared studies and working papers dealing with various matters under consideration by the plenary of the Preparatory Commission and its four Special Commissions (see above).

The Office assisted Governments and inter-governmental organizations as the trend towards increasing numbers of requests from Member States for assistance in developing national legislation and integrated policy and development plans in the marine field within the framework of the Convention continued. In close co-operation with the Economic Commission for Latin America and the Caribbean (ECLAC), the Office convened an Expert Group Meeting on Sea Use Planning and Coastal Area Management in Latin America and the Caribbean, held at ECLAC headquarters (Santiago, Chile, 28 November-1 December 1989). The main objective was to identify priority needs faced by the countries of the ECLAC region and examine possible solutions to their problems. In the context of its involvement

in the Ministerial Conference on Fisheries and Co-operation among African States bordering the Atlantic Ocean, a follow-up meeting to the 1989 Conference was held in Morocco in May 1990, during which several proposals were made, indicating the need for continuing support of the Office. The Office further organized the First Technical Seminar of Experts of the Zone of Peace and Co-operation of the South Atlantic of the Law of the Sea (Brazzaville, Congo, June), providing an opportunity for legal experts of the region to describe their national activities in marine affairs and focus attention on their common needs, in the light of the Convention. The experts discussed priority areas of co-operation and identified a number of issues that required further discussion. In July, with the Indian Ocean Marine Affairs Co-operation (IOMAC) secretariat as the lead agency, the Office, together with the Food and Agriculture Organization of the United Nations (FAO) and the United Nations Educational, Scientific and Cultural Organization/Intergovernmental Oceanographic Commission (UNESCO/IOC) as supporting agencies, undertook a mission to Mauritius, Seychelles and the United Republic of Tanzania, to assist the three countries in improving their capabilities to meet their requirements and derive benefits under the Convention. The Office also provided support and advice to IOMAC in preparation for the Second Ministerial-level Meeting (Arusha, United Republic of Tanzania, 3-7 September), which formalized the organization by adopting its statute and rules. At the request of Mauritania, a technical assistance project financed by the United Nations Development Programme (UNDP) relating to the establishment of an overall marine profile for that country was completed and a final report submitted to the Government. Upon independence, Namibia immediately took steps to establish sovereignty over its adjacent marine areas. The Office, with the support of UNDP, provided that country with "umbrella" draft legislation covering different maritime jurisdictional zones, including legislation relating to the protection and the preservation of the marine environment and regulations for maritime scientific research.

To facilitate research and study of the law of the sea, its implementation and related marine affairs, the Office offered the Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea, established in 1981 [YUN 1981, p. 139], in honour of the first President of the Third United Nations Conference on the Law of the Sea. The

fourth annual fellowship, providing post-graduate research, study and a subsequent internship with the Office, was awarded to Patricia Sobion of the Ministry of Legal Affairs of Trinidad and Tobago.

In order to create a better understanding of the Convention, the Office continued to pursue a programme of publication of the legislative history of its various provisions. In 1990, it issued two new publications: one dealt with the practice of States in relation to the establishment of straight baselines and included excerpts of national laws, accompanied by maps [Sales No. E.89.V.10]. The other was a repertory of international agreements relating to sections 5 and 6 of part XII of the Convention, on the protection and preservation of the marine environment [Sales No. E.90.V.3]. Further issues of the Law of the Sea Bulletin appeared and the third volume (1988) of the Annual Review of Ocean Affairs: law and policy, main documents was published, providing practitioners and researchers with an overview, in one convenient source, of the main developments in the area.

In 1990, the Office proceeded with the development of LOSIS, its computerized Law of the Sea Information System. The System, composed of a group of data bases, each containing information relating to the different aspects of the law of the sea, was being supplemented by additional marine-related data. All currently available references to legislation and regulations were coded into the National Marine Legislation Database (LEGISLAT), which comprised some 3,822 entries. The latest addition to LOSIS, the Law of the Sea Bibliographical Information System, was under development, and was to comprise all holdings of the Law of the Sea Library, indexed by author, title, subject, etc., to be accessed according to State or geographical area dealt with in the article or book concerned. The Ocean Affairs and Law of the Sea Library and Reference Collection continued to serve the needs of Member States and Permanent Missions to the United Nations, as well as Secretariat staff and researchers from academic institutions. In 1990, it published the fifth [Sales No. E.90.V.8] in the series of annual bibliographies on the law of the sea and marine affairs.

The Office also continued its co-operation within the UN system, for example with the Inter-Secretariat Committee on Scientific Programmes Relating to Oceanography (ICSPRO) and the Joint Group of Experts on Scientific Aspects of Marine Pollution. The Office hosted the thirty-eighth session of ICSPRO in May 1990 in Geneva.

Chapter IV

Other legal questions

In 1990, the United Nations continued to consider various aspects of international law and of international economic law.

In November, the General Assembly adopted the programme of activities for the first term (1990-1992) of the United Nations Decade of International Law, which the Assembly had declared in 1989. It also appealed to States, international organizations, non-governmental organizations and the private sector to make financial contributions for the implementation of the programme.

The twenty-sixth session of the International Law Seminar was held at Geneva from 5 to 22 June, attended by 20 participants, mostly from developing countries. Noting that not all applicants who had asked for financial assistance could be awarded fellowships, the International Law Commission appealed to States that could do so to make voluntary contributions needed to enable the convening of the Seminar in 1991.

Legal aspects of international economic law and the new international economic order were examined by the United Nations Commission on International Trade Law (UNCITRAL). The Commission dealt with the topics of international countertrade, procurement, guarantees and stand-by letters of credit, legal problems of electronic data interchange and draft Model Laws on International Credit Transfers and on Procurement. It reviewed the status of conventions that had resulted from its previous work, as well as its programme of training and assistance. The Assembly repeated its invitation to States that had not yet done so to consider signing, ratifying or acceding to the conventions elaborated under the auspices of the Commission.

Furtherance of international law

United Nations Decade of International Law

In November 1989, the General Assembly had declared the period 1990-1999 as the United Nations Decade of International Law [GA res. 44/23], the main purposes of which would be to promote acceptance of and respect for the principles of in-

ternational law; promote means and methods for the peaceful settlement of disputes between States, including resort to and full respect for the International Court of Justice; and encourage the progressive development of international law and its codification, as well as its teaching, study, dissemination and wider appreciation.

Between 5 October and 8 November 1990, the Working Group on the United Nations Decade of International Law of the Assembly's Sixth (Legal) Committee considered the report [a/45/430 & Corr.1 & Add.1-3] of the Secretary-General on the item, which was submitted pursuant to the Assembly resolution establishing the Decade. The report contained the replies of Member States, international bodies and non-governmental organizations (NGOs) to the Secretary-General's request for their views on the programme for the Decade, including the possibility of holding a third international peace conference or other suitable international conference at the end of the Decade. (The first International Peace Conference was held at The Hague, Netherlands, in 1899. A second International Peace Conference took place in 1907, also at The Hague.) On the basis of the report and its discussions, the Working Group elaborated the draft programme for the activities to be commenced during the first term of the Decade.

GENERAL ASSEMBLY ACTION

On 28 November, the General Assembly adopted resolution 45/40.

United Nations Decade of International Law

The General Assembly,

Recalling its resolution 44/23 of 17 November 1989 by which it declared the period 1990-1999 the United Nations Decade of International Law,

Recalling also that the main purposes of the Decade, according to resolution 44/23, should be, *inter alia*:

(a) To promote acceptance of and respect for the principles of international law;

(b) To promote means and methods for the peaceful settlement of disputes between States, including resort to and full respect for the International Court of Justice;

(c) To encourage the progressive development of international law and its codification;

(d) To encourage the teaching, study, dissemination and wider appreciation of international law;

Recalling further that it decided to consider the clue-sion of the programme for the Decade and of appropri-

ate action to be taken during the Decade at its forty-fifth session,

Expressing its appreciation for the Secretary-General's report on the United Nations Decade of International Law, submitted pursuant to resolution 44/23,

Noting that the Sixth Committee established the Working Group on the United Nations Decade of International Law with a view to preparing generally acceptable recommendations for the Decade.

Having considered the report of the Sixth Committee submitted to that end,

1. Expresses its appreciation to the Sixth Committee for the elaboration, within the framework of its Working Group, of the 'programme for the activities to be commenced during the first term (1990-1992) of the United Nations Decade of International Law, and requests the Working Group to continue its work at the forty-sixth session in accordance with its mandate and methods of work;

2. Adopts the programme for the activities to be commenced during the first term (1990-1992) of the Decade as an integral part of the present resolution, to which it is annexed;

3. Expresses its appreciation to States and international organizations for taking the initiative to sponsor conferences on various subjects of international law;

4. Invites all international organizations and institutions referred to in the programme to undertake the relevant activities outlined therein and, as appropriate, to submit to the Secretary-General interim or final reports for transmission to the General Assembly at the forty-sixth session or, at the latest, the forty-seventh session;

5. Requests the Secretary-General to submit a progress report to the General Assembly at its forty-sixth session on the implementation of the programme;

6. Appeals to States, international organizations and non-governmental organizations working in this field and to the private sector to make financial contributions or contributions in kind for the purpose of facilitating the implementation of the programme;

7. Requests the Secretary-General to bring the present resolution to the attention of States and appropriate international bodies, as well as non-governmental organizations working in the field;

8. Decides to include in the provisional agenda of its forty-sixth session the item entitled "United Nations Decade of International Law".

ANNEX

Programme for the activities to be commenced during the first term (1990-1992) of the United Nations Decade of International Law

I. Promotion of the acceptance of and respect for the principles of international law

1. The General Assembly, bearing in mind that maintenance of international peace and security is the underlying condition for the success of the implementation of the programme of the United Nations Decade of International Law, calls upon States to act in accordance with international law, and particularly the Charter of the United Nations.

2. States are invited to consider, if they have not yet done so, becoming parties to existing multilateral treaties, in particular those relevant to the progressive development of international law and its codification. In-

ternational organizations under whose auspices such treaties are concluded are invited to indicate whether they publish periodic reports on the status of ratifications of and accessions to multilateral treaties and, if they do not, to indicate whether in their view such a process would be useful. Consideration should be given to the question of treaties which have not achieved wider participation or entered into force after a considerable lapse of time and the circumstances causing the situation.

3. States and international organizations are encouraged to provide assistance and technical advice to States, in particular to developing countries, to facilitate their participation in the process of multilateral treaty-making, including their adherence to and implementation of such multilateral treaties.

4. States are encouraged to report to the Secretary-General on ways and means, as provided for by the multilateral treaties to which they are parties, regarding the implementation of such treaties. The Secretary-General is requested to prepare a report on the basis of this information and to submit it to the General Assembly.

II. Promotion of means and methods for the peaceful settlement of disputes between States, including resort to and full respect for the International Court of Justice

1. The United Nations system of organizations and regional organizations, including the Asian-African Legal Consultative Committee, as well as the International Law Association, the Institute of International Law, the Hispano-Luso-American Institute of International Law and other international institutions working in the field of international law, and national societies of international law, are invited to study the means and methods for the peaceful settlement of disputes between States, including resort to and full respect for the International Court of Justice, and to present suggestions for the promotion thereof to the Sixth Committee.

2. States are invited to make proposals to the Sixth Committee in respect of the promotion of means and methods for the peaceful settlement of disputes between States, including resort to and full respect for the International Court of Justice.

3. The Sixth Committee is requested to consider, taking into account the above-mentioned suggestions and proposals, and, where appropriate, on the basis of a report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, or of the Working Group on the United Nations Decade of International Law, the following questions:

(a) Strengthening the use of means and methods for the peaceful settlement of disputes, with particular attention to the role to be played by the United Nations, as well as methods for early identification and prevention of disputes and their containment;

(b) Procedures for the peaceful settlement of disputes arising in specific areas of international law;

(c) Ways and means of encouraging greater recognition of the role of the International Court of Justice and its wider use in the peaceful settlement of disputes;

(d) Enhancement of co-operation of regional organizations with the United Nations system of organi-

zations in respect of the peaceful settlement of disputes.

III. Encouragement of the progressive development of international law and its codification

1. International organizations, including the United Nations system of organizations and regional organizations, are invited to submit to the Secretary-General of the United Nations summary information regarding the programmes and results 'of their work relevant to the progressive development of international law and its codification, including their suggestions for future work in their specialized field, with an indication of the appropriate forum to undertake such work. Similarly, the Secretary-General is requested to prepare a report on the relevant activities of the United Nations, including those of the International Law Commission. Such information should be presented in a report by the Secretary-General to the Sixth Committee.

2. On the basis of the information mentioned in paragraph 1 of the present section, States are invited to submit suggestions for consideration by the Sixth Committee and, as appropriate, recommendation. In particular, efforts should be made to identify areas of international law which might be ripe for progressive development or codification.

3. The Sixth Committee is requested to study, taking into account General Assembly resolution 684(VII) of 6 November 1952, its co-ordinating role with respect to, *inter alia*, the drafting of provisions of a legal nature and the consistent use of legal terminology in international instruments adopted by the General Assembly.

4. The Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization is requested to continue studying possible measures to strengthen the United Nations system for the maintenance of international peace and security. States, particularly those that proposed the inclusion of this question in the programme for the Decade, are invited to present draft texts to the Secretary-General or the Special Committee for consideration.

IV. Encouragement of the teaching, study, dissemination and wider appreciation of international law

1. The Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law is requested, in the context of the Decade, to formulate relevant guidelines for the Programme's activities and to report to the Sixth Committee on the activities carried out under the Programme in accordance with such guidelines. Special emphasis should be given to supporting academic and professional institutions already carrying out research and education in international law, as well as to encouraging the establishment of such institutions where they might not exist, particularly in the developing countries. States are encouraged to contribute to the strengthening of the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law.

2. States should encourage their educational institutions to introduce courses in international law for students studying law, political science, social sciences and other relevant disciplines; they should study the

possibility of introducing topics of international law in the curricula of schools at the primary and secondary levels. Co-operation between institutions at the university level amongst developing countries, on the one hand, and their co-operation with those of developed countries on the other, should be encouraged.

3. States should consider convening conferences of experts at the national and regional levels in order to study the question of preparing model curricula and materials for courses in international law, training of teachers in international law, preparation of textbooks on international law and the use of modern technology to facilitate the teaching of and research in international law.

4. The United Nations system of organizations, regional organizations and States should consider organizing seminars, symposia, training courses, lectures and meetings and undertaking studies on various aspects of international law. States and regional organizations have already expressed their readiness to undertake such activities on the following subjects: developing countries and international law (China); developing countries and international legislation on the environment (China); law of the sea (Yugoslavia); joint ventures in deep sea-bed mining (Asian-African Legal Consultative Committee); and promotion of the ratification of the United Nations conventions on refugees (Asian-African Legal Consultative Committee).

5. States are encouraged to organize special training in international law for legal professionals, including judges, and personnel of ministries of foreign affairs and other relevant ministries. The United Nations Institute for Training and Research, the United Nations Educational, Scientific and Cultural Organization, the Hague Academy of International Law and regional organizations are invited to co-operate in this respect with States.

6. Co-operation among developing countries, as well as between developed and developing countries, in particular among those persons who are involved in the practice of international law, for exchanging experience and for mutual assistance in the field of international law, including assistance in providing textbooks and manuals of international law, is encouraged.

7. In order to make better known the practice of international law, States, regional and other international organizations should endeavour to publish, if they have not done so, summaries, repertories or year-books of their practice.

8. It would be conducive to the teaching and dissemination of international law if all judgments and advisory opinions of the International Court of Justice were available in all official languages of the United Nations. As envisaged in General Assembly resolution 44/28 of 4 December 1989 and bearing in mind the wishes expressed by States, the Sixth Committee will consider, at the forty-sixth session of the Assembly, the Secretary-General's report containing a study of alternative means of making the publications of the International Court of Justice available in all the other official languages in addition to French and English, within the existing overall level of appropriations and in a way which meets the concerns expressed by the Court. Such a study should also consider the possibility, within the existing overall level of appropriations, of compiling and publishing thematic and analytical

summaries of the judgments and advisory opinions of the International Court of Justice.

9. Other international courts and tribunals, including the European Court of Human Rights and the Inter-American Court of Human Rights, are invited to disseminate more widely their judgements and advisory opinions, and to consider preparing thematic or analytical summaries thereof.

10. International organizations are requested to publish treaties concluded under their auspices, if they have not yet done so. Timely publication of the United Nations Treaty Series is encouraged and efforts directed towards adopting an electronic form of publication should be continued. Timely publication of the United Nations Juridical Yearbook is also encouraged.

V. Procedures and organizational aspects

1. The Sixth Committee, working primarily through its Working Group and with the assistance of the Secretariat, will be the co-ordinating body of the programme for the United Nations Decade of International Law. The question of the use of an intra-sessional, inter-sessional or existing body to carry out specific activities of the programme may be considered by the General Assembly.

2. The Sixth Committee is requested to continue to prepare the programme of activities for the Decade.

3. All organizations and institutions referred to and invited to submit reports to the Secretary-General under sections I to IV above are requested to submit interim or final reports preferably at the forty-sixth session but not later than the forty-seventh session of the General Assembly.

4. States are encouraged to establish, as necessary, national, subregional and regional committees which may assist in the implementation of the programme for the Decade. Non-governmental organizations are encouraged to promote the purposes of the Decade within the fields of their activities, as appropriate.

5. It is recognized that, within the existing overall level of appropriations, adequate financing for the implementation of the programme for the Decade is necessary and should be provided. Voluntary contributions from Governments, international organizations and other sources, including the private sector, would be useful and are strongly encouraged. To this end, the establishment of a trust fund to be administered by the Secretary-General might be considered by the General Assembly.

General Assembly resolution 45/40

28 November 1990 Meeting 48 Adopted without vote

Approved by Sixth Committee (A/45/733) without vote, 19 November (meeting 44); 65-nation draft (A/C.6/45/L.16); agenda item 138.

Meeting numbers. GA 45th session: 6th Committee 39-42, 44; plenary 48.

International Law Seminar

Pursuant to General Assembly resolution 44/35 [YUN 1989, p. 849], the United Nations Office at Geneva organized the twenty-sixth session of the International Law Seminar, held from 5 to 22 June [A/45/10]. The Seminar was intended for post-graduate students of international law and young professors or government officials dealing with questions of international law in their work.

Of some 80 applicants, 24 candidates, mostly from developing countries, were selected; 17 of them, as well as three United Nations Institute for Training and Research (UNITAR) fellows, were able to participate. During the Seminar, they attended the meetings of the International Law Commission (ILC) and lectures specifically organized for them. Topics dealt with included the work and the historical and legal development of ILC, the relationship between public international law and politics, and specific issues in international law. The Seminar was funded by Member States through voluntary contributions and through national fellowships awarded by Governments to their own nationals. Austria, Bahrain, Cyprus, Denmark, Finland, the Federal Republic of Germany, Ireland, New Zealand, the Philippines, Sweden and Switzerland provided voluntary contributions, making possible 13 full fellowships and one partial fellowship in 1990, as well as ensuring geographical distribution of participants and allowing deserving candidates from distant countries to attend who would otherwise have been prevented from participating. The Commission noted with regret, however, that in 1990 not all applicants who had asked for financial assistance could be awarded fellowships, and appealed to States that were able to do so to make voluntary contributions for the holding of the Seminar in 1991. Since the first Seminar in 1964, fellowships had been awarded to 294 of 576 participants representing 142 nationalities.

The Commission decided that the twenty-seventh session of the Seminar, to be held in 1991, would be dedicated to the memory of Paul Reuter, a recently deceased member of ILC, and entitled The Paul Reuter Session.

Siena Forum

By a note verbale of 23 October [A/45/666], Italy transmitted to the Secretary-General the conclusions of the Siena Forum on International Law of the Environment, which was held from 17 to 21 April 1990, as a follow-up to the Economic Declaration of the summit of the seven most industrialized countries (Paris, July 1989). Scholars, diplomats and experts from 30 States and 8 international organizations participated in the forum, whose purpose was to examine the need for a digest of existing rules of international law for the environment and to give in-depth consideration to the legal aspects of environment at the international level.

The Economic Declaration of the seven most industrialized countries' summit (Houston, Texas, United States, July 1990) noted with inter-

est the conclusions of the forum and suggested that they be considered by the 1992 UN Conference on Environment and Development.

International economic law

In 1990, legal aspects of international economic law continued to be considered by the United Nations Commission on International Trade Law (UNCITRAL) and by the Sixth Committee of the General Assembly.

International trade law

Report of UNCITRAL

In 1990, UNCITRAL held its twenty-third session from 25 June to 6 July in New York. The Commission dealt with topics such as international countertrade, procurement, guarantees and stand-by letters of credit, legal problems of electronic data interchange and the draft Model Law on International Credit Transfers. It also reviewed the status of conventions that had resulted from its previous work, and its programme of training and assistance.

On 3 October, the Trade and Development Board of the United Nations Conference on Trade and Development (UNCTAD) took note [A/45/15] of the report of UNCITRAL on its twenty-third session [A/45/17].

Unification of trade law

International countertrade

In 1990, the Commission had before it sample chapters [A/CN.9/332 & Add.I-7] of a draft legal guide on drawing up contracts in international countertrade transactions. The chapters covered the guide's scope and terminology; contracting approach; general remarks on drafting; type, quality and quantity of goods; pricing; payment; and security for performance. UNCITRAL agreed with the overall approach and the structure of the guide.

During the Commission's discussion, it was stated that countertrade was an inefficient manner to carry on international trade and was detrimental to both developed and developing States as it distorted competition in international markets as well as the terms of trade of the participants themselves. The view was expressed that the legal guide should be drafted in such a way that it would not indicate specific approval of that type of trade or encourage parties to engage in it.

UNCITRAL decided that the Secretariat should complete the preparation of the remaining chapters and submit them to a working group for consideration. It also decided that the Secretariat should redraft the chapters presented to it at its current session, as well as the chapters to be submitted to the working group in the light of the discussion in the Commission and the working group. The final text of the legal guide was to be presented to the Commission in 1992.

International credit transfers

The Commission reviewed the reports of the Working Group on International Payments on its nineteenth (July 1989) [A/CN.9/328] and twentieth (November/December 1989) sessions [A/CN.9/329], at which the Working Group had continued consideration of the draft Model Law on International Credit Transfers.

The Commission noted that at the close of the Working Group's twentieth session, the United States had expressed concern about the direction the Model Law project had taken and had suggested the possibility of separating the Model Law into two parts, one applicable to high-speed electronic systems and the other applicable to slower systems. UNCITRAL noted that the United States had submitted a specific proposal to implement its suggestion, which would be before the Working Group later in the month. The Commission expressed its confidence that the Working Group would be able to resolve the outstanding issues so that a text could be presented to the Commission at its twenty-fourth session in 1991.

Guarantees and stand-by letters of credit

UNCITRAL considered the report [A/CN.9/330] of the Working Group on International Contract Practices on the work of its thirteenth session, held in New York from 8 to 18 January 1990.

The Commission noted that the Working Group had begun examining possible issues concerning a uniform law on guarantees and stand-by letters of credit, as discussed in a note by the Secretariat [A/CN.9/WG.II/WP.65], relating to the substantive scope of the uniform law, party autonomy and its limits and possible rules of interpretation. It also noted that the Working Group had engaged in a preliminary exchange of views on the form and time of establishment of the guarantee or stand-by letter of credit.

The Working Group had requested the Secretariat to submit to its next session, to be held at Vienna from 3 to 14 September 1990, a first draft set of articles (with possible variants) on the above matters, as well as a note discussing other possible issues to be covered by the uniform law. The

Commission expressed its appreciation for the progress made by the Working Group so far and requested it to continue carrying out its task expeditiously.

Electronic data interchange

At its 1990 session, UNCITRAL had before it a report of the Secretary-General [A/CN.9/333] containing a preliminary study of legal issues related to the formation of contracts by electronic means. The report summarized work undertaken in the European Community and in the United States on the requirement that certain transactions be concluded in writing, as well as other issues that had been identified as arising from the formation of contracts by electronic means. Efforts to overcome related problems by the use of model communication agreements were also discussed.

The Commission expressed its appreciation for the report and requested the Secretariat to continue its examination of the legal aspects of the issue. It also asked the Secretariat to prepare for it at its twenty-fourth session a further report, on the basis of which it hoped to decide what work it might undertake in the field of electronic data interchange.

Co-ordination of work

UNCITRAL in 1990 examined a report [A/CN.9/336] of the Secretary-General on current activities of international organizations related to the harmonization and unification of international trade law. That report updated the information contained in an earlier report [YUN 1989, p. 855] submitted to the Commission in 1989 and dealt with a number of topics, including international commercial contracts in general, transnational corporations, international payments and commercial arbitration, and private international law.

UNCITRAL noted that the report was a valuable compilation of information on the activities of international organizations related to the harmonization and unification of international trade law and assisted the Commission in developing its own programme of work and fostering co-ordination in the activities of the various international organizations.

Training and assistance

In 1990, UNCITRAL had before it a note [A/CN.9/335] by the Secretariat describing training and assistance activities that had been carried out during the prior year, as well as possible future activities. The note indicated that the Secretariat had endeavoured to devise a more extensive programme of training and assistance than previ-

ously, keeping in mind the Commission's 1981 decision that a major purpose of training and assistance should be the promotion of the texts prepared by it.

During the year, UNCITRAL continued to organize and participate in seminars and symposia on international trade law. It co-sponsored a seminar to familiarize the legal community with UNCITRAL texts (Conakry, Guinea, 27-29 March). The seminar drew 120 participants and was hosted by the Government and organized in conjunction with the Ministry of Foreign Affairs. Twenty-one participants from developing countries attended a seminar in Moscow (17-21 April 1990) on the work of the Commission, which was financed from a trust fund established by the USSR with the United Nations Development Programme (UNDP), and hosted by the School of International Private and Civil Law and the School of International Business of the Moscow State Institute for Foreign Relations.

The Commission expressed its appreciation to all those who had participated in the organization of the various seminars, in particular to the Asian-African Legal Consultative Committee (AALCC) and the Moscow State Institute for Foreign Relations, and to UNDP and the Governments of Canada, Finland, France, Luxembourg, Switzerland and the USSR, whose contributions had enabled seminars to take place.

Legal aspects of the new international economic order

In 1990, UNCITRAL and the General Assembly's Sixth Committee continued to deal with legal aspects of the new international economic order.

UNCITRAL consideration. The Commission had before it the report [A/CN.9/331] of the Working Group on the New International Economic Order on the work of its eleventh session (New York, 5-16 February 1990), at which it considered the draft Model Law on Procurement prepared by the Secretariat, whose 35 draft articles covered application of the law, definitions, underlying policies, methods of procurement, eligibility of contractors and suppliers, notices of proposed procurement, and other aspects and phases of the procurement process. During the general discussion, it was noted that, as currently drafted, the Model Law did not deal with certain issues that were addressed in the General Agreement on Tariffs and Trade (GATT) Agreement on Government Procurement; in response, it was observed that the nature and scope of the Model Law, which was a model for national legislation, differed from that of the GATT Agreement, which

was a multilateral agreement, and that the Model Law sought to take account of the needs and interests of developing countries. A view was expressed that the Model Law was too complex, and the Working Group endorsed its earlier decision that the Model Law be accompanied by a commentary, but no final decision was taken as to the functions or structure of the latter.

At the close of the session, the Working Group requested the Secretariat to prepare for its twelfth session draft provisions of the Model Law that would deal with redress for actions and decisions taken by the procuring entity contrary to the provisions of the Model Law, and to revise the text of the draft Model Law to take into account the discussions and decisions of the eleventh session.

The Commission expressed appreciation for the work performed by the Working Group thus far and requested it to proceed expeditiously with its work. The view was expressed that the work on the Model Law should take into account its possible relevance to procurement conducted by private companies which, for certain large purchases, were increasingly resorting to the types of procedures laid down in the draft Model Law.

GENERAL ASSEMBLY ACTION

On 28 November, the General Assembly adopted resolution 45/42.

Report of the United Nations Commission
on International Trade Law on the
work of its twenty-third session

The General Assembly,

Recalling its resolution 2205(XXI) of 17 December 1966, by which it created the United Nations Commission on International Trade Law with a mandate to further the progressive harmonization and unification of the law of international trade and in that respect to bear in mind the interests of all peoples, in particular those of developing countries, in the extensive development of international trade, as well as its resolutions 43/166 of 9 December 1988 and 44/33 of 4 December 1989,

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 considered the report of the United Nations Commission on International Trade Law on the work of its twenty-third session,

Mindful of the valuable contribution to be rendered by the United Nations Commission on International Trade Law within the framework of the United Nations Decade for International Law, particularly as regards the dissemination of 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 twenty-third session;

2. 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 those regional organizations, active in the field of international trade law;

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;

4. Reaffirms the importance, in particular for 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 seminars and symposia, in particular those organized on a regional basis, to promote such training and assistance;

5. Requests the Secretary-General, in consultation with the Commission's secretariat, to prepare a report with a view to analysing possible ways by which assistance could be given to developing countries that are members of the Commission, in particular least developed countries, so that they may attend meetings of the Commission and its working groups, bearing in mind the arrangements that exist for United Nations bodies generally, pursuant to resolution 43/217, section IX, of 21 December 1988, and to submit it to the General Assembly at its forty-sixth session;

6. Repeats its invitation to those States which have not yet done so to consider signing, ratifying or acceding to the conventions elaborated under the auspices of the Commission.

General Assembly resolution 45/42

28 November 1990 Meeting 48 Adopted without vote

Approved by Sixth Committee (A/45/736) without vote, 16 November meeting 43; 32-nation draft (A/C.6/45/L.10); agenda item 141.

Meeting numbers. GA 45th session: 6th Committee 3-5, 43; plenary 48.

PART SIX

Administrative and budgetary questions

Chapter I

United Nations financing and programming

In 1990, the financial uncertainty facing the UN system continued at a time when, as the Secretary-General observed, certain developments-especially the lifting of the deadening weight of the cold war and renewed vigour in the democratization process-had opened enormous opportunities to expand advances already made by the Organization.

The Administrative Committee on Co-ordination in June reiterated its profound concern regarding mounting arrears in contributions to the various regular budgets, which jeopardized international co-operation in the political, economic and technical fields. The Secretary-General, in December, stated that the possibility of imminent bankruptcy had been his constant preoccupation at the very time the United Nations had been called upon to undertake challenging new tasks. Once again, the General Assembly urged all Member States to meet their financial obligations under the Charter by paying promptly and in full all assessed contributions.

The revised budget appropriations for the biennium 1990-1991 added nearly \$160 million to the previously appropriated \$1,975 billion. Questions relating to the financing of UN peace-keeping operations were transmitted to the resumed Assembly session. Priorities for the proposed programme budget for 1992-1993 were stated by the Secretary-General to be peace-making, Africa, international drug control, and the environment and development.

The Secretary-General, in April, reported on the restructuring and reform of the United Nations, stating that the programme of administrative reforms initiated in 1986 had been largely implemented. There had been an 11.95 per cent reduction in regular-budget posts over three years. The Assembly encouraged the Secretary-General to continue implementing reform.

The Committee on Contributions continued to work on the methodology for determining the scale of assessments of Member States' contributions to the UN budget and discussed at length ways to improve communication between Member States and the Committee. The Assembly requested the Committee to continue working to improve the methodology for the preparation of future scales. It determined the rates of

assessment for two new Member States, Namibia and Liechtenstein, as well as for Germany, following the accession of the German Democratic Republic to the Federal Republic of Germany in October, and Yemen, after the merger of the People's Democratic Republic of Yemen and the Yemen Arab Republic in May.

The accounts and financial statements for the year of the biennium ended 31 December 1989 for the United Nations and eight development and humanitarian programmes were accepted by the Assembly in 1990, together with conclusions and recommendations of the Board of Auditors. Efforts to improve programme planning, performance and evaluation continued throughout 1990.

The Assembly adopted the medium-term plan for 1992-1997, reaffirming its role as the United Nations principal policy directive. The Assembly also urged the Secretary-General to develop procedures to ensure that evaluation was fully integrated into the programme planning cycle. Harmonization of budgeting procedures among organizations of the UN system was considered by the Joint Inspection Unit, the Administrative Committee on Co-ordination and the Advisory Committee on Administrative and Budgetary Questions. The Assembly reiterated the importance of co-ordination as a policy instrument in improving the organizations' performance.

UN financing

Financial situation

ACC decision. In June, the Administrative Committee on Co-ordination (ACC), chaired by the Secretary-General and composed of the heads of all organizations of the UN system, adopted a decision [ACC/1990/DEC/1-14 (dec. 1990/6)] reiterating profound concern over the mounting arrears in contributions to the regular budgets of the organizations of the UN system. The consequent lack of resources had serious programmatic consequences and jeopardized international co-operation in the political, economic, technical and social fields, ACC said; therefore, it

requested all Member States to pay their current and outstanding contributions promptly and in full, in order to enable the organizations of the system to continue to fulfil effectively the mandates entrusted to them by the international community.

Reports of Secretary-General. In an October analysis of the UN financial situation [A/C.5/45/17], requested by the General Assembly in resolution 44/195 B [YUN 1989, p. 863], the Secretary-General noted that every year since 1965 the Assembly had included an item on the financial emergency of the United Nations in its agenda. Despite the appeals and expressions of commitment contained in related Assembly resolutions, solutions had not been found; thus the Organization's financial situation continued to be as precarious as ever.

The primary means of resolving the financial difficulties, and the one which would result in the lowest cost to Member States, was the prompt payment by every Member State, within 30 days of receipt of an assessment letter, of all assessed contributions in accordance with the financial regulations. Other options, such as authority to borrow commercially when required and issuance of certificates of indebtedness against the arrears of Member States, had received negative reactions in the past and, therefore, the Secretary-General said, he had not put them forward. Voluntary contributions, though welcome when freely and unconditionally given, were unlikely to be adequate to resolve the situation.

In a December report [A/45/830], the Secretary-General noted that throughout 1990 the financial crisis, with possible bankruptcy imminent, had cast a shadow over the Organization at the very time when it was called on to undertake challenging new tasks.

As at 30 November, \$290 million—or 35.1 per cent of the year's total regular budget assessments of \$826.8 million—remained unpaid, so that together with arrears of \$117.3 million for prior years, total assessed contributions outstanding amounted to \$407.3 million. Cash reserves—the Working Capital Fund and the Special Account, totalling some \$223 million—were replenished only during March; throughout the other months of 1990, those reserves had to be constantly drawn on to meet current operating requirements, and by November they were exhausted. Consequently, for the first time since 1986, the Secretary-General was obliged to borrow from peace-keeping funds in order to meet cash requirements for regular budget obligations.

The pattern of payments by the membership as a whole was much less encouraging in 1990 than in previous years. By 30 November, only 64 Member States had fully paid their assessed contributions to the regular budget, in contrast to 72 at the same time in 1989. Of the 93 Member States still in arrears, 50 owed more than their 1990 assessments, 11 owed an equal amount, and 32 owed less than that assessment. By the beginning of December, 24 Member States had made no payments at all, as opposed to 22 at the same time in 1989. It was expected that the Organization would have only \$73.4 million in cash reserves by the end of 1990, leaving a deficit in the reserves of \$148.6 million, while unpaid assessed contributions would remain at \$390.7 million.

The only real solution to the financial crisis was, according to the Secretary-General, payment by all Member States of their assessed contributions in full and on time. Until that basic legal obligation under the Charter was honoured by all without exception, the threat of financial collapse would continue to haunt the Organization. To place the United Nations on a sound financial footing, additional steps had to be taken: the reserves had to be re-established and maintained, and the level of the Working Capital Fund increased substantially, to \$200 million or even higher to as much as 25 per cent of the regular budget on an annual basis, as the only realistic buffer between the Organization and bankruptcy.

ACABQ report. In a December report [A/45/860], the Advisory Committee on Administrative and Budgetary Questions (ACABQ) stated that it did not see an increase in the Working Capital Fund as a solution, even a partial one, to UN financial difficulties. Increasing the Fund prior to resolving the financial difficulties could worsen the situation, since outstanding obligations of certain Member States might increase as a result. To increase current or future assessments while some Member States still owed significant amounts on prior assessments would have the result that those which had fulfilled their financial obligation had to pay the shortfall created by those which had not. ACABQ, therefore, recommended that a decision on increasing the Fund level be undertaken only when the principle of payment by Member States of their full obligations to the Organization—the underpinning of the financial health of the United Nations—was honoured.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolutions 45/236 A and B.

Current financial crisis and financial emergency of the United Nations

A

The General Assembly,

Recalling the purposes and principles of the Charter of the United Nations and, in particular, Article 17 thereof,

Recalling also its resolutions 41/213 of 19 December 1986, 42/211 and 42/212 of 21 December 1987, 43/215 of 21 December 1988 and 44/195 A of 21 December 1989,

Deeply concerned that the current financial crisis threatens the financial solvency, stability and work of the Organization,

Noting the significant efforts made by Member States to pay their assessed contributions in full or to reduce the level of their outstanding contributions,

Reaffirming the need for a durable, reliable and last-inn financial foundation for the Organization, in accordance with the Charter,

Taking note of the report of the Secretary-General on the current financial crisis of the United Nations, the related report of the Advisory Committee on Administrative and Budgetary Questions and the views expressed by Member States in the Fifth Committee on this subject,

1. Reiterates the legal obligation of all Member States, under the Charter of the United Nations, to finance the expenses of the Organization as apportioned by the General Assembly;

2. Requests all Member States to pay their outstanding and current assessed contributions in full and in a timely manner in accordance with regulation 5.4 of the Financial Regulations of the United Nations;

3. Requests the Secretary-General to continue to monitor the financial situation of the United Nations and to keep the President of the General Assembly and the chairmen of the regional groups informed so as to facilitate consideration by Member States if the situation so requires;

4. Also requests the Secretary-General to communicate to all Member States the latest information on the current financial crisis facing the Organization and to submit a report giving his best projections of the financial situation of the Organization to the General Assembly at its forty-sixth session by 15 November 1991, followed by additional and more up-to-date information as soon as possible.

B

The General Assembly,

Recalling its resolutions 42/216 A of 21 December 1987, 43/220 of 21 December 1988, 44/195 B of 21 December 1989 and all previous related resolutions,

Noting the increased importance of the role of the Organization in peace-keeping and, in this regard, recalling paragraph 8 of resolution 45/75 of 11 December 1990,

Having considered the report of the Secretary-General on the analysis of the financial situation of the United Nations, and the related report of the Advisory Committee on Administrative and Budgetary Questions,

Noting the improvement in the level of the short-term deficit of the Organization, which it is estimated will be reduced to 260. million dollars as at 31 December 1990,

Concerned at the precarious financial situation of all peace-keeping operations and noting that troop-contributing Member States, including the developing country troop contributors of past and present peace-keeping operations, have borne most of the burden of the deficit,

Noting with concern the long delays in payment and the partial and non-payment of assessed contributions to past and current peace-keeping operations,

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 VI to the report of the Secretary-General on the analysis of the financial situation of the United Nations,

Considering the views expressed by Member States in the Fifth Committee during the forty-fifth session,

1. Urges all Member States to meet their financial obligations under the Charter of the United Nations by paying promptly and in full all assessed contributions, including advances to the Working Capital Fund and assessments relating to peace-keeping operations;

2. Expresses its appreciation to all Member States that pay their assessed contributions in full in accordance with regulation 5.4 of the Financial Regulations of the United Nations;

3. Requests the Secretary-General, in addition to sending 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 the expeditious payment in full of all outstanding assessed contributions to all peace-keeping operations, as well as seeking further voluntary contributions for peace-keeping operations;

4. Also requests the Secretary-General to include in his report on the financial emergency of the United Nations, on a regular basis, a detailed analysis of the financial situation of the Organization, including reimbursements owed to Member States for their participation in peace-keeping operations;

5. Takes note of the proposal of the Secretary-General for an increase in the level of the Working Capital Fund and the observations of the Advisory Committee on Administrative and Budgetary Questions in this regard and decides to revert to this matter, if necessary, at the forty-sixth session;

6. Requests the Secretary-General to submit a report on the financial emergency of the United Nations to the General Assembly each year by 10 October, including therein the results of his efforts in implementation of paragraph 3 of the present resolution.

General Assembly resolutions 45/236 A and B
21 December 1990 Meeting 72 Adopted without vote

Approved by Fifth Committee (A/45/883 & A/45/884) without vote, 18 December (meeting 49); draft by India (A/C.5/45/L.17), following informal consultations; agenda items 120 & 121.

Meeting numbers. GA 45th session: 5th Committee 47-49; plenary 72.

Financing of peace-keeping operations

Support account

Report of Secretary-General. In September, the Secretary-General presented a report [A/45/493], in response to General Assembly reso-

lution 44/192 A [YUN 1989, p. 881], on a proposed support account for peace-keeping operations. The account would cover overload posts, which were designed to meet the additional work-load and to provide administrative support and back-stopping for good offices and peace-keeping operations financed outside the regular UN programme budget. The support account would also establish a single mechanism for the distribution of costs among the various peace-keeping operations. The account was to be financed initially from the combination of resources already included in the approved peace-keeping budgets, specifically for overload posts. Beginning in 1991, the financing would be through the inclusion of a provision in the budget of each peace-keeping operation, in an amount equal to the average ratio of the cost of overload posts to the cost of the civilian component. For 1991, it was estimated that \$7 million (\$5.6 million net) would be required for the account. The Secretary-General requested the Assembly to authorize establishment of the account.

ACABQ comments. The Advisory Committee on Administrative and Budgetary Questions (ACABQ), in a November report [A/45/801], concurred in the interim establishment of a support account for peace-keeping operations, pending approval by the General Assembly of arrangements to begin in 1991. The Committee expressed some reservations with regard to the application of an "across-the-board" percentage in the financing method, in that this might not reflect the varied requirements of different peace-keeping operations. It intended to keep both the percentage approved by the Assembly and the methodology on which it was based under review, and would recommend changes as necessary. Also, it would review each request for the creation of additional posts to ensure that every effort had been made to achieve savings through the consolidation of functions whenever possible.

Bearing in mind its observations, ACABQ recommended that the Assembly approve the establishment of the support account.

Reserve stock

Report of Secretary-General. At the end of October, the Secretary-General reported [A/45/493/Add.I], as requested by General Assembly resolution 44/192 A [YUN 1989, p. 881], on the feasibility and cost-effectiveness of a reserve stock of equipment and supply items for UN peace-keeping activities. An estimated \$15 million would be needed to acquire such a reserve stock in order to enable rapid deployment and start-up of the various components of newly es-

tablished operations. The major items in the proposed stock would be motor vehicles of various types and trailers, costing an estimated \$8 million, and communications equipment in the amount of \$4.6 million.

ACABQ comments. The Advisory Committee commented on the Secretary-General's proposal for a reserve stock for peace-keeping in a November report [A/45/801]. In principle, the Committee believed a reserve stock of equipment and supply items would be beneficial. However, it was informed that although the least complicated procedure for funding the \$15 million which would be required to acquire the reserve stock would be through an assessment on Member States, a more acceptable approach would be for the stock to be funded from the unencumbered cash balance remaining in the account of the United Nations Transition Assistance Group (UNTAG) (see PART FOUR, Chapter III). ACABQ believed that many of the requirements to be met from the proposed reserve could be met from the UNTAG reserve, with the UNTAG account being credited as and when necessary from the account of the operation utilizing the equipment. For items not available from the remaining UNTAG equipment, ACABQ urged the Secretary-General to identify all possibilities for acquiring them through voluntary contributions, and requested him to report to it in early 1991.

Reimbursement rates to troop contributors

Reports of Secretary-General and ACABQ. The Secretary-General, in an October report [A/45/582], reviewed the reimbursement rates to Governments of troop-contributing States, as requested by General Assembly resolution 44/192 C [YUN 1989, p. 882]. Current reimbursement rates, which had become effective in December 1980, did not fully compensate all Governments for their troop costs, the report said. The average absorption factor—the portion of the costs not compensated for by the standard rates and absorbed by the respective troop-contributing State—in respect of pay and allowances of troops for 1988 had decreased to 23.3 per cent compared to 45.9 per cent for 1980. However, taking into account that the figures for individual countries varied through conversion rate factors relating to national currencies and the United States dollar, the relative increase between 1984 and 1988 of absorption costs was approximately 4 per cent.

In a November report [A/45/801], ACABQ concluded that some relief was necessary, especially in view of inflation since the current reimbursement rates were established in 1980. The Advisory Committee, therefore, recommended to the

Assembly a 4 per cent increase in the reimbursement rate.

GENERAL ASSEMBLY ACTION

Following consideration of the Secretary-General's report and the related comments of ACABQ, the Fifth (Administrative and Budgetary) Committee on 21 December recommended a draft resolution [A/C.5/45/L.25] for adoption by the General Assembly on the administrative and budgetary aspects of the financing of UN peace-keeping operations, by a vote of 82 votes in favour to 2 against (USSR, United States), with 9 abstentions [A/45/903]. A proposal by the USSR to defer to the following session adoption of paragraph 6 of the draft—by which the Assembly would decide to increase the standard rates by 4 per cent beginning 1 July 1991—was rejected by 54 votes to 7, with 16 abstentions, as was an amendment by the United States to the same paragraph, by 52 votes to 3, with 21 abstentions. Under the amendment, the Assembly would have decided that reimbursements to troop-contributing States needed periodic adjustment and that the issue was to be given high-level attention at the resumed Assembly session.

By decision 45/455 of 21 December, the Assembly retained the agenda item "Administrative and budgetary aspects of the financing of the United Nations peace-keeping operations" on the agenda of its forty-fifth session.

Efficiency review

Report of Secretary-General. In April, the Secretary-General submitted an analytical report [A/45/226] on the restructuring and reform of the United Nations, analysing further the implementation of General Assembly resolution 41/213 on the review of the efficiency of the administrative and financial functioning of the United Nations [YUN 1986, p. 1024], which set the process in train. The report supplemented three previous reports, following consideration of which the Assembly in resolution 44/200 A [YUN 1989, p. 866] requested the Secretary-General to provide detailed information on the implementation of each of the 71 recommendations of the Group of High-level Intergovernmental Experts, accompanied by an explanation with regard to such implementation and an assessment of its impact on the relevant programmes, with particular emphasis on those programmes which had been terminated or completed.

The Group's recommendations, which related to the intergovernmental machinery and its functioning; the structure of the Secretariat; per-

sonnel management; monitoring, evaluation and inspection; and planning and budget procedure, ranged from very broad, general proposals to specific detailed instructions. The Organization's economic and social activities, owing to their magnitude and complexity, were identified as an area of particular importance requiring reform, the Secretary-General said. In addition to specific and general prescriptions concerning Secretariat arrangements addressed to him, a Special Commission was set up by the Economic and Social Council to deal with the rationalization of the intergovernmental machinery. After two years of negotiations, the Commission had failed to reach agreement; however, some progress had been made in improving the efficiency and effectiveness of individual entities and in revitalizing the Economic and Social Council. A practicable consensus on action required in the economic and social sectors had not yet emerged, in contrast to the progress achieved in the political, administrative and financial areas; the greater convergence of views on questions related to administration, budget and management was reflected in the adoption without vote of all resolutions in the General Assembly's Fifth Committee during the 1989 session. With regard to human resources management, some of the Group of Experts' recommendations were of an ongoing nature and their full effect would be felt in the future, the Secretary-General stated, and in several areas, especially peace-keeping, the Secretariat's capacity to fulfil its tasks had been stretched to its maximum limits by staff reductions.

The Secretary-General believed, however, that an opportunity existed to extend to the economic and social spheres the same level of co-operation that had evolved in the political and administrative fields. The urgency and seriousness of the economic and social problems confronting the international community rendered the role of the Secretariat in assisting Member States even more important. Decisions taken during the 1989 Assembly session, the Assembly's 1990 special sessions on international co-operation against illicit drug production and trafficking (see PART THREE, Chapter XVI) and on international economic co-operation, as well as the Second United Nations Conference on the Least Developed Countries (see PART THREE, Chapter I), reflected an increasing awareness by Member States of the need for the United Nations to play an increasingly dynamic role in the economic and social field, as well as a willingness to use the Organization as an instrument for collective action. The Secretary-General concluded that the reforms initiated in 1986 had been largely implemented.

However, the Organization's financial viability had yet to be restored and further changes might be required to enable the United Nations to adapt to new and emerging issues. The effectiveness of the UN system depended on timely and full payment by all Member States, and the plans, programmes and budgets to meet the mandates and priorities of Member States could be translated into action only if they had solid financial support.

CPC consideration. The Committee for Programme and Co-ordination (CPC) considered the Secretary-General's report in May [A/45/16]. While noting areas where progress had been limited or not possible, for example in the economic and social sectors, the Committee concurred with the Secretary-General that the Organization had, in a number of other areas, fulfilled the mandate for reform to the best of its abilities. CPC also concurred that the improvement of the efficiency and effectiveness of the administrative and financial functioning of the Organization was a continuing process and that the Organization should enter a stage of consolidation in order to strengthen its capacity to meet the challenges of the 1990s.

The Committee emphasized the need for continuing action in certain areas. In the political sector, it requested the Secretary-General to consolidate the results of restructuring. It also stressed that further efforts were required to achieve the Assembly's objectives regarding personnel and posts. CPC recommended that the Assembly request the Committee on Conferences to develop further guidelines for reducing the volume of documentation. It reiterated its view that any measures proposed by the Secretary-General for restructuring and revitalizing the United Nations in the economic and social sectors be reviewed by it in order to examine their effect on programmes. In construction matters, the Committee advised that the Secretary-General closely adhere to previously agreed schedules. Lastly, it emphasized the importance of co-ordination as a policy instrument in improving the performance of UN organizations, ensuring complementarity of effort and increasing cost-effectiveness. The Committee recommended that the Assembly request the Secretary-General to highlight systematically the progress achieved, through the existing reporting mechanisms pertaining to the areas where it had stressed the need for continuing action, or through a specific report. The Committee stressed that the Organization's financial viability was required to achieve the objectives of Member States as reflected in the UN programmes.

ACABQ consideration. In October, ACABQ reported [A/45/617] on its consideration of the Secretary-General's analytical report, stating that enhanced efficiency and effectiveness would be compromised if efforts to streamline cumbersome administrative, personnel and budgetary procedures were not redoubled. The Advisory Committee stated further that there was need to improve the consultative process, as well as the evaluation process, related to the programme planning and budget procedures.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/254 A.

Review of the efficiency of the administrative and financial functioning of the United Nations

The General Assembly,

Recalling its resolution 41/213 of 19 December 1986 on the review of the efficiency of the administrative and financial functioning of the United Nations and its resolutions 42/211 of 21 December 1987, 43/213 of 21 December 1988 and 44/200 of 21 December 1989 on the implementation of General Assembly resolution 41/213,

Reaffirming that measures to improve the efficiency of the administrative and financial functioning of the United Nations and to improve the planning, programming and budgeting process should aim at and contribute to strengthening the effectiveness of the Organization in dealing with political, economic and social issues in order better to achieve the purposes of and respect for the principles set out in the Charter of the United Nations,

Having considered the reports of the Secretary-General, the report of the Committee for Programme and Co-ordination and the report of the Advisory Committee on Administrative and Budgetary Questions,

Recognizing that the reform measures undertaken so far in accordance with resolution 41/213 have contributed to improving the efficiency of the Organization in certain areas,

Recognizing also that the involvement of Member States in the new planning, programming and budgeting process has facilitated a broader agreement of Member States on the programme budget of the United Nations,

Noting that, while having somewhat improved, the financial situation of the Organization remains uncertain,

1. Takes note with appreciation of the analytical report of the Secretary-General on the implementation of General Assembly resolution 41/213;

2. Endorses the relevant conclusions and recommendations of the Committee for Programme and Co-ordination and of the Advisory Committee on Administrative and Budgetary Questions;

3. Renews its appeal to all Member States to demonstrate their commitment to the United Nations by, inter alia, meeting their financial obligations on time and in full in accordance with the Charter of the United Nations and the Financial Regulations of the United Nations;

4. Emphasizes that the strengthening of the effectiveness of the Organization is a continuing process requiring the joint efforts of Member States and the Secretariat;

5. Stresses that measures for the improvement of the effectiveness of the Organization should aim at the fulfilment of all its objectives;

6. Reiterates its support for the Secretary-General in the fulfilment of his responsibility as chief administrative officer;

7. Recognizes the importance of the new budget process for the enhancement of the effectiveness of the Organization;

8. Encourages the Secretary-General and Member States to pursue the objectives of resolution 41/213, particularly those that have yet to be met, and invites the Secretary-General to consolidate and build upon the results achieved through the reform process and to submit proposals, whenever necessary, for improvements in the administrative and financial functioning of the Organization, in order to enable it to fulfil more effectively its role;

9. Encourages the Secretary-General to continue to implement the provisions of resolution 41/213 and other relevant resolutions on questions of personnel and posts in the Organization, particularly those that have yet to be implemented, and invites Member States and the Secretary-General to exercise maximum restraint in their proposals for the staffing table of the Organization, particularly for high-level posts;

10. Stresses that the relationship between posts and programmes funded from the regular budget and those funded from extrabudgetary resources requires further analysis and consideration;

11. Invites the Secretary-General to ensure greater transparency in the management and use of the extrabudgetary resources made available to the Organization in order, in particular, to assess more precisely the impact of those resources on the activities, programmes and priorities of the Organization;

12. Requests the Secretary-General to present to the General Assembly at its forty-sixth session a report on all aspects of the role and use of extrabudgetary resources, as outlined by the Advisory Committee on Administrative and Budgetary Questions in its report to the Assembly at its forty-fourth session;

13. Encourages the intention of the Secretariat to develop management and work-load analysis techniques and invites the Secretary-General to take into account the results of such techniques in the course of his preparation of proposed programme budgets in order to ensure the full and effective implementation of all programmes and activities of the United Nations;

14. Reiterates the importance of a comprehensive solution to the problem of all additional expenditures, including those deriving from inflation and currency fluctuation;

15. Reiterates also the importance of the review of the procedures for the provision of statements of programme budget implications and for the use and operation of the contingency fund, and recalls that it will consider a single report on these questions at its forty-sixth session;

16. Culls upon Member States to provide the conditions for the effective functioning of the Organization,

in particular through the fulfilment of their financial obligations as set out in the Charter, in order to sustain the desirable effects of the process of reform and renewal;

17. Decides to continue considering annually the administrative, structural and other aspects of the improvement of the efficiency of the Organization, and invites the Secretary-General to report accordingly.

General Assembly resolution 45/254 A

21 December 1990 Meeting 72 Adopted without vote

Approved by Fifth Committee (A/45/899) without vote, 20 December (meeting 51); draft by Vice-Chairman A/C.5/45/L.20), based on informal consultations; agenda item 117.

Meeting numbers. GA 45th session: 5th Committee 12, 14, 16-21, 23, 26, 35, 49, 51; plenary 72.

UN budget

Budget for 1990-1991

Revised appropriations

Report of Secretary-General. In his first performance report [A/C.5/45/45] on the programme budget for 1990-1991, issued in December 1990, the Secretary-General described an increase in net requirements of \$154.4 million, or 9.6 per cent of the amount approved by the General Assembly in resolutions 44/202 A and B [YUN 1989, p. 871]. The net overall increase reflected increases under both expenditure (\$181,984,500) and income (\$27,584,500) estimates. The revised requirements were primarily due to variations in the rates of exchange and in the impact of inflation, as well as changes in standard costs and decisions of policy-making organs.

In an addendum [A/C.5/45/45/Add.1 & Corr.1] to his report, the Secretary-General recalled that under the 1990-1991 programme budget, part of the resources for temporary assistance for meetings was to be assigned to a global provision to be allocated between conference centres at the discretion of the Under-Secretary-General for Conference Services and Special Assignments. It appeared that the provision for temporary assistance for meetings and related objects of expenditure in the biennium was seriously inadequate, the Secretary-General said, and to continue ensuring full servicing of the 1991 calendar of conferences, additional net resources of \$2 million would be required.

ACABQ consideration. Commenting on the Secretary-General's report, ACABQ [A/45/7/Add.14] recommended that his expenditure estimates be reduced by \$15.4 million, basing currency exchange projections on the 1990 average rather than on the latest prevailing rates. It rec-

ommended a further reduction of \$17.3 million gross, related to the financial implications of recommendations of the International Civil Service Commission (ICSC), which were still being considered by the General Assembly's Fifth (Administrative and Budgetary) Committee; it said that the related financial implications that might result from Assembly action should be contained in a second progress report by the Secretary-General to be submitted in 1991. As for travel estimates, the Advisory Committee stressed that expenditures for the biennium should not exceed \$40 million and, therefore, recommended that the Secretary-General's estimates in that regard be reduced by \$3 million. Concerning his request for an additional \$2 million for the global provision for temporary assistance for meetings, ACABQ noted that a substantial proportion of the projected over-expenditure in 1990 related to Vienna, most of the amount concerning payments by the United Nations for services provided by the United Nations Industrial Development Organization (UNIDO). Since specific proposals for establishing either a common conference-servicing facility at Vienna or a unified United Nations/UNIDO service were being prepared for submission to ACABQ in early 1991, the Advisory Committee recommended that no decision be taken at this stage on the requested \$2 million; ACABQ would decide if commitment authority for \$2 million was required in the context of the forthcoming Secretary-General's report.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolutions 45/252 A, B and C.

A

Revised budget appropriations for the biennium 1990-1991

The General Assembly

Resolves that, for the biennium 1990- 1991:

1. The amount of 1,974,634,000 United States dollars appropriated by its resolution 44/202 A of 21 December 1989 shall be increased by 159,438,100 dollars as follows:

section	Amount approved by resolution 44/202 A	Increase (decrease, United States dollars)	Revised appropriation
PART I. Overall policy-making, direction and co-ordination			
1. Overall policy-making, direction and co-ordination	59,705,000	16,267,300	75,972,300
Total, PART I	59,705,000	16,267,300	75,972,300

Section	Amount approved by resolution 44/202 A	increase (decrease, United States dollars)	Revised appropriation
PART II. Political and Security Council affairs; peace-keeping activities			
2A. Political and Security Council affairs; peace-keeping activities	88,089,300	3,082,900	91,172,200
2B. Disarmament affairs activities	11,184,500	1,162,100	12,346,600
2C. Office for Ocean Affairs and the Law of the Sea	8,196,900	175,400	8,372,300
Total, PART II	107,470,700	4,420,400	111,891,100
PART III. Political affairs, trusteeship and decolonization			
3. Political affairs, trusteeship and decolonization	35,988,200	(11,225,400.00)	24,762,800
Total, PART III	35,988,200	(11,225,400.00)	24,762,800
PART IV. Economic, social and humanitarian activities			
4. Policy-making organs (economic and social activities)	2,163,100	7,157,300	9,320,400
5A. Office of the Director-General for Development and International Economic Co-operation	4,670,800	241,600	4,912,400
5B. Regional Commissions New York Office	855,300	34,400	889,700
6. Department of International Economic and Social Affairs	46,814,800	2,416,600	49,231,400
7. Department of Technical Co-operation for Development	23,853,200	1,130,000	24,983,200
8. Activities on global social development issues	9,985,700	1,625,900	11,611,600
9. Transnational corporations	10,919,200	730,000	11,649,200
10. Economic Commission for Europe	33,089,300	4,567,800	37,657,100
11. Economic and Social Commission for Asia and the Pacific	39,791,400	1,504,500	41,295,900
12. Economic Commission for Latin America and the Caribbean	49,010,700	8,295,200	57,305,900
13. Economic Commission for Africa	57,725,700	1,581,400	59,307,100
14. Economic and Social Commission for Western Asia	38,595,400	5,342,600	43,938,000
15. United Nations Conference on Trade and Development	73,107,600	11,273,600	84,381,200

Section	Amount approved by resolution 44/202 A (United States dollars)	Increase (decrease, States dollars)	Revised appropriation
16. International Trade Centre	15,400,800	1,454,900	16,855,700
17. Centre for Science and Technology for Development	4,296,800	192,100	4,490,900
18. United Nations Environment Programme	11,195,600	380,600	11,576,200
19. United Nations Centre for Human Settlements (Habitat)	9,937,800	673,900	10,611,700
20. International drug control	8,333,600	2,206,400	10,540,000
21. Office of the United Nations High Commissioner for Refugees	34,180,100	4,680,200	38,860,300
22. Office of the United Nations Disaster Relief Co-ordinator	6,461,200	834,600	7,315,800
23. Human rights	16,105,700	2,938,500	19,044,200
24. Regular programme of technical co-operation	<u>36,163,200</u>	<u>1,340,700</u>	<u>37,503,900</u>
Total, PART IV	532,679,000	60,602,800	593,281,800
PART V. International justice and law			
25. International court of Justice	13,333,000	1,416,000	14,749,000
26. Legal activities	<u>18,766,500</u>	<u>1,211,200</u>	<u>19,977,700</u>
Total, PART V	32,099,500	2,627,200	34,726,700
PART VI. Public information			
27. Public information	<u>87,225,400</u>	<u>4,546,100</u>	<u>91,771,500</u>
Total, PART VI	87,225,400	4,546,100	91,771,500
PART VII. Common support services			
28. Administration and management	397,759,500	36,261,400	434,020,900
29. Conference and library services	<u>352,777,600</u>	<u>31,565,600</u>	<u>384,343,200</u>
Total, PART VII	750,537,100	67,827,000	818,364,100
PART VIII. Special expenses			
30. United Nations bond issue			
Total, PART VIII			
PART IX. Staff assessment			
31. staff assessment	<u>298,390,400</u>	<u>12,070,100</u>	<u>310,460,500</u>
Total, PART IX	298,390,400	12,070,100	310,460,500
PART X. Capital expenditures			
32. Construction, alteration, improvement and major maintenance of premises	<u>70,538,700</u>	<u>2,302,600</u>	<u>72,841,300</u>
Total, PART X	<u>70,538,700</u>	<u>2,302,600</u>	<u>72,841,300</u>
GRAND TOTAL	1,974,634,000	159,438,100	2,134,072,100

2. In addition to the appropriations approved under paragraph 1 of the present resolution, the amount of 19,000 dollars, appropriated by resolution 44/202 A for each year of the biennium 1990-1991 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, are hereby increased to 51,000 dollars for each year of the biennium.

B

Revised income estimates for the biennium 1990-1991

The General Assembly

Resolves that, for the biennium 1990-1991, the estimates of income of 367,226,200 United States dollars approved by its resolution 44/202 B of 21 December 1989 shall be increased by 14,527,600 dollars as follows:

Income section	Amount approved by resolution 44/202 B	Increase (decrease)	Revised estimates
I United States dollars)			
PART I. Income from staff assessment			
1. Income from staff assessment	303,040,800	12,392,700	315,433,500
Total, PART I	303,040,800	12,392,700	315,433,500
PART II. Other income			
2. General income	54,524,200	4,901,100	59,425,300
3. Revenue-producing activities	<u>9,661,200</u>	<u>(2,766,200)</u>	<u>6,895,000</u>
Total, PART II	<u>64,185,400</u>	<u>2,134,900</u>	<u>66,320,300</u>
GRAND TOTAL	367,226,200	14,527,600	381,753,800

C

Financing of appropriations for the year 1991

The General Assembly

Resolves that for the year 1991:

1. Budget appropriations in a total amount of 1,146,755,100 United States dollars, consisting of 987,317,000 dollars, being one half of the appropriations initially approved for the biennium 1990-1991 by General Assembly resolution 44/202 A of 21 December 1989, plus 159,438,100 dollars, being the increase in appropriations approved during the forty-fifth session by resolution A above, shall be financed in accordance with regulations 5.1 and 5.2 of the Financial Regulations of the United Nations as follows:
 - (a) 60,388,634 dollars, consisting of:
 - (i) 32,092,700 dollars, being half of the estimated income approved for the biennium 1990-1991 by Assembly resolution 44/202 B of 21 December 1989 other than staff assessment income;
 - (ii) 2,134,900 dollars, being the increase in estimated income other than staff assessment income approved by resolution B above;
 - (iii) 26,161,034 dollars, being the balance of the surplus account as at 31 December 1989;

(b) 1,086,366,466 dollars, being the assessment on Member States in accordance with General Assembly resolutions 43/223 A of 21 December 1988 and 45/256 B of 21 December 1990 on the scale of assessments for the years 1989, 1990 and 1991;

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 164,966,760 dollars, consisting of:

(a) 151,520,400 dollars, being half of the estimated staff assessment income approved by resolution 44/202 B;

(b) Plus 12,392,700 dollars, being the estimated increase in income from staff assessment approved by resolution B above;

(c) Plus 1,053,660 dollars, being the increase in income from staff assessment compared to the revised estimates for the biennium 1988-1989, approved by General Assembly resolution 44/193 B of 21 December 1989.

General Assembly resolutions 45/252 A-C

21 December 1990 Meeting 72 Adopted without vote

Approved by Fifth Committee (A/45/900) without vote. 21 December (meeting 52); draft contained in Committee document (A/C.5/45/L.15 & Corr.1, 2); agenda item 118.

Meeting numbers. GA 45th session: 5th Committee 5, 6, 11, 14-16, 18, 20-23, 29, 31, 39, 41-52; plenary 72.

Recommendations of the Fifth Committee on the Secretary-General's revised estimates, as well as on the programme budget implications of resolutions adopted by the Assembly, resulted in net increases in the level of appropriations in the amounts of \$159,438,100 under expenditures and \$14,527,600 under income.

In other action relating to the programme budget for 1990-1991, the Assembly, by resolution 45/248 A, section I, of 21 December, took note with appreciation of the first report of ACABQ [A/45/7].

Revised estimates under budget sections 3, 13 and 27

Report of Secretary-General. In a September report [A/C.5/45/2], the Secretary-General presented revised estimates under budget sections 3 (relating to the UN Council for Namibia and the Office of the UN Commissioner for Namibia, and to posts in the Centre against Apartheid), 13 (pertaining to the Economic Commission for Africa) and 27 (relating to public information, including the establishment of a UN Information Centre (UNIC) in Windhoek, Namibia), with concomitant revisions under section 31, regarding staff assessment, and under income section 1.

ACABQ report. The Advisory Committee, in October, recommended [A/45/7/Add.2] approval of the Secretary-General's cost estimates of \$259,700 for establishing UNIC Windhoek and an

additional appropriation of \$1,716,500 for the modernization of computer technology at the Economic Commission for Africa (ECA). However, it recommended deductions with regard to the rest of the Secretary-General's proposals totalling \$10,632,900-as against \$8,093,200 proposed by the Secretary-General-most of it resulting from the deletion of estimated salary and common staff costs for the 28 officials of the UN Commissioner for Namibia awaiting redeployment.

CPC consideration. Commenting on the Secretary-General's revised estimates [A/45/16], CPC regretted that since his report was not available in all official languages, it was not able to consider it. It recommended that the report be presented to the 1990 Assembly for appropriate action.

GENERAL ASSEMBLY ACTION.

On 21 December, the General Assembly adopted resolution 45/248 B, section I.

The General Assembly

Revised estimates under sections 3, 13, 27, 31 and income section 1

Section 3C. Namibia

1. Reaffirms its resolutions 44/243 A and B, of 11 September 1990, by which, inter alia, it dissolved the United Nations Council for Namibia and authorized the orderly completion of the programmes and activities for Namibia during the period 1990-1994;

2. Decides, having taken note of the recommendation of the Advisory Committee on Administrative and Budgetary Questions in paragraph 4 of its report and of the request made by the Government of Namibia for the holding of a seminar on programme planning for the national reconstruction and development of Namibia, to appropriate an amount of 241,800 United States dollars for this seminar in the programme budget for the biennium 1990-1991;

3. Accepts the recommendation of the Advisory Committee on Administrative and Budgetary Questions contained in paragraph 7 of its report regarding the urgency of the redeployment of the remaining staff of the Office of the United Nations Commissioner for Namibia, on the understanding that the Secretary-General will report, as necessary, to the Advisory Committee on this question in the course of 1991;

4. Reiterates its request to the Secretary-General to provide assistance to the Government of Namibia in the preparation of a comprehensive national census, taking into account the recommendations of the Advisory Committee in paragraph 9 of its report;

5. Accepts the proposals of the Secretary-General related to the residual obligations of the United Nations Institute for Namibia whose operations have ceased on 30 September 1990, as decided in paragraphs 7 and 8 of resolution 44/243 B;

6. Reiterates its decision reflected in paragraph 15 of resolution 44/243 B that Namibians currently benefiting from assistance through the United Nations Educa-

tional and Training Programme for Southern Africa and through the United Nations Trust Fund for South Africa shall continue to be eligible for such assistance until they complete their programmes;

7. Decides that, in respect of the individual scholarship programme for Namibian students, should there be a shortfall in funding, the Secretary-General would be authorized to enter into commitments under the regular budget, subject to the prior concurrence of the Advisory Committee;

8. Requests the Secretary-General and the United Nations Trust Committee for the United Nations Fund for Namibia to give priority to the execution of the individual scholarship programme, including through an appeal early in 1991 for voluntary contributions;

9. Also requests the Secretary-General to report to the General Assembly at its forty-sixth session, through the Advisory Committee, on the financing of the individual scholarship programme for Namibian students;

Section 3 B. Department for Special Political Questions, Regional Co-operation, Decolonization and Trusteeship

10. Accepts the proposal of the Secretary-General to establish a Transitional Unit for Namibia in the Department for Special Political Questions, Regional Co-operation, Decolonization and Trusteeship;

11. Decides that the Transitional Unit for Namibia shall be composed in 1991 of four temporary posts, two being at the Professional level (1 P-5 and 1 P-3) and two at the General Service level;

12. Accepts also the proposal of the Secretary-General to redeploy within the Department for Special Political Questions, Regional Co-operation, Decolonization and Trusteeship, one Professional post (P-4 level) and one General Service post (other level) from programme support services to the Unit for Special Emergency Programmes;

13. Decides that the functions of the Unit for Special Emergency Programmes shall be reviewed by the Secretary-General, as recommended by the Advisory Committee on Administrative and Budgetary Questions, in the context of the preparation of the proposed programme budget for the biennium 1992-1993;

Section 3D. Centre against Apartheid

14. Takes note of the proposals of the Secretary-General regarding the establishment and reclassification of posts in the Centre against Apartheid, and of the recommendations of the Advisory Committee on Administrative and Budgetary Questions thereon;

15. Decides, given the priority attached to activities against apartheid, to establish on a temporary basis one Professional post (P-3 level) and one General Service post (other level) in the Centre against Apartheid;

Section 13. Economic Commission for Africa

16. Takes note of the report of the Secretary-General and the recommendations of the Advisory Committee on Administrative and Budgetary Questions;

17. Recognizes that urgent action needs to be taken to establish adequate standards of technology and management to ensure the efficient functioning of the Economic Commission for Africa;

18. Approves the proposed office automation project of the Economic Commission for Africa set out in the report of the Secretary-General;

19. Decides to appropriate an amount of 1,716,500 dollars for this purpose under section 13 of the programme budget for the biennium 1990-1991, as an exceptional measure, without prejudice to the new budgetary procedure set out in General Assembly resolution 41/213 of 19 December 1986, particularly paragraph 10 of annex I thereto;

Section 27. Public information

20. Takes note of the proposals of the Secretary-General and the recommendations of the Advisory Committee on Administrative and Budgetary Questions on the financing of a new information centre at Windhoek, in 1991;

21. Recalls recommendation 2 (h) contained in section II, paragraph 1, of its resolution 44/50 of 8 December 1989, and urges the Secretary-General to facilitate and expedite the establishment of an information centre at Windhoek;

22. Requests the Secretary-General to make the necessary arrangements, in consultation with the Government of Namibia, for organizing early in 1991 the briefings referred to in paragraph 82 (b) of his report;

23. Also requests the Secretary-General to submit to the General Assembly at its forty-sixth session a report on the implementation of section I of the present resolution;

General Assembly resolution 45/248 B, section I

21 December 1990 Meeting 72 Adopted without vote

Approved by Fifth Committee (A/45/900) without vote, 19 December (meeting 50); draft by Chairman (A/C.5/45/L.19), following informal consultations: agenda item 118.

Meeting numbers. GA 45th session: 5th Committee 18, 50; plenary 72.

Contingency fund

In December, the Secretary-General reported [A/C.5/45/73] on the status of the contingency fund, which was set at \$15 million—or 0.75 per cent of the overall programme budget—for the biennium 1990-1991 by General Assembly resolution 43/214 [YUN 1988, p. 862], and which remained at \$13,120,500 following the initial budget appropriations approved by the Assembly in 1989. The contingency fund was created under Assembly resolution 41/213 [YUN 1986, p. 1024] to accommodate additional expenditures related to each biennium and to cover expenditures arising from mandates not included in the programme budget. The Secretary-General proposed that the Fifth Committee recommend appropriation of a total of \$9,901,800 for various sections of the programme budget, leaving a fund balance of \$3,218,700.

GENERAL ASSEMBLY ACTION

On 21 December, by resolution 45/248 A, section XV, the General Assembly noted that a balance of \$3,218,700 remained in the contingency fund.

Proposed programme budget for 1992-1993

Programme budget outline

Report of Secretary-General. As called for by General Assembly resolution 41/213 [YUN 1986, p. 1024], the Secretary-General in August 1990 reported [A/45/369] on the proposed programme budget outline for 1992-1993, including preliminary estimates of resources, to which the contingency fund for additional expenditures would be added. Total anticipated 1992-1993 growth comprised non-recurrent resource growth of \$118.4 million and recurrent resource growth of minus \$2.5 million. Real growth consisted of the negative amount of recurrent resource growth of \$2.5 million, together with an amount of \$2.5 million in respect of the delayed impact of anticipated new posts; the resulting real growth (recurrent resource growth plus delayed growth) amounted to zero in percentage terms. The projected zero percentage took into account likely reductions relating to Namibia, offset by increases in the priority activities identified in the medium-term plan, i.e., peace-making, Africa, international drug control, and the environment and development.

Preliminary estimates of resources to accommodate the proposed budget activities during 1992-1993 were \$1,996.1 million, which was \$21.5 million, or 1.1 per cent, higher in nominal terms than the initial appropriations for the 1990-1991 programme budget. As for the contingency fund, the Secretary-General proposed that it remain at 0.75 per cent, the same level as for the 1990-1991 budget (see above).

ACABQ report. ACABQ reporting on its consideration of the proposed budget outline in December [A/45/878], recommended a total preliminary estimate of \$2,462,400,000 for 1992-1993, taking into account updated inflation forecasts and the latest available exchange rates. The Advisory Committee concurred with the Secretary-General's recommendation to keep the contingency fund at 0.75 per cent of the programme budget, which would amount to \$19 million for the biennium.

CPC recommendations. At its 1990 session, CPC recommended [A/45/16 (Part II)] that the preliminary estimate of resources constitute the basis for a General Assembly decision, taking into account the recommendations of ACABQ, the implications of mandates the Assembly might adopt in 1990, and CPC's own recommendations on the proposed medium-term plan for 1992-1997 (see p. 1022). According to CPC, the estimate should be adequate for implementing

mandated activities to be programmed for the coming biennium within the framework of the medium-term plan and should be seen in the perspective of providing enough flexibility for the Organization to undertake efficiently new and changing mandates. CPC noted that the resource estimate did not include additional expenditures deriving from inflation and currency fluctuations as well as extraordinary expenses, and that the breakdown by major programme area was only illustrative. It recommended that the outline be built on the premise that resolution 41/213 [YUN 1986, p. 1024], on the efficiency of the administrative and financial functioning of the United Nations, would be fully implemented and that the approved programmes contained in the medium-term plan would be carried in 1992-1993 against a programme budget whose financing would be strictly observed.

CPC proposed that the Assembly examine priorities reflecting trends of a broad sectoral nature, as suggested in the introduction to the medium-term plan and the outline, with particular attention to maintenance of international peace and security; economic development of developing countries; the economic recovery and development of Africa; the environment; and international drug control. With regard to the calculation of zero per cent real growth, the Committee found that, owing to shortcomings in the methodology used, it could not assess precisely the impact of the proposed rate on mandated programmes. It suggested further study of the methodology, including the treatment of non-recurrent expenditures and comparability with programme budgets, and stressed the need for greater transparency. It emphasized that the size of the contingency fund, expressed as a percentage of the overall level of resources, was to be adjusted for various factors, taking into account CPC and ACABQ recommendations and conclusions.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/255.

Proposed programme budget outline for the biennium 1992-1993

The General Assembly,

Recalling its resolution 41/213 of 19 December 1986, by which, *inter alia*, it requested the Secretary-General to submit in off-budget years an outline of the programme budget for the following biennium,

Recalling also its resolution 43/214 of 21 December 1988 on the proposed programme budget outline for the biennium 1990-1991 and use and operation of the contingency fund,

Having considered the report of the Secretary-General, the relevant parts of the report of the Committee for Programme and Co-ordination and the report of the Advisory Committee on Administrative and Budgetary Questions,

1. Reaffirms that the proposed programme budget outline, being a part of the new budget process, is in a developmental period, that its methodology requires greater improvements, transparency and accuracy and that the whole exercise should be applied with flexibility, in accordance with resolution 41/213 and resolution 42/211 of 21 December 1987;

2. Endorses the conclusions and recommendations of the Committee for Programme and Co-ordination and the Advisory Committee on Administrative and Budgetary Questions, and notes the intention of the Advisory Committee to study further the methodology of the outline;

3. Invites the Secretary-General to prepare his proposed programme budget for the biennium 1992-1993 on the basis of the total preliminary estimate provided by the Advisory Committee of 2,006,200,000 United States dollars at the initial 1990-1991 rates indicated in the report of the Secretary-General, to be adjusted at 1992-1993 rates;

4. Decides that the contingency fund of the programme budget for the biennium 1992-1993 shall provisionally be established at a level of 0.75 per cent of the preliminary estimate at 1992-1993 rates (or 2,462,400,000 dollars at the 1992-1993 rates indicated by the Advisory Committee), i.e. 19 million dollars, and recalls that the level and mode of operation of the contingency fund shall be reviewed by the General Assembly at its forty-sixth session in accordance with paragraph 4 of its resolution 44/200 B of 21 December 1989;

5. Takes note of the proposals of the Secretary-General and the views expressed by Member States on priorities, and endorses the recommendations of the Committee for Programme and Co-ordination thereon, and requests the Secretary-General to pay particular attention to them in preparing the proposed programme budget for the biennium 1992-1993;

6. Recognizes that the outline should provide a greater level of predictability of resources required for the following biennium, while ensuring that such resources are adequate for the fulfilment of the objectives, programmes and activities of the Organization, as mandated by the relevant legislative bodies of the United Nations, thereby facilitating the widest possible agreement on the programme budget;

7. Takes note of the rate of real growth, compared with the previous budget, indicated by the Secretary-General in his report, and stresses that the methodology for the preparation of the outline and the programme budget should be revised, taking into account the views of the Committee for Programme and Co-ordination and the Advisory Committee as well as the need for increased transparency in the methodology used to reflect inflation and currency fluctuations;

8. Requests the Secretary-General to submit the proposed programme budget for the biennium 1992-1993 in accordance with the present resolution and all resolutions and decisions of the General Assembly pertinent to the new budgetary process.

General Assembly resolution 45/255

21 December 1990 Meeting 72 Adopted without vote

Approved by Fifth Committee (A/45/899) without vote, 20 December (meeting 51); draft by Cuba (A/C.5/45/L.26), based on informal consultations; agenda item 117.

Meeting numbers. GA 45th session: 5th Committee 12, 14, 16-21, 23, 26, 35, 49, 51; plenary 72.

Contributions

The fiftieth session of the Committee on Contributions was held in New York from 11 to 29 June 1990 [A/45/11]. Responding to General Assembly resolution 44/197 A [YUN 1989, p. 873], the Committee completed its comprehensive review of all aspects of the existing methodology determining the scale of assessments, and made recommendations for changes. It also addressed another 1989 Assembly request, presented in resolution 44/197 C [YUN 1989, p. 874], regarding information on how the Committee arrived at decisions on the scale of assessments. The Committee presented recommendations on how to establish an effective mechanism of communication between Member States and the Committee in the preparation of any new scale.

Scale of assessments

Scale methodology

At its 1990 session, the Committee on Contributions recommended an increase of the upper per capita income limit to \$2,600, from the current \$2,200; this would provide further benefits to countries with very low per capita incomes. The recommended increase was also expected to reduce the need for ad hoc adjustments. Criteria for those adjustments were also revised by the Committee. The Committee recommended the use of the concept of debt-adjusted income in preparation of the next scale of assessments, a concept which, despite its limitations, it saw as a considerable improvement over the estimated debt adjustment factors used in the 1989-1991 scale.

In view of some countries' difficulties in applying price-adjusted rates of exchange (PARE), the Committee decided to use for the next scale the market exchange rates of the International Monetary Fund (IMF). The Committee also requested the Statistical Office to continue improving its data bank with regard to alternative income concepts so as to permit their further conceptual and quantitative exploration.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/256 A.

The General Assembly,

Recalling all its previous resolutions on the scale of assessments, in particular resolutions 43/223 B of 21 December 1988 and 44/197 A of 21 December 1989,

Having considered the report of the Committee on Contributions,

Taking note of the views expressed in the Fifth Committee during the forty-fifth session,

Bearing in mind the difficult economic situation faced by many Member States, in particular the developing countries and among them the least developed countries,

1. Reaffirms that:

(a) The capacity of Member States to pay is the fundamental criterion for determining the scale of assessments;

(b) The scale of assessments should be determined on the basis of reliable, verifiable and comparable data;

(c) The methodology for determining the scale of assessments should be simplified as far as possible with a view to making it more transparent and stable over time;

2. Requests the Committee on Contributions to recommend to the General Assembly at its forty-sixth session a scale of assessments whose period of applicability will then be decided by the Assembly and which is prepared on the basis of the recommendations of the Committee contained in its report, taking into account the following:

(a) The debt adjustment approach used in the preparation of the scale of assessments for the period 1989-1991;

(b) A low per capita income allowance formula, taking into account the recommendations of the Committee, adjusted in accordance with the evolution of the average world per capita income until 1989;

(c) Individual rates for the least developed countries should not exceed their present level, namely 0.01 per cent;

3. Also requests the Committee on Contributions to use the criteria specified in paragraph 42 of its report for the ad hoc adjustment of the machine scale and to provide detailed information on the decisions made in this regard; it is recognized that the ad hoc adjustment process depends on the availability of points provided voluntarily by Member States;

4. Further requests the Committee on Contributions to continue its work on the improvement of the methodology for the preparation of future scales of assessment, in particular with regard to:

(a) The scheme of limits, with a view to reducing speedily any of its excessive distorting effects;

(b) The possible modification of the statistical base period;

(c) The possibility of excluding the allocation of any additional points, as a result of the application of the scheme of limits, to those Member States having a very low per capita income;

(d) The application of debt-adjusted income as recommended by the Committee in its report and the debt adjustment factor and taking into account the views ex-

pressed during the forty-fifth session of the General Assembly;

(e) The application of price-adjusted rates of exchange;

(f) Alternative income concepts;

(g) The possible use of factors that take account of the situation of countries with economic characteristics such as those outlined in paragraph 3 of Assembly resolution 43/223 B;

(h) The relationship of each of the elements and factors as part of the overall methodology;

5. Requests the Committee on Contributions to submit to the General Assembly at its forty-sixth session a report on the work undertaken in response to the requests contained in paragraph 4 of the present resolution;

6. Requests the Secretary-General to provide the Committee on Contributions with the facilities it requires to carry out its work, including supplementary assistance if necessary.

General Assembly resolution 45/256 A

21 December 1990 Meeting 72 Adopted without vote

Approved by Fifth Committee (A/45/902) without vote, 21 December (meeting 52); draft by Vice-Chairman (A/C.5/45/L.22), based on informal consultations; agenda item 125.

Meeting numbers. GA 45th session: 5th Committee 3-5, 7-9, 12, 13, 15, 52; plenary 72.

Assessment of new Member States

The Committee on Contributions, in 1990, also considered the assessments for 1990 and 1991 of two new Member States-Namibia, which was admitted to UN membership on 23 April 1990 (see PART ONE, Chapter IV), and the Republic of Yemen, comprising the former People's Democratic Republic of Yemen and the Yemen Arab Republic, which were united in a single sovereign State on 22 May 1990 (see PART ONE, Chapter IV). The Committee recommended that Namibia be assessed at the rate of 0.01 per cent for 1991 and at one quarter of 0.01 per cent for its year of admission.

Yemen informed the Committee that it would remit to the United Nations contributions at the same percentage allotted to a single State, beginning in 1990. The Committee, however, recommended that, in accordance with past practice, a State succeeding two previous Member States be assessed at their combined rates for the remainder of the scale period. For the next scale of assessments, the rate of the Republic of Yemen would be reviewed in relation to all other Member States. Action was also taken by the Assembly on Liechtenstein, admitted to membership on 18 September, and Germany, following accession of the German Democratic Republic to the Federal Republic of Germany on 3 October 1990 (see PART ONE, Chapter IV).

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/256 B.

The General Assembly

Resolves that:

1. The rates of assessment for the following States, admitted to membership in the United Nations on 23 April 1990 and 18 September 1990, respectively, shall be as follows:

Member State	Per cent
Namibia	0.01
Liechtenstein	0.01

For 1990 and 1991, these rates shall be added to the scale of assessments established under General Assembly resolution 43/223 A of 21 December 1988;

2. For the year of their admission, Namibia shall contribute at the rate of one fourth of 0.01 per cent and Liechtenstein at the rate of one ninth of 0.01 per cent, such contributions to be taken into account as miscellaneous income under regulation 5.2 (c) of the Financial Regulations of the United Nations. Liechtenstein's contribution shall be adjusted by one ninth of the flat fee paid for its participation in United Nations activities as a non-Member State;

3. For the year 1991, Namibia and Liechtenstein shall each contribute at the rate of 0.01 per cent, such contribution by Liechtenstein also to be taken into account as miscellaneous income under regulation 5.2 (c) of the Financial Regulations of the United Nations;

4. The contributions of Namibia and Liechtenstein for 1990 and 1991 shall be applied to the same basis of assessment as for other Member States, except that, in the case of appropriations or apportionments approved by the General Assembly for the financing of peace-keeping operations, the contributions of those States, as determined by the group of contributors to which they may be assigned by the Assembly, shall be calculated in proportion to the calendar year;

5. The advances of Namibia and Liechtenstein to the Working Capital Fund, under regulation 5.8 of the Financial Regulations of the United Nations, shall be calculated by the application of the rates of assessment of 0.01 per cent each to the authorized level of the Fund, such advances to be added to the Fund pending the incorporation of the new Members' rates of assessment in a 100 per cent scale;

6. Yemen, having been formed when the People's Democratic Republic of Yemen and the Yemen Arab Republic merged on 22 May 1990, shall contribute at the rate of 0.02 per cent for 1990 and 0.01 per cent for 1991 with a corresponding reduction in the State's advance to the Working Capital Fund;

7. Following the accession of the German Democratic Republic to the Federal Republic of Germany on 3 October 1990, and in compliance with the current scale methodology and based on the statistical and economic data available for the Federal Republic of Germany and the German Democratic Republic, Germany shall contribute at the rate of 9.36 per cent for 1991.

General Assembly resolution 45/256 B

21 December 1990 Meeting 72 Adopted without vote

Approved by Fifth Committee (A/45/902) without vote, 21 December (meeting 52); draft by Vice-Chairman (A/C.5/45/L.22), based on informal consultations; agenda item 125.

Meeting numbers. GA 45th session: 5th Committee 3-5, 7-9, 12, 13, 15, 52; plenary 72.

Communication with Member States

At its 1990 session, the Committee on Contributions discussed at length the General Assembly's request in resolution 44/197 C [YUN 1989, p. 874] to submit specific recommendations on how to establish an effective mechanism of communication between Member States and the Committee. The Committee felt that the specific requests in that resolution, in particular the holding of informational meetings before the preparation of a new scale and during consideration of ad hoc adjustments to enable interested Members to convey their views, could create more problems than they would solve, and might compromise the Committee's status as an expert body and its advisory capacity to the Fifth Committee. It therefore reaffirmed the appropriateness of the existing means of communication, namely the submission of written communications prior to Committee sessions and informal contact with its Chairman.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/256 C.

The General Assembly,

Recalling rule 160 of the rules of procedure of the General Assembly,

Requests the Committee on Contributions to hold in 1991, on an experimental basis, one or two information meetings, in a manner to be decided by the Committee, prior to executing the ad hoc adjustment of the machine scale, so as to give Member States the opportunity to provide the Committee with additional information as deemed necessary for the purpose of making the ad hoc adjustments.

General Assembly resolution 45/256 C

21 December 1990 Meeting 72 Adopted without vote

Approved by Fifth Committee (A/45/902) without vote, 21 December (meeting 52); draft by Vice-Chairman (A/C.5/45/L.22), based on informal consultations; agenda item 125.

Meeting numbers. GA 45th session: 5th Committee 3-5, 7-9, 12, 13, 15, 52; plenary 72.

Budget contributions in 1990

Of the \$1,287,980,550 in contributions to the UN regular budget payable as at 1 January 1990, \$885,028,907 had been collected from Member States as of 31 December, leaving \$402,951,643 outstanding [ST/ADM/SER.B/345]. Of the total contributions payable, \$826,817,526 was due for

1990 alone, while \$461,163,034 was outstanding from previous years.

In addition, non-member States were assessed \$2,891,417 for their share of activities in which they participated. Of the contributions payable to the Organization by non-member States for 1990 and prior years, totalling \$3,844,792, the amount of \$3,097,465 had been collected as at 31 December 1990, while \$747,327 was outstanding.

On 18 September, the Secretary-General informed [A/45/515] the President of the General Assembly that seven Member States—the Dominican Republic, Equatorial Guinea, Guatemala, Liberia, Sao Tome and Principe, Sierra Leone and South Africa—were over two years in arrears in the payment of their budget contributions. By three more letters, dated 25 September [A/45/515/Add.1], 2 October [A/45/515/Add.2] and 8 October [A/45/515/Add.3], the Secretary-General reported that Guatemala, Sierra Leone and the Dominican Republic, respectively, had made the necessary payments and reduced their arrears, thereby retaining their right to vote in the Assembly.

Accounts and auditing

The accounts and financial statements for the year or the biennium ended 31 December 1989 for the United Nations and eight development and humanitarian programmes were accepted by the General Assembly in 1990, along with the conclusions and recommendations of the UN Board of Auditors and the comments of ACABQ. Financial reports and audited statements were submitted on the United Nations, including: the International Trade Centre and the United Nations University [A/45/5, [A/45/5, vol. I & Corr.1,2 & vols. II-III], the United Nations Development Programme (UNDP) [A/45/5/Add.1], the United Nations Children's Fund (UNICEF) [A/45/5/Add.2 & Corr.1], the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) [A/45/5/Add.3], the United Nations Institute for Training and Research (UNITAR) [A/45/5/Add.4], the voluntary funds administered by the Office of the United Nations High Commissioner for Refugees (UNHCR) [A/45/5/Add.5], the Fund of the United Nations Environment Programme (UNEP) [A/45/5/Add.6 & Corr.1], the United Nations Population Fund (UNFPA) [A/45/5/Add.7] and the United Nations Habitat and Human Settlements Foundation [A/45/5/Add.8 & Corr.1].

In August, the Secretary-General transmitted [A/45/457] to the General Assembly a summary of

the Board's principal findings and conclusions for remedial action. Among the topics considered were budgetary control, accounts and financial reporting, cash management, technical co-operation and project activities, and trust funds and special accounts.

ACABQ commented on the Board's reports in October [A/45/570 & Corr.1].

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/235.

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 1989 of the United Nations, including the International Trade Centre and the United Nations University, the United Nations Development Programme, the United Nations Children's Fund, the United Nations Relief and Works Agency for Palestine Refugees in the Near East, the United Nations Institute for Training and Research, the voluntary funds administered by the United Nations High Commissioner for Refugees, the Fund of the United Nations Environment Programme, the United Nations Population Fund, the United Nations Habitat and Human Settlements Foundation, the reports and audit opinions of the Board of Auditors, the concise summary of the principal findings, conclusions and recommendations for remedial action of the Board of Auditors, and the report of the Advisory Committee on Administrative and Budgetary Questions,

Recognizing the progress made in the implementation of General Assembly resolution 44/183 of 19 December 1989,

Noting with appreciation the steps taken by executive heads and governing bodies of the United Nations organizations and programmes to give appropriate consideration and attention to the audit reports,

Taking into consideration the views expressed by delegations, by the Board of Auditors, by the Advisory Committee and by representatives of the United Nations organizations and programmes during the debate in the Fifth Committee on this item, and the widely expressed support for measures to improve the efficiency, management, financial accountability and budgetary control of the United Nations organizations and programmes concerned,

Noting with concern that the Board of Auditors, for the reasons stated in its reports, issued qualified audit opinions on the financial statements of the United Nations, the United Nations Development Programme and the United Nations Population Fund, and also issued a qualified audit opinion on compliance with the financial regulations and legislative authority on the transactions of the United Nations Institute for Training and Research,

Noting the efforts by a number of United Nations organizations and programmes to improve the format of financial statements and the accounting policies followed,

1. Accepts the financial reports and audited financial statements and the audit opinions and reports of the Board of Auditors regarding the aforementioned organizations;

2. Requests the governing bodies of the United Nations Development Programme and the United Nations Population Fund to require the executive heads concerned:

(a) To intensify their efforts to correct or improve the conditions that gave rise to the qualification of audit opinions of the Board of Auditors;

(b) To issue and implement comprehensive and specific guidelines in order to delineate appropriately programme expenditure, programme support and administrative expenditures;

3. Takes note of the recommendation contained in paragraph 52 of the report of the Advisory Committee on Administrative and Budgetary Questions, and requests the United Nations Children's Fund and all relevant parties, in considering the implementation of the recommendation, to take fully into account the divergent views expressed by Member States in the Fifth Committee in this regard;

4. Endorses all other recommendations and observations of the Advisory Committee and approves all of the recommendations and observations of the Board of Auditors subject to the provisions of the present resolution, taking into account the views expressed by Member States in the Fifth Committee;

5. Requests the Panel of External Auditors to submit to the General Assembly at its forty-sixth session, through the Administrative Committee on Coordination and the Advisory Committee, an interim study on concrete issues to be resolved through the development of appropriate accounting principles and standards for consistent application in the United Nations system, taking into account the feasibility and benefits of such principles, as well as the major problems to be addressed in this regard;

6. Approves the changes in the financial procedures of the United Nations Development Programme, as recommended by the Governing Council of the Programme in its decision 90/49, and the United Nations Population Fund, as recommended by the Governing Council of the Programme in its decision 90/36;

7. Decides that the reporting procedures, including those regarding substantive and management issues, that apply to United Nations organizations and programmes audited on a biennial basis shall also apply to the United Nations Children's Fund;

8. Invites the Board of Auditors to issue a special report for United Nations organizations audited on a biennial basis for the first year of each biennium through the Advisory Committee, if in the opinion of the Board there are matters that need to be brought to the attention of the governing bodies and/or the General Assembly;

9. Requests the Secretary-General to include in the proposed programme budget for the biennium 1992-1993 resources for the Board of Auditors corresponding to its work-load and adequate to carry out its functions in accordance with the financial regulations, taking into account all relevant decisions of the General Assembly, including those relating to revised reporting procedures approved for the United Nations

Development Programme, the United Nations Population Fund and the United Nations Children's Fund;

10. Expresses its concern with regard to the findings of the Board of Auditors that procurement procedures are not being fully complied with, requests the administrations involved to take immediate action to correct this problem, and invites the Advisory Committee to monitor the action taken;

11. Welcomes the intention of the Secretary-General to renegotiate the existing arrangements for common and joint services at the Vienna International Centre and requests the governing bodies and the executive heads of the United Nations Industrial Development Organization and the International Atomic Energy Agency to co-operate fully with him in this process;

12. Requests the Secretary-General to discuss with the executive heads of the United Nations Industrial Development Organization and the International Atomic Energy Agency the problem of compensation for the excessive costs charged by these organizations to the United Nations Office at Vienna for the majority of existing joint and common services at the Vienna International Centre;

13. Requests the Secretary-General and the executive heads of United Nations organizations and programmes:

(a) To submit to their respective governing bodies, as well as to the General Assembly at its forty-sixth session, detailed progress reports on steps taken to implement previous recommendations of the Board of Auditors and the related recommendations of the Advisory Committee and to explain if any of those recommendations have not yet been implemented, and requests the Board and the Advisory Committee to evaluate the efficacy of those measures, and to report thereon to the Assembly at its forty-sixth session;

(b) To consider, in consultation with the Board of Auditors and the Advisory Committee, effective measures to facilitate reporting by staff members on a confidential basis of any inappropriate use of the resources of a United Nations organization or programme, and to report to the General Assembly at its forty-sixth session in this regard;

(c) To implement stringent inventory controls on non-expendable property and to report on measures taken in this regard to the General Assembly at its forty-sixth session;

(d) To institute without delay more effective control on the payment of all allowances and benefits to staff members and to report on measures taken in this regard to the General Assembly at its forty-sixth session;

14. Reaffirms the importance of strict compliance with financial regulations and rules on the subject of unliquidated obligations, and requests the Secretary-General, in the light of his experience in implementing the new budget process and in the context of the recommendations of the Board of Auditors, to analyse outstanding issues on this subject and to submit a thorough report to the General Assembly at its forty-sixth session;

15. Expresses its appreciation to the Secretary-General for the steps taken to eliminate abuses in the payment of income tax reimbursements, and requests him to continue efforts to recover outstanding excess income tax reimbursements;

16. Urges the executive heads of other organizations and programmes to investigate possible abuses in the payment of income tax reimbursements to their staff members and to report on efforts taken in this regard to the General Assembly at its forty-sixth session;

17. Requests the Board of Auditors to ensure regular audit coverage of all extrabudgetary expenditures, including the various trust funds managed by the Secretary-General or the executive heads of United Nations organizations and programmes;

18. Requests the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to report to the General Assembly at its forty-sixth session on the measures taken by the Agency to rectify the shortcomings identified by the audit of the Area Staff Provident Fund;

19. Invites the governing bodies of organizations and programmes for which audited financial statements have been considered by the General Assembly to ensure that full consideration is given to the reports of the Board of Auditors and the Advisory Committee and the comments made thereon in the Fifth Committee with a view to taking appropriate remedial measures;

20. Requests the executive heads of the United Nations organizations and programmes to ensure that expenditures do not exceed the level of funds provided under allotments, in accordance with the financial rules, and to enforce existing disciplinary measures with a view to enhancing accountability and budgetary discipline;

21. Requests the Board of Auditors and the Advisory Committee to continue to cover, in their review of organizations and programmes, including peace-keeping operations, the areas relating to the efficiency and effectiveness of the financial procedures and controls, the accounting system and related administrative and management aspects in accordance with regulation 12.5 of the Financial Regulations of the United Nations and to recommend measures, as appropriate, to strengthen financial and management controls and to standardize the financial reporting of the organizations;

22. Recommends that all future reports of the Board of Auditors continue to include separate sections that contain a summary of recommendations for corrective action to be taken by the United Nations organizations and programmes concerned, with an indication of relative urgency and a timetable for remedial action;

23. Encourages the Board of Auditors to carry out its audits in a comprehensive manner in response to paragraph 13 of General Assembly resolution 44/183;

24. Welcomes the review of the Board of Auditors of the liquidity positions of United Nations organizations, and requests the Board to conduct a further review, bearing in mind that the information should be presented in a standardized format;

25. Recommends that the Board of Auditors continue to submit to the General Assembly a concise document summarizing its principal findings, conclusions and recommendations of common interest, classified by audit area and, where appropriate, identifying the audited organization.

General Assembly resolution 45/235

21 December 1990 Meeting 72 Adopted without vote

Approved by Fifth Committee (A/45/729) without vote, 16 November (meeting 30); draft by Vice-Chairman (A/C.5/45/L.5), following informal consultations; agenda item 116.

Meeting numbers. GA 45th session: 5th Committee 4, 7, 11, 30; plenary 72.

UN programmes

Programme planning and performance

Medium-term plan 1992-1997

Report of Secretary-General. In 1990, the Secretary-General put forward his proposals for the medium-term plan beginning in 1992. In an introduction presented in May [A/45/6], he stated that the objectives for the coming years and into the new century had to be defined with recent developments in mind, especially the lifting of the deadening weight of the cold war and renewed vigour in the democratization process, which opened new opportunities to expand advances and ensure peace in all its dimensions. The medium-term plan should aim to recapture the vision of international affairs articulated almost half a century earlier when the UN Charter was adopted.

In an annex to the introduction [A/45/6, annex], the Secretary-General tabulated a review of programmes by the relevant functional, sectoral and regional intergovernmental and expert review bodies. The proposed programme structure of the medium-term plan was annexed to a May Secretariat note [A/45/279] which provided a consolidated summary of the comments and recommendations made by Member States and intergovernmental bodies since 1988 on the draft introduction to the plan.

CPC consideration. CPC considered the proposed medium-term plan [A/45/16] as a whole in June, before discussing in detail each of the plan's programmes.

The Committee reiterated the importance that Member States attached to the medium-term plan and recalled that, under the Regulations and Rules Governing Programme Planning, the plan, after its adoption by the General Assembly, would constitute the Organization's principal policy directive. CPC noted that the preparation of the plan was guided by the new planning and budgeting process laid down by Assembly resolution 41/213 on the review of the efficiency of the administrative and financial functioning of the United Nations [YUN 1986, p. 1024] and subsequent relevant resolutions; in that context, the Commit-

tee particularly welcomed the consultations with functional, sectoral and regional intergovernmental bodies throughout the process. CPC noted, however, that a number of proposed programmes had not been reviewed.

The Committee considered that further progress could be made in revisions to the plan as well as in future plans, notably in the definition of sectors of activity and presentation of activities being conducted in each sector. It felt that the objectives of many subprogrammes should be stated with greater clarity and precision to facilitate their evaluation, with more precise distinction between the objectives and respective roles of Member States and those of the Secretariat and more clearly spelt-out strategies and courses of action.

CPC welcomed the Secretary-General's efforts to propose priorities among the subprogrammes of most of the plan's programmes, but noted that a number of programmes, particularly in the political sector, did not include proposals for such priorities. It also noted inconsistency in the priority designations of the various subprogrammes and the absence of an indicative estimate of resources. The Committee felt that a clear identification of new activities had not always been achieved and recommended that recently adopted Assembly decisions and resolutions be fully reflected. It stressed the importance of revisions to the plan, the first to be undertaken in 1992, in the light of resolutions and decisions of the Economic and Social Council and the Assembly, before the plan came into effect.

Following its separate consideration of 38 programmes presented in the plan, the Committee recommended their approval with certain modifications. In September, two programmes were discussed, and CPC recommended, among other things, that the General Assembly give appropriate consideration to the question of priority setting among subprogrammes.

ACABQ consideration. ACABQ, in an October report [A/45/617], stated that the time had come to address seriously the issue of whether the medium-term plan, in its current form, fulfilled its objectives. Notwithstanding improvements, much remained to be done if the plan was to be of real use to Member States and the Secretariat; therefore, ACABQ made suggestions for further improvements, which included more reviews of programmes, and of greater quality, by specialized intergovernmental bodies; development of a common language, through greater involvement of top management in preparation of the draft plan, on matters of programming and budgeting; development of specific guidelines for the

Secretary-General, including priorities, by the reviewing bodies; and structural refinements, streamlining and simplification of the plan.

Note of Fifth Committee Chairman. In order to take fully into account the views of Member States on the proposed medium-term plan, the Chairman of the Fifth Committee, through the President of the General Assembly, addressed in October identical letters to the Chairmen of the other Main Committees indicating to which Committee each of the plan's programmes should be referred. The substantive parts of the replies were reproduced in a November note [A/C.5/45/42] of the Fifth Committee Chairman.

Programme performance 1988-1989

Report of Secretary-General. A report [A/45/218 & Corr.] on the programme performance of the United Nations for 1988-1989 was submitted by the Secretary-General in April 1990. Performance was measured by comparing the number of final outputs programmed with the number of those implemented. Of 8,954 outputs (8,334 under the programme budget for the biennium, plus an additional 621 outputs carried over from previous bienniums), 6,597 or 74 per cent were implemented. The 2,357 programmed outputs not implemented were either postponed (1,012 or 11 per cent) or terminated (1,345 or 15 per cent). The postponed outputs were mainly publications (71 per cent) and reports (18 per cent), although 32 per cent of those were actually completed, but their delivery was delayed for logistical reasons in the area of printing and publishing. The overall implementation rate was slightly lower than the 76 per cent rate of the 1986-1987 biennium, mainly because of the higher percentage of terminations (15 per cent, compared to 12 per cent in the previous biennium). The number of outputs added by legislation and by Secretariat initiative was reduced by 50 per cent from the 1986-1987 level; that decline suggested both legislative restraint in considering new mandates and stretching of Secretariat resources to the limit in order to implement programmed and added outputs. Vacancy rates remained high and the substantial increase in peace-keeping operations required mobilization of a significant number of Secretariat personnel; those factors resulted in an average incumbency rate in the Professional category of barely 83 per cent during the biennium. In an April addendum [A/45/218/Add.1], the Secretary-General provided a breakdown of performance under all 29 sections of the 1988-1989 programme budget.

Evaluation findings in programme design

In April, the Secretary-General reported [A/45/204] on the application of evaluation findings in programme design, delivery and policy directives. He observed that evaluation had still not been completely accepted as a management tool and, for the most part, had not been systematically and routinely integrated into the decision-making and management process. Further refinement was required in evaluation methodologies. It was suggested that CPC recommend that the Secretary-General make every effort to ensure that evaluation was fully integrated into the programme planning cycle, particularly the application of evaluation findings; that training in self-evaluation was intensified; and that evaluation methodologies continued to be refined. It was also recommended that he inform specialized intergovernmental bodies of findings from in-depth evaluations.

CPC consideration. CPC considered the Secretary-General's report at its 1990 session [A/45/16 (Part I)] and endorsed his recommendations, requesting him to put greater emphasis on refining evaluation methodologies and on the practical applications of evaluation findings.

ECONOMIC AND SOCIAL COUNCIL ACTION

In resolution 1990/83, the Economic and Social Council took note of the introduction to the proposed medium-term plan and of the relevant programmes of the plan. It endorsed CPC's conclusions and recommendations on the understanding that the General Assembly would further consider the proposed plan at its 1990 session. By decision 1990/281 of 27 July, the Council recommended that the Assembly request CPC to prepare draft guidelines governing the preparation and revision of system-wide action plans and system-wide medium-term plans and the relationship between the UN medium-term plan and those two instruments. By decision 1990/289 of 9 November, the Council endorsed CPC's conclusions and recommendations relating to proposed programme 45 of the plan (African economic recovery, development and transformation) and proposed programme 31 (regional co-operation for development in Asia and the Pacific).

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/253.

Programme planning

The General Assembly,

Recalling its resolutions 37/234 of 21 December 1982, 41/213 of 19 December 1986 and 43/219 of 21 De-

cember 1988 and taking note of Economic and Social Council resolution 1990/83 of 27 July 1990,

Having examined the proposed medium-term plan for the period 1992-1997, including the introduction to the plan, which is a key integral element in the planning process, and the note by the Secretariat, containing the consolidated summary of the comments and recommendations made by Member States and intergovernmental bodies since 1988 on the draft introduction to the medium-term plan for the period 1992-1997,

Having considered the note by the Chairman of the Fifth Committee reporting on 'the review of the proposed medium-term plan for the period 1992-1997 by the other Main Committees of the General Assembly:

Having considered also the relevant parts of the report of the Economic and Social Council for 1990,

Having considered further the report of the Committee for Programme and Co-ordination on the work of its thirtieth session, the report of the Committee on Conferences and the relevant parts of the report of the Advisory Committee on Administrative and Budgetary Questions,

Having considered the reports of the Secretary-General on the programme performance of the United Nations for the biennium 1988-1989 and on the application of evaluation findings in programme design, delivery and policy directives,

I

Medium-term plan for the period 1992-1997

1. Adopts the proposed medium-term plan for the period 1992-1997, together with the recommendations of the Committee for Programme and Co-ordination and the Committee on Conferences and the additional conclusions and recommendations contained in the annex to the present resolution, taking into account the views of the Main Committees of the General Assembly;

2. Reaffirms that the medium-term plan, as adopted, is the principal policy directive of the United Nations and shall serve as a framework for the formulation of the biennial programme budgets;

3. Endorses the methodological conclusions and recommendations on the format and content of the plan made by the Committee for Programme and Co-ordination and the Advisory Committee on Administrative and Budgetary Questions;

4. Reiterates the importance of regulations 3.5 and 3.6 of the Regulations Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation regarding the scope and format of the plan and reaffirms the need for the Secretary-General to review the issues related to the full implementation of the regulations with a view to ensuring proper coverage and presentation of all the activities of the Organization;

5. Emphasizes the importance of the consultative process with Member States, which should be expanded to include as many programmes as possible;

6. Also emphasizes the need for the sectoral, regional and central reviewing bodies, in particular the Main Committees of the General Assembly, to improve the quality of their review of the programmes;

7. Requests the Secretary-General, in order to facilitate the review mentioned in paragraph 6 above to im-

prove the quality of his proposals to those bodies as well as the timeliness and the procedure of their submission;

8. Also requests the Secretary-General to pursue his efforts in order to achieve greater concision, clarity, analytical rigour and prospective orientation of the plan;

9. Invites Member States to take appropriate measures to ensure their active participation in the relevant intergovernmental bodies for the review of the medium-term plan;

10. We/comes the new simplified programme structure of the plan, and encourages the Secretary-General to continue the review and analysis of the structure, format and content of the plan, without reducing the content of the programmes and with a view to enhancing the usefulness of the plan as a tool for managing the activities of the Organization, and taking into account the observations made by the General Assembly at its forty-fifth session, the Committee for Programme and Co-ordination and the Advisory Committee on Administrative and Budgetary Questions;

11. Requests the Secretary-General to submit the results of the review, together with the revisions to the plan, to the General Assembly at its forty-seventh session, through the Committee for Programme and Co-ordination at its thirty-second session, and the Advisory Committee on Administrative and Budgetary Questions;

12. Takes note of the overall priorities reflecting broad trends as derived from the mandates of the legislative organs, contained in the introduction to the plan, as well as the views expressed by Member States thereon, in particular concerning the maintenance of international peace and security, the economic development of developing countries, the economic recovery and development of Africa, the environment and international drug control;

13. Endorses the priorities at the subprogramme level proposed by the Secretary-General, together with the recommendations of the Committee for Programme and Co-ordination and those indicated in the annex to the present resolution;

14. Requests the Secretary-General to implement the plan with these priorities, taking duly into account the views expressed by Member States;

15. Also requests the Secretary-General, in accordance with regulation 3.18 of the Regulations Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation to bring the decisions of the General Assembly on priorities to the attention of Member States and the governing boards of the voluntary funds, in order to facilitate coherence and co-ordination in the implementation of the plan;

16. Reiterates the need to implement fully the provisions of regulation 3.3 (c) and rule 103.3 (j) and (k) of the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation regarding estimates of resources in the plan;

17. Requests the Secretary-General and the Advisory Committee on Administrative and Budgetary Questions to continue to study the questions arising from the

effects of extrabudgetary resources on the implementation of the plan and the linkage between the medium-term plan and the programme budgets;

18. Also requests the Secretary-General to develop methods and procedures permitting the better use, for the preparation and the revisions of the medium-term plan, of the conclusions and recommendations contained in the reports of the Joint Inspection Unit and the external auditors, and those on evaluation and programme performance, as formulated by the competent intergovernmental organs;

II

Programme performance report

1. Takes note of the report of the Secretary-General on the programme performance of the United Nations for the biennium 1988-1989 and the observations of the Advisory Committee on Administrative and Budgetary Questions in paragraphs 22 and 23 of its report;

2. Endorses the conclusions and recommendations of the Committee for Programme and Co-ordination on the report of the Secretary-General on the programme performance of the United Nations for the biennium 1988-1989;

3. Requests the Secretary-General to submit to the General Assembly at its forty-sixth session, through the Committee for Programme and Co-ordination at its thirty-first session and the Advisory Committee on Administrative and Budgetary Questions, a report on the methodology for monitoring and reporting the programme performance of the United Nations;

III

Application of evaluation findings in programme design, delivery and policy directives

1. Takes note of the report of the Secretary-General on the application of evaluation findings in programme design, delivery and policy directives;

2. Endorses the recommendations of the Committee for Programme and Co-ordination contained in its report on the work of its thirtieth session, on the report of the Secretary-General on the application of evaluation findings in programme design, delivery and policy directives and urges the Secretary-General to develop methods and procedures to ensure that evaluation is fully integrated into the programme planning cycle of the Organization;

IV

Co-ordination

1. Emphasizes the importance of the plan, in particular its introduction, as an instrument for co-ordination, in accordance with regulation 3.7 of the Regulations Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation;

2. Invites the Secretary-General to take the necessary measures in order to enhance the role of the Programme Planning and Budgeting Board in the co-ordination of the preparation and implementation of the plan;

3. Stresses again the need to ensure appropriate co-ordination of the calendar of meetings of the various intergovernmental review bodies, with a view to enabling them to consider effectively the relevant proposed programmes of the medium-term plan;

V

Other conclusions and recommendations of the Committee for Programme and Co-ordination

Notes with satisfaction and endorses the conclusions and recommendations of the Committee for Programme and Co-ordination at its thirtieth session which have not otherwise been approved by the General Assembly at its forty-fifth session.

ANNEX

Conclusions and recommendations on major programmes, programmes and subprogrammes of the medium-term plan for the period 1992-1997

Programme 1. Good offices and peace-making, peace-keeping, research and the collection of information

1. Recognizing that the Fifth Committee was not in a position to examine such substantive issues as peace-making, the General Assembly decides to defer consideration of those issues to the attention of the competent organs and intergovernmental bodies of the United Nations, without prejudice to the functions of the Secretary-General under the Charter of the United Nations.

2. In paragraph 1.17, insert a reference to paragraph 7 of General Assembly resolution 44/164 of 15 December 1989.

3. Insert references to General Assembly resolutions 41/70 of 3 December 1986 and 44/164 as mandates under programmes 35, 36 and 37.

Programme 2. Political and Security Council affairs

1. Assign high priority to subprogramme 1, Security Council and political committees activities.

2. Modify the text of paragraph 2.11 (b) concerning political missions so as to make its meaning clearer.

Programme 7. Disarmament

1. The third sentence of paragraph 7.5 should read: "Anxieties were fuelled by the ever-rising number of nuclear warheads and delivery systems, by several other factors, including technological advances in weapons design, and by increasing arms transfers."

2. In the fourth sentence of paragraph 7.8, for "to discourage the proliferation of ballistic missiles" read "to achieve the objective of non-proliferation in all its aspects, as mentioned in the Declaration of the 1990s as the Third Disarmament Decade."

3. In the sixth sentence of paragraph 7.8, for "with an emphasis being given to" read "including."

Programme 8. Peaceful uses of outer space

At the end of the second sentence of paragraph 8.9, insert "taking into account the concerns of all countries, in particular the developing countries."

Programme 9. International law

1. In the second sentence of paragraph 9.33, after "drug-trafficking" insert "and drug-abuse."

2. Not applicable to English.

3. The last sentence of paragraph 9.39 should read: "It is also foreseen that the issues arising from the question of international criminal jurisdiction, including the possibility of establishing an international criminal court or other international criminal trial mechanism, will be considered further and analysed."

4. Insert the proposals of the Sixth Committee.

Programme 11. Overall issues and policies, including co-ordination

1. Insert a reference to General Assembly resolution 44/215 of 22 December 1989 as a mandate for subprogramme 1.

2. Not applicable to English.

3. In line 3 of paragraph 11.18 (b), for "alleviation" read "eradication."

Major programme IV. International economic co-operation for development (programmes 12-24)

The idea of the interrelationship between international peace and security and development, implied in the proposal to change the title of the major programme to read "Maintenance of peace and security and international economic co-operation for development", should be developed further in the context of the revisions to the plan.

Programme 12. Global development issues and policies

1. Assign high priority to subprogrammes 3 and 4 of programme 12 in addition to those proposed by the Secretary-General.

2. Redraft the narrative of the programme so as to reflect the language and ideas of General Assembly resolution 44/212 of 22 December 1989, where relevant.

3. In the second sentence of paragraph 12.4, delete: "and brought especially acute problems for heavily indebted developing countries"

and replace by: "This placed most of the developing countries, especially the least developed countries, in a particularly grave situation and brought especially acute problems for heavily indebted developing countries."

4. In paragraph 12.23:

(a) At the end of the fifth sentence insert "and to promote economic development";

(b) At the beginning of the sixth sentence for "growth-oriented adjustment" read "growth-oriented policy."

5. Replace the first sentence of paragraph 12.36 with the text of paragraph 31 of the Declaration contained in the annex to General Assembly resolution S-18/3 of 1 May 1990.

6. In programme 12, where appropriate, insert "some other countries with serious debt-servicing problems."

7. At the end of the second sentence of paragraph 12.65, after "management" insert "and desertification."

Programme 13. International trade

Assign high priority to subprogramme 4, transfer of technology, in accordance with the importance given to the question by the General Assembly at its eighteenth special session.

Programme 14. Development finance, resource flows and external debt

1. In paragraph 14.11, insert a reference to General Assembly resolution S-18/3.

2. Delete the modification to paragraph 14.15 recommended by the Committee for Programme and Co-ordination in paragraph 166 (c) of its report.

Programme 16. Environment

1. Delete the second sentence of paragraph 16.17.

2. Delete subprogramme 9 and incorporate its content in subprogrammes 10 and 12 of programme 16.

Programmes 19 and 20. Natural resources and energy
Adjust the narrative of programmes 19 and 20 in accordance with the recommendations of the Committee for Programme and Co-ordination.

Programme 21. Public administration and finance
Reformulate the narrative of programme 21, taking into account all the relevant mandates adopted until the forty-fourth session of the General Assembly, for submission to the Assembly at its forty-sixth session.

Major programme V. International co-operation for social development (programmes 25-29)

The idea of the interrelationship between international peace and security and development, implied in the proposal to change the title of the major programme to read "Maintenance of peace and security and international co-operation for social development", should be developed further in the context of the revisions to the plan.

Programme 29. Crime prevention and criminal justice

1. Redraft paragraph 29.18 so as to reflect the language of the pertinent paragraph of the report of the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders calling for a study on the establishment of an international criminal court.

2. Insert in paragraph 29.20 a reference to the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders.

Programme 31. Regional co-operation for development in Asia and the Pacific

The Economic and Social Commission for Asia and the Pacific should reconsider the issue of priority-setting among subprogrammes of programme 31 in the light of the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation.

Programme 33. Regional co-operation for development in Latin America and the Caribbean

Delete the second sentence of paragraph 33.5.

Programme 35. Promotion and protection of human rights

1. In line 2 of paragraph 35.2, after instruments insert such as, inter alia, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.

2. In paragraph 35.3, delete the last two sentences.

3. (a) Insert a new paragraph 35.4 reading:

35.4 The full enjoyment of human rights is related to economic and social development. Moreover, there can be no lasting security or sustained economic and social progress without respect for human rights. Numerous situations of tension and conflict have been rooted in disregard for the human rights of individuals, minorities, groups or entire peoples. Development will not be assured, nor its fruits equitably shared, if it is not securely anchored in respect for human rights and fundamental freedoms.

(b) Renumber the subsequent paragraphs accordingly.

4. Divide former paragraph 35.24 into three subparagraphs dealing respectively with:

- (a) Migrant workers;
- (b) Minorities;

(c) Discrimination or intolerance based on religion or belief.

5. At the end of the first line of former paragraph 35.41, after realization of insert the right of people to self-determination and.

General Assembly resolution 45/253

21 December 1990 Meeting 72 Adopted without vote

Approved by Fifth Committee (A/45/901) without vote, 21 December (meeting 52); draft by Chairman (A/C.5/45/L.21), based on informal consultations; agenda item 119.

Meeting numbers. GA 45th session: 5th Committee 12, 14, 16-24, 26, 32, 33, 36, 52; plenary 72.

Joint Inspection Unit

In its twenty-second report [A/45/34] since its creation in 1968, the Joint Inspection Unit (JIU), a subsidiary organ of the organizations of the UN system, reviewed its activities from 1 July 1989 to 30 June 1990. In drawing up its work programme for 1990, JIU paid special attention to the guidelines in General Assembly resolution 43/221 [YUN 1988, p. 874] as well as to the Assembly's request in resolution 44/184 [YUN 1989, p. 880] to give even greater attention to management, budgetary and administrative issues.

The report contained summaries of recommendations JIU had published in reports and notes during the above period, including those on budgeting in UN organizations [A/45/130]; human resource development through technical co-operation [A/45/113]; the optical disc system for the United Nations [A/44/684]; distribution and dissemination of documents and publications of the United Nations Educational, Scientific and Cultural Organization (UNESCO), particularly in the developing countries [JIU/REP/90/1]; and co-ordination of activities related to early warning of possible refugee flows [JIU/REP/90/2].

By a February note [A/45/117], the Secretary-General transmitted to the General Assembly the JIU work programme for 1990 and the nucleus of its work programme for 1991-1992. In September, he forwarded, in accordance with procedures established by the Assembly in resolution 32/199 [YUN 1977, p. 1053], his annual report [A/45/441] on the status of implementation of recommendations contained in previous JIU reports which were of interest to the Assembly. The five reports dealt with the following subjects: technical co-operation between the United Nations Development Programme (UNDP) and the Economic Commission for Africa [A/42/110]; review of the United Nations Children's Fund's activities and structures [YUN 1987, P. 863]; technical co-operation between organizations of the UN system and the least developed countries [A/43/228]; representation of UN organizations at conferences and meetings [YUN 1988, P. 898]; and

evaluation of UN technical co-operation project evaluation systems [E/1989/41 & Add.1].

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/237.

Joint Inspection Unit

The General Assembly,

Recalling its resolutions 31/192 of 22 December 1976, 41/213 of 19 December 1986 and 42/218 of 21 December 1987 and other recent relevant resolutions,

Having considered the report of the Joint Inspection Unit on its activities during the period 1 July 1989 to 30 June 1990, the work programme of the Unit for 1990 and the nucleus of its work programme for 1991-1992 and the report of the Secretary-General on the implementation of the recommendations of the Unit,

Expressing its appreciation to the Joint Inspection Unit for the reform measures it has introduced to improve further its working methods and the quality of its work,

Reiterating the importance of a detailed and timely consideration of the reports of the Joint Inspection Unit, particularly by Member States and the organizations concerned,

Urging the executive heads and governing bodies of participating organizations of the Joint Inspection Unit to take full advantage of the resources of the Unit and to give due attention to its reports and recommendations,

1. Takes note of the report of the Joint Inspection Unit and of its work programme for 1990 and of the report of the Secretary-General on the implementation of the recommendations of the Unit;

2. Encourages the Joint Inspection Unit to continue to take into account the following measures in order to enhance further the usefulness of its reports to the governing bodies of the participating organizations:

(a) To take a more selective approach in drawing up its work programme to give greater attention to management, budgetary and administrative issues, including those identified by the Advisory Committee on Administrative and Budgetary Questions in its report on the administrative and budgetary co-ordination of the United Nations with the specialized agencies and the International Atomic Energy Agency, and by the Board of Auditors in its audit opinions and reports, as well as those areas of the United Nations system undergoing reform;

(b) To make every possible effort to issue its reports well in advance of the meetings of the governing bodies of its participating organizations, in particular the General Assembly, and of the relevant subsidiary bodies, to ensure that the comments of the Secretary-General and those of the Administrative Committee on Co-ordination, where pertinent, are issued in accordance with existing regulations for the timely receipt of documentation;

(c) To make every effort to shorten its reports, using comparative tables and graphics whenever appropriate, and to include therein an executive summary of its recommendations in order to facilitate the consideration of its reports;

(d) To provide a more detailed commentary in its annual report to the General Assembly on the implementation of its recommendations by the United Nations and by the other participating organizations of the Unit;

(e) To concentrate on specific and practical operational problems and to address more precisely defined questions;

3. Requests the Secretary-General to review, in the context of the proposed programme budget for the biennium 1992-1993, the research and analytical capacity of the secretariat of the Joint Inspection Unit in order to enhance its performance, with due respect to the statute of the Unit;

4. Takes note with appreciation of the report of the Joint Inspection Unit on budgeting in organizations of the United Nations system, which may encourage the harmonization of procedures within the United Nations system, and in particular the recommendations contained therein to facilitate a more equitable and comparable development of budgeting of the organizations in the system, as well as the comments of the Administrative Committee on Co-ordination on the report;

5. Requests the Secretary-General and the Joint Inspection Unit, in bringing to the attention of the appropriate bodies of the United Nations system all reports of the Unit on matters within their respective spheres of competence, to arrange for the earliest possible introduction of reports of the Unit;

6. Invites Governments that are represented on the governing bodies of organizations and programmes for which the Joint Inspection Unit has issued reports to ensure that the reports are given full consideration;

7. Encourages all governing bodies of the organizations and programmes to invite, when appropriate, a representative of the Joint Inspection Unit to be present at their meetings when considering the reports of the Unit;

8. Requests the Secretary-General to bring the present resolution to the attention of the executive heads of the participating organizations of the Joint Inspection Unit and to transmit to the General Assembly at its forty-sixth session a report on actions taken by those organizations to enhance consideration of the reports of the Unit by the respective governing bodies.

General Assembly resolution 45/237

21 December 1990 Meeting 72 Adopted without vote

Approved by Fifth Committee (A/45/795) without vote, 21 November (meeting 32); draft by Vice-Chairman (A/C.5/45/L.4/Rev.1), following informal consultations; agenda item 123.

Meeting numbers. GA 45th session: 5th Committee 3, 5, 7, 8, 29, 32; plenary 72.

Administrative and budgetary co-ordination

JIU report. In February 1990, the Secretary-General transmitted to the General Assembly a JIU report [A/45/130] on budgeting in organizations of the UN system, which sought to examine

the extent to which efforts by the Administrative Committee on Co-ordination (ACC) and other bodies had resulted in standardization and comparability in the budgets of the UN system, as well as the differences that remained. The 1986 report of the Group of High-level Intergovernmental Experts to Review the Efficiency of the Administrative and Financial Functioning of the United Nations [YUN 1986, pp. 1021, 1038] had recommended further efforts to harmonize the format of the programme budgets of UN organizations, as had several Assembly resolutions over the years. The JIU Inspector concluded that the budgets of the organizations concerned were still far from the desirable degree of harmonization. To facilitate a more equitable and comparable development of budgeting he made eight recommendations, stressing that they were not exhaustive, and follow-up studies were planned.

Among his recommendations were: those organizations that did not have programme budgets should review the possibility of introducing them and develop them adequately so as to indicate distinctively planned outputs, while a medium-term plan should constitute the principal policy directive; for objective calculation of real programme and budget growth, a method of recosting after comparison on a constant cost level should be adopted; organizations should establish small groups of experts in budgetary, financial and programmatic fields as a subsidiary unit of the legislative organ concerned in order to examine efficiently budget proposals and related matters; the experience of organizations applying a contingency margin—a portion of appropriations not to be expended pending receipt of contributions—should be studied for possible introduction elsewhere; Member States taxing the salaries of international civil servants of the UN system should compensate, entirely and in a timely manner, the costs involved in the special arrangements to reimburse income tax on staff members; working capital funds should not exceed one twelfth of the regular budget for one year, or approximately 4 per cent of a biennial budget, and should be used mainly to bridge short-term cash flow problems resulting from late payment of contributions; the use of reserve accounts and funds should, in pace with restoring financial viability, be reduced and gradually eliminated, so that organizations should restrict themselves to resources provided in the approved budget; and, in order to minimize adverse effects of currency fluctuation, organizations that spent over 85 per cent of expenditures in local currency at headquarters should switch budget currency to local currency, and all others should examine the possibility of a split assessment system

in the two main currencies of their regular budget expenditure or forward purchasing of estimated currency needs.

ACC comments. In May, the Secretary-General forwarded to the Assembly [A/45/130/Add.I] the comments of ACC on the report, which the Committee considered an objective and factual review of important aspects of current budgeting practice in the UN system. With regard to the specific JIU recommendations, ACC believed that the introduction of programme budgets would depend on the specific circumstances of each organization and the requirements of their governing bodies, as would the matter of determining real resource growth. The establishment of small expert groups to examine budget proposals and related matters was up to the governing bodies concerned, the Committee said. As for contingency margins, those seemed likely to lead Member States to limit their contributions and were objectionable in principle because they would imply that Member States had the option of not honouring obligations. ACC could support in principle the recommendation that Member States taxing salaries of staff members compensate for the administrative costs involved in reimbursement arrangements, but considered that it was a matter for consideration by the Member States concerned. The Committee found no technical justification in the Inspector's report to support the proportional relationships recommended regarding working capital funds and regular budgets, and differences in the experiences of the various organizations made system-wide application impractical. Even more important, working capital funds had proved insufficient in situations characterized by both late payments and failure to pay large amounts; ACC therefore viewed the recommendation on limiting working capital funds with concern. As to reserve accounts and funds, it regarded them simply as an instrument of financial management for use by organizations according to their circumstances. It noted that the recommendations on currency arrangements had already been implemented or were under study.

CPC and ACC Joint Meetings. Improved administrative and budgetary co-ordination was one of the subjects of a November report [E/1990/123] of the Chairmen of CPC and ACC on the twenty-fifth series of Joint Meetings of the two Committees in October (see PART THREE, Chapter XVIII).

In decision 1990/290 of 9 November, the Economic and Social Council took note of the report and endorsed its conclusions and recommendations. The Secretary-General informed the Gen-

eral Assembly of the Council's action in a 10 December note [A/45/835].

ACABQ report. In a November report [A/45/798] on administrative and budgetary co-ordination of the United Nations with the specialized agencies and the International Atomic Energy Agency (IAEA), ACABQ provided nine tables with comparative data on the following: total amounts of approved regular budgets, including supplementary estimates, 1982-1991; total net contributions of Member States actually payable under approved regular budgets, including supplementary estimates, 1982-1991; established posts, 1989-1991; regular budget contributions to technical co-operation activities, 1989-1991; extrabudgetary funds administered by the UN system-voluntary contributions, 1988-1989; extrabudgetary expenditures, 1988-1989; working capital funds, 1991; scales of assessment applicable in 1991; and collection of contributions, 1989-1990.

ACABQ also commented on the budgets of the specialized agencies and IAEA and, as part of its co-ordination of administrative and budgetary questions, reported on its study of current and projected arrangements in the UN system for dealing with illicit drug trafficking. ACABQ held an exchange of views with the specialized agencies on the matter.

While meeting with the agencies and IAEA, the Advisory Committee also discussed the JIU report on budgeting in organizations of the UN system (see above). While agreeing that the report would serve as a useful source of reference, ACABQ had some reservations on continued efforts to achieve harmonization in budgetary practices. Significant progress had already been made in that direction, the Advisory Committee noted, and harmonization and standardization should not become ends in themselves. Rather, each agency should focus on achieving an even greater measure of clarity and simplicity in budgetary submissions.

Introducing ACABQ's report in the Fifth Committee, the Advisory Committee Chairman said that one of the special topics discussed with the specialized agencies, the question of future support-cost arrangements, would be the subject of reports to the General Assembly and the Governing Council of UNDP in 1991. Some of the other topics would form the basis of separate reports.

With regard to the JIU report, the Advisory Committee pointed out that it might not be possible to achieve complete harmonization and standardization of budgetary practices in view of the different mandates and programme structures of the various organizations. Keeping that in mind,

Member States might perhaps address their efforts to requesting UN organizations to refine the presentation of their budgets, to simplify documents and to make them more transparent. The failure to achieve clarity, simplicity and transparency in budget documentation was not always attributable to a lack of harmonization and standardization.

Subsequent to preparing its report, ACABQ had discussed ways of improving the future presentation of such reports, the Chairman said. The Advisory Committee was planning to replace the current format by one which would take into account the extensive information prepared by ACC on the various organizations' programmes and resources. The Advisory Committee would strive to ensure the timely presentation of statistical information to the Assembly and increase its efforts to report on issues of system-wide concern, following consultation with ACC.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/254 B.

The General Assembly,

Reiterating the importance of co-ordination as a policy instrument in improving the performance of the organizations of the United Nations system, ensuring complementarity of efforts and increasing cost-effectiveness,

Stressing again the need to strengthen the role of Member States in the relevant intergovernmental bodies of the United Nations system and of the Secretary-General with respect to system-wide co-ordination,

1. Endorses the relevant conclusions and recommendations of the Committee for Programme and Co-ordination in the field of co-ordination;

2. Endorses also the conclusions and recommendations contained in the report on the joint meetings of the Administrative Committee on Co-ordination and the Committee for Programme and Co-ordination;

3. Requests the Secretary-General to include in the annual overview report of the Administrative Committee on Co-ordination a section on the measures taken or envisaged to implement the conclusions and recommendations of the Committee for Programme and Co-ordination and of the joint meetings of the two Committees;

4. Reiterates its request to the Secretary-General to make available to the General Assembly, at its forty-sixth session, the annual overview report of the Administrative Committee on Co-ordination, together with the relevant conclusions and recommendations of the Committee for Programme and Co-ordination and of the Economic and Social Council on that report.

General Assembly resolution 45/254 B

21 December 1990 Meeting 72 Adopted without vote

Approved by Fifth Committee (A/45/901) without vote, 20 December (meeting 51): draft by Vice-Chairman (A/C.5/45/L.21), based on informal consultations; agenda item 117.

Meeting numbers. GA 45th session: 5th Committee 12, 14, 16-21, 23, 26, 35, 46, 49, 51; plenary 72.

On the same date, the Assembly adopted decision 45/450.

Administrative and budgetary co-ordination of the
United Nations with the specialized
agencies and the International Atomic
Energy Agency

At its 72nd plenary meeting, on 21 December 1990, the General Assembly, on the recommendation of the Fifth Committee:

(a) Took note with appreciation of the report of the Advisory Committee on Administrative and Budgetary Questions on administrative and budgetary co-ordination of the United Nations with the specialized agencies and the International Atomic Energy Agency;

(b) Invited the Advisory Committee to continue its consideration of administrative and budgetary issues relevant to more effective co-ordination among the organizations and programmes of the United Nations system and, in the light of the introductory statement of the Chairman of the Advisory Committee, welcomed the intention of the Committee to ensure that statistical information submitted to the General Assembly was timely and to increase its efforts to report on specific matters of system-wide concern, such as conference services, procurement and agency support costs;

(c) Approved the conclusions and recommendations contained in the report of the Chairmen of the Committee for Programme and Co-ordination and the Administrative Committee on Co-ordination on the twenty-fifth series of joint meetings of the two Committees, on the improvement of co-ordination in the United Nations system;

(d) Urged the organizations of the United Nations system to lend their full support to the Administrative Committee on Co-ordination for the improvement of the analytical content and forward-looking character of the annual overview report of the Administrative Committee on Co-ordination;

(e) Took note with appreciation of the report of the Joint Inspection Unit on budgeting in organizations of the United Nations system and of the comments of the Administrative Committee on Co-ordination thereon;

(f) Requested the Joint Inspection Unit to continue its work on budgeting techniques and practices in the United Nations system and to update periodically the comparative tables provided in volume II of its report.

General Assembly decision 45/450

21 December 1990 Meeting 72 Adopted without vote

Approved by Fifth Committee (A/45/885) without vote, 19 December (meeting 50); draft by Germany (A/C.5/45/L.18), based on informal consultations; agenda item 122.

Meeting numbers. 5th Committee 37-38, 40, 42, 43, 50; plenary 72.

In related action, the General Assembly, by resolution 45/248 B, section VI, of 21 December, reaffirmed that the Fifth Committee was the appropriate Main Committee of the Assembly entrusted with responsibilities for administrative and budgetary matters, and reaffirmed ACABQ's role, while expressing concern at the tendency of the Assembly's substantive Committees and other intergovernmental bodies to involve themselves in administrative and budgetary matters. The Secretary-General was invited to provide all intergovernmental bodies with the required information regarding procedures for administrative and budgetary matters.

Chapter II

United Nations staff

In 1990, the Secretary-General pursued efforts to improve United Nations Secretariat staff composition in the areas of nationality and gender. The General Assembly requested him to continue to do so, ensuring broad and equitable geographical distribution of staff and giving paramount consideration to securing the highest standards of efficiency, competence and integrity. The Assembly, as well as the Economic and Social Council, also requested him to take measures to increase the number of women employed throughout the United Nations system in posts subject to geographical distribution, thereby ensuring an overall participation rate of 30 per cent by the end of 1990, and to the extent possible to increase the number of women in senior policy-level and decision-making posts, so as to achieve an overall participation rate of 35 per cent by 1995.

The International Civil Service Commission (ICSC), the independent technical body responsible for the regulation and co-ordination of conditions of service for staff of the UN common system, made several recommendations to the Assembly, which approved, with effect from 1 March 1991, a revised scale of gross and net salaries in the Professional and higher categories. Upon consideration of ICSC's report, the Assembly took a number of other decisions affecting conditions of service. The Assembly also approved the recommendations of ICSC and the United Nations Joint Staff Pension Board for the determination of the scale of pensionable remuneration of staff in the Professional and higher categories, and approved increases in salary and pension for the Secretary-General and other high-ranking officials.

The Secretary-General again reported that the number of arrests and detentions of UN officials remained very high, especially in the Middle East, with most of the cases relating to the arrest, detention and abduction of officials of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). The Assembly called on Member States scrupulously to respect UN officials' privileges and immunities and to refrain from impeding them in the performance of their functions. It called for immediate release of illegally detained staff members and urged adherence to the relevant international instruments.

Considerable progress was made in the administration of justice within the Secretariat under revised disciplinary rules and, following consolidation of the appellate machinery, in eliminating the backlog of appeals. The Assembly requested the Secretary-General to continue with reforms of the administration of justice and to establish by 1991 an effective system for informal settlement of staff grievances, together with a well-functioning disciplinary system.

Conditions of service

International Civil Service Commission

The International Civil Service Commission (ICSC) held two regular sessions in 1990: its thirty-first from 5 to 23 March in New York, and its thirty-second from 9 July to 3 August in Geneva. In addition, it held a special session—the third since its inception in 1974 [YUN 1974, p. 871]—in New York from 5 to 9 November. The Advisory Committee on Post Adjustment Questions (ACPAQ), established by ICSC in 1976 [YUN 1976, p. 852], held its fifteenth session in Vienna from 2 to 8 May.

The Commission examined issues derived from General Assembly decisions as well as its own statute. In 1990, ICSC focused on comprehensive reviews of the conditions of service as well as of the pensionable remuneration of the Professional and higher categories, and of the conditions of service of the General Service and related categories. The Commission also made specific recommendations with regard to special measures for the recruitment of women in the Professional and higher categories.

The Commission decided to recommend to the General Assembly the basis to be used for the methodology for pensionable remuneration, the actual methodology, the scale of staff assessment, the interim adjustment procedure, the margin range for pensionable remuneration, the procedure for calculating and reporting that margin, the modalities for operating the interim adjustment procedure within the margin range, and the scale of pensionable remuneration to be used after January 1991. It recommended procedures

for the treatment of the housing component in the post adjustment system and the payment of rental subsidies. It recommended that the current base salary scale for Professional and higher categories be increased by 8.5 per cent through consolidation of post adjustment classes. It further recommended revised salary scales for the General Service category in London, New York and Rome, as well as for the Field Service category; approved an increase in the disabled children's allowance; recommended adjustments with regard to the mobility and hardship allowance; and decided that the assignment grant should be payable to internationally recruited General Service staff.

At its special session, ICSC continued to review the relationship between the levels of net remuneration of the United Nations and the United States federal civil service as the comparator. Based on its review, the Commission decided to report the revised level of the net remuneration margin of 116.8 for the calendar year to the Assembly and to inform the Assembly that, based on current predictions, the net remuneration margin for 1991 could exceed 120. ICSC reiterated its earlier request that the Assembly reconsider its request to the Commission to manage the margin over a five-year period so that the average margin would be around the mid-point of the range. In view of the developments regarding the margin level, the Commission decided to address the issue of the freeze methodology as a priority at its March 1991 session and to report to the Assembly in 1991.

Also at its special session, ICSC considered the report of ACPAQ on the work of its first special session, which dealt with the methodology applied in the place-to-place surveys carried out at the seven headquarters duty stations and Washington, D.C. The Commission approved the results of the surveys and decided to inform the Assembly that surveys at six duty stations with more than 150 staff members would be completed by the end of 1990 and the balance of five other large duty stations would be completed by early 1991; the total number of staff at those duty stations constituted about 70 per cent of all international staff in the UN common system. By the end of 1991, the surveys completed would cover about 90 per cent of the staff, and every effort would be made to finalize the current round of place-to-place surveys before the end of 1992.

In October and November, the Secretary-General transmitted to the General Assembly's Fifth (Administrative and Budgetary) Committee the views of the staff representatives of the UN Secretariat [A/C.5/45/19] and comments by

the Federation of International Civil Servants' Associations (FICSA) [A/C.5/45/23] and the Coordinating Committee for Independent Staff Unions and Associations of the United Nations System (CCISUA) [A/C.5/45/24] on issues considered by ICSC and other staff-related matters. Also in November, the Secretary-General transmitted, for consideration by the Assembly, a statement on the conditions of service adopted by the Administrative Committee on Co-ordination (ACC) at its second regular session in October.

A summary of the Commission's deliberations, recommendations and decisions was provided in its sixteenth annual report [A/45/30 & Add.1], on which the Assembly acted in resolution 45/241. Total financial implications of ICSC's 1990 decisions and recommendations relevant to the UN common system were estimated at about \$24 million for 1991.

Review of the functioning of ICSC

In March, ICSC reviewed its functioning, taking decisions in three major areas: working methods; the role of the Commission in the review of its functioning; and the format of its reports. In May, ACC requested [ACC/1990/DEC 1-14 (dec. 1990/8)] its Consultative Committee on Administrative Questions (CCAQ) (Personnel and General Administrative Questions) to report to its first regular session in 1991 on the review of the functioning of ICSC.

In the light of ACC's decision, ICSC agreed to a request by the organizations of the UN system to participate in the consideration of the issue through a working group composed of members of the Commission, CCAQ and staff representatives.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/241.

United Nations common system: report of the International Civil Service Commission

The General Assembly,

Having considered the sixteenth annual report of the International Civil Service Commission and other related reports,

I

1. Reaffirms the central role of the International Civil Service Commission in the regulation and co-ordination of conditions of service, including pensionable remuneration of all graded and ungraded staff, of the United Nations common system;

2. Endorses the efforts of the Commission to maintain the integrity and unity of those conditions of service in order to strengthen the effectiveness of common system activities and to ensure equity of treatment of all staff;

3. Reiterates its request to the Secretary-General and to the executive heads of the organizations of the common system to make every effort to absorb in 1991 and thereafter a significant portion of any additional costs arising in respect of the regular budgets of all the organizations as a result of the comprehensive review of the conditions of service of staff in the Professional and higher categories;

II

Recalling section VIII of its resolution 42/221 of 21 December 1987, section II of its resolution 43/226 of 21 December 1988, and section II of its resolution 44/198 of 21 December 1989,

Taking note of the decisions and conclusions of the International Civil Service Commission with respect to the modification of its working methods and the format of its annual reports,

Welcoming the renewed participation of the staff representatives in the work of the Commission,

1. Reaffirm the independence and impartiality of the International Civil Service Commission in the performance of its functions, as envisaged in article 6 of its statute;

2. Expresses its satisfaction with the establishment of a more active dialogue between the Commission and representatives of organizations and of staff, *inter alia*, through tripartite working groups;

3. Requests the Commission to continue to seek improvements in the format of its report, with a view to enhancing its clarity and making it more comprehensible;

4. Requests the Secretary-General and his colleagues in the Administrative Committee on Co-ordination, in preparing the report on the review of the functioning of the Commission in accordance with section II, paragraph 1, of resolution 44/198, to recommend alternative measures to improve the functioning of the Commission;

III

Noting with concern that it has again not been possible for the International Civil Service Commission to recommend the introduction of a revised remuneration structure for staff in the Professional and higher categories that would result in greater transparency and simplicity in the concepts and administration of the remuneration system,

Noting the 'intention of the Commission to review and evaluate the proposed procedures for the treatment of housing in the light of the experience gained,

1. Urges the International Civil Service Commission to continue its examination of the remuneration structure, in particular concerning the treatment of housing, and to report its findings to the General Assembly, as appropriate, taking into account the views expressed by Member States in the Fifth Committee;

2. Takes note of the recommendations of the Commission with regard to the treatment of housing, as contained in paragraph 95 of its report;

3. Requests the Commission, as a matter of urgency, to continue to take measures to improve the measurement of the housing element in the remuneration package;

4. Also requests the Commission to establish a pilot project designed to simulate the operation of the proposals of the Commission in a limited number of duty

stations in the field where valid housing comparisons are difficult or impossible, on the understanding that housing will remain within the post adjustment system in the mean time, and to report on the experience gained with that project to the General Assembly at its forty-sixth session;

5. Further requests the Commission to examine experience gained with the functioning of the current rental subsidy scheme for headquarters duty stations and to review its proposals for a revised rental subsidy scheme, contained in paragraph 95 (b) (iv) and (viii) of its report, taking into account views expressed by Member States in the Fifth Committee on the need to improve the rental subsidy scheme, without losing sight of the purpose of the scheme of facilitating the resettlement of new staff members and of encouraging mobility within the common system, and to submit its conclusions and recommendations on the subject to the General Assembly at its forty-sixth session;

6. Decides to introduce, with effect from 1 January 1991, as a provisional arrangement, a revision to the current rental subsidy scheme at headquarters locations that provides for reimbursement over a seven-year period at the rate of 80 per cent for the first four years and 60 per cent, 40 per cent and 20 per cent, respectively, for the three years thereafter;

IV

Taking note of the compilation of the overview of common system allowances and those of the comparator civil service, as contained in annex VII to the report of the International Civil Service Commission, and the decisions of the Commission thereon,

1. Urges the International Civil Service Commission to make the utmost effort to complete its review of dependency allowances and its study on expatriate entitlements granted to staff living in their home countries and to report thereon to the General Assembly at its forty-sixth session;

2. Invites the Commission to update the comparative overview of allowances on a regular basis;

V

Taking note of the decisions and recommendations of the International Civil Service Commission with respect to the conditions of service of staff at the Assistant Secretary-General and Under-Secretary-General and equivalent levels, as contained in paragraph 124 (b) of its report,

Requests the International Civil Service Commission to reconsider, in a comprehensive manner, the remuneration of staff of organizations of the United Nations common system at the Assistant Secretary-General and Under-Secretary-General and equivalent levels, taking into account, *inter alia*, the remuneration levels of equivalent positions in the comparator civil service, representation and other allowances, housing arrangements and pensionable remuneration levels, and to report thereon to the General Assembly at its forty-sixth session;

VI

Recalling the importance of ensuring that the governing bodies of the specialized agencies take common positions with regard to matters of concern for the United Nations common system,

Concerned by the continuing practice of some organizations to grant additional steps beyond the salary scale approved by the General Assembly,

Noting that the World Intellectual Property Organization has revised its rules in respect of an additional step in the salary scale of the Professional and higher categories,

1. Urges the governing bodies of the International Labour Organisation and the World Health Organization to take the necessary measures to bring their salary scales into line with those of the other organizations of the common system, as recommended by the International Civil Service Commission;

2. Invites the Commission, with regard to its recommendation on non-pensionable cash awards to reward merit, to continue its review of performance evaluation systems in all organizations of the common system, with a view to ensuring that such systems are objective and transparent and can provide a sound basis for decisions on the proposed cash awards, as well as on within-grade increments and promotions, as indicated in section I.F, paragraph 3, of resolution 44/198;

3. Urges Member States to ensure that their representatives in the meetings of the governing bodies of the organizations of the common system are informed of the positions taken by the Commission and the General Assembly in respect of conditions of employment in the common system;

4. Takes note of the recommendations being made by the Commission to the executive heads, as contained in paragraph 235 of its report;

VII

Recalling that in section I, paragraph 2, of its resolution 40/244 of 18 December 1985, it approved a 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 around the desirable mid-point over a period of time.

Recalling also that in section I.C, paragraph 5, of its resolution 44/198, it requested the International Civil Service Commission to monitor the annual net remuneration margin over the five-year period beginning in the calendar year 1990 with a view to ensuring, to the extent possible, that by the end of that period the average of the successive annual margins is around the desirable mid-point of 115,

Taking note of the recommendations of the Commission, as contained in paragraphs 188 and 189 of its report,

Noting the views expressed by Member States in the Fifth Committee,

Noting also the possibility of a freeze of post adjustment in 1991 for duty stations throughout the United Nations common system, as mentioned in the statement by the Administrative Committee on Coordination,

Requests the International Civil Service Commission to continue to monitor the evolution of the margin and also the impact of the potential changes in the United States federal civil service pay levels, as a result of the implementation of the Federal Employees Pay Compa-

rability Act of 1990, and to submit recommendations to the General Assembly at its forty-sixth session, with a view to avoiding a prolonged freeze of post adjustment within the five-year period from the calendar year 1990;

VIII

Recalling section I.H, paragraph 1, of its resolution 44/198, by which it approved the establishment of a floor net salary scale for staff in the Professional and higher categories, with effect from 1 July 1990, by reference to the corresponding base net salary levels of officials in comparable positions serving at the base city of the comparator civil service,

1. Approves, with effect from 1 March 1991, the revised scale of gross and net salaries for staff in the Professional and higher categories contained in annex I to the present resolution and the consequential amendments to the Staff Regulations of the United Nations, as reflected in annex II to the present resolution;

2. Reiterates its request to the International Civil Service Commission to report to the General Assembly at its forty-seventh session on the operation of the mobility and hardship allowance and, in particular, on the evolution of the mobility and hardship allowance in reference to equivalent allowances granted by the comparator and in relation to the base/floor salary itself;

IX

Taking note of the decisions of the International Civil Service Commission with regard to the practice of some Member States of making supplementary payments or deductions with respect to their nationals and, in particular, the affirmation by the Commission that such arrangements are unnecessary, inappropriate and undesirable, and are inconsistent with the staff regulations of the organizations of the United Nations common system,

Concerned that some Member States have yet to respond to the requests of the Chairman of the Commission for information on this issue and, in this context, that insufficient progress has been made in taking measures to discontinue these practices,

1. Notes the efforts of some Member States to reduce these practices, and encourages other Member States to take similar measures;

2. Invites those Member States that have not yet responded to the requests of the Chairman of the International Civil Service Commission for information, to do so;

3. Requests the Secretary-General of the United Nations and the executive heads of the other organizations of the common system to take such measures and make such proposals as they consider appropriate in order to end such practices;

4. Requests the Commission to study the practice of supplementary payments and deductions and to propose measures to resolve this problem;

X

Noting the intention of the International Civil Service Commission to conduct a study of the process for setting education grant levels and to report thereon to the General Assembly at its forty-sixth session,

Approves the changes to the maximum admissible levels of expenses incurred under the education grant in five currencies, as contained in paragraph 251 of the report of the International Civil Service Commission;

XI

Recalling its resolutions 41/207 of 11 December 1986, 42/221, 43/226 and 44/198, in which it drew the attention of the organizations of the United Nations common system to the recommendations of the International Civil Service Commission with respect to special measures for the recruitment of women, the need for organizations to submit proposals to the Commission for removing obstacles to equality in promotion prospects, and the importance of providing information on measures taken and results achieved in improving the status of women in both the Professional and higher categories and the General Service and related categories in the secretariats of the organizations,

Concerned at the slow and uneven progress made in these areas,

Invites the International Civil Service Commission, working together with the organizations of the common system and with the staff representatives, to examine specific and practical steps to translate the recommendations and requests recalled in the present section into action and to report thereon to the General Assembly at its forty-seventh session;

XII

Recalling articles 13 and 14 of the statute of the International Civil Service Commission, under which it is empowered to make recommendations on classification and other aspects of personnel policy.

1. Requests the International Civil Service Commission to resume its active consideration of these substantive areas;

2. Also requests the Commission, in elaborating common personnel practices, to study, among other questions, the practice of inter-agency secondment and transfer, the feasibility of creating common staff rosters along occupational lines and the consistent system-wide application of the blaster Standard for classification;

XIII

Recalling article 12 of the statute of the International Civil Service Commission and article III of the Staff Regulations of the United Nations,

Noting the action taken on the recommendations of the Commission in respect of the survey of best prevailing conditions as regards the General Service staff in New York in October 1989,

Concerned that this action could establish an undesirable precedent for similar survey exercises throughout the United Nations common system in the future,

Appreciative of the broader managerial considerations involved,

1. Notes the application of the salary scale of the General Service category in New York that was put into effect as of 1 October 1989, and decides that this scale should not constitute a precedent for future salary surveys;

2. Requests the Secretary-General to adjust the salaries of the General Service category in New York to levels consistent with best prevailing rates of remuneration as determined by the International Civil Service Commission in accordance with its mandate so that there is no disparity by the time of the next survey;

3. Also requests the Secretary-General to submit to the General Assembly at its forty-seventh session a report on procedures, whereby the Secretary-General

and other executive heads could take measures regarding salary scales of the General Service category at variance with recommendations of the Commission, only after consultations with appropriate intergovernmental bodies and the Commission;

4. Notes that the Commission will review in 1991 the methodology for the conduct of salary surveys of the General Service and related categories at headquarters duty stations, and requests the Commission to submit a report thereon to the General Assembly at its forty-seventh session;

XIV

Recalling that the work programme of the Joint Inspection Unit includes a study on the question of grade overlap between the Professional and higher categories and other categories of staff in the United Nations common system,

Requests the International Civil Service Commission, in view of the above study, to consider the relativities between the terms and conditions of service of staff in the Professional and higher categories and those in other categories, as well as the broader question of the recruitment and retention of staff.

ANNEX II

Amendment to the Staff Regulations of the United Nations

Regulation 3.3

Replace the table under- assessment in subparagraph (b) (i) by the following tables:

"Assessment (In percentages)

Total assessable payments (United States dollars)	staff assessment rates for purposes of pensionable remuneration and pensions
First \$15,000 per year	4
Next \$10,000 per year	20
Next \$10,000 per year	25
Next \$20,000 per year	29
Next \$20,000 per year	32
Next \$20,000 per year	35
Next \$30,000 per year	37
Remaining assessable payments	39

Staff assessment rates used in conjunction with gross base salaries and the gross amounts of separation payments

Total assessable payments (United States dollars)	Staff member with a dependent spouse or a dependent child	Staff member with neither a dependent spouse nor a dependent child
First \$15,000 per year	13.0	17.5
Next \$5,000 per year	31.0	34.3
Next \$5,000 per year	34.0	38.6
Next \$5,000 per year	37.0	41.9
Next \$5,000 per year	39.0	43.9
Next \$10,000 per year	41.0	46.0
Next \$10,000 per year	43.0	48.6
Next \$10,000 per year	45.0	50.4
Next \$15,000 per year	46.0	50.6
Next \$20,000 per year	47.0	54.1
Remaining assessable payments	48.0	57.0*

ANNEX I

Salary scale for the Professional and higher categories^a
Annual gross salaries and net equivalents after application of staff assessment

(In United States dollars)

(Effective 1 March 1991)

		steps														
Level		I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII	XIII	XIV	xv
Under-Secretary-General																
USG	Gross	128,659														
	Net D	76,702														
	Net S	68,853														
Assistant Secretary-General																
ASG	Gross	116,442														
	Net D	70,350														
	Net S	63,600														
Director																
D-2	Gross	94,478	96,644	98,809	100,993	103,200	105,407									
	Net D	58,873	60,021	61,169	62,316	63,464	64,612									
	Net S	53,995	54,990	55,983	56,957	57,906	58,855									
Principal Officer																
D-1	Gross	83,047	84,902	86,756	88,610	90,465	92,319	94,173	96,028	97,882						
	Net D	52,815	53,798	54,781	55,763	56,746	57,729	58,712	59,695	60,677						
	Net S	48,749	49,600	50,451	51,302	52,153	53,004	53,855	54,707	55,558						
Senior Officer																
P-5	Gross	72,782	74,429	76,076	77,723	79,370	81,036	82,714	84,392	86,070	87,748	89,426	91,104	92,782		
	Net D	47,302	48,192	49,081	49,971	50,860	51,749	52,639	53,528	54,417	55,307	56,196	57,085	57,975		
	Net S	43,784	44,598	45,412	46,225	47,039	47,826	48,596	49,366	50,136	50,906	51,677	52,447	53,217		
First Officer																
P-4	Gross	59,277	60,854	62,431	64,008	65,596	67,202	68,808	70,414	72,020	73,626	75,232	76,839	78,445	80,052	81,688
	Net D	39,952	40,820	41,687	42,554	43,422	44,289	45,156	46,024	46,891	47,758	48,625	49,493	50,360	51,227	52,095
	Net S	37,101	37,884	38,666	39,448	40,234	41,028	41,821	42,615	43,408	44,201	44,995	45,788	46,582	47,374	48,125
Second Officer																
P-3	Gross	47,890	49,320	50,749	52,179	53,608	55,039	56,521	58,002	59,483	60,965	62,446	63,928	65,417	66,926	68,435
	Net D	33,547	34,362	35,177	35,992	36,807	37,621	38,436	39,251	40,066	40,881	41,695	42,510	43,325	44,140	44,955
	Net S	31,325	32,060	32,795	33,530	34,265	34,999	35,734	36,469	37,204	37,939	38,673	39,408	40,146	40,891	41,637
Associate Officer																
P-2	Gross	38,075	39,311	40,546	41,781	43,016	44,251	45,503	46,781	48,060	49,338	50,617	51,895			
	Net D	27,814	28,543	29,272	30,001	30,729	31,458	32,187	32,915	33,644	34,373	35,101	35,830			
	Net S	26,101	26,768	27,435	28,102	28,769	29,436	30,099	30,755	31,413	32,070	32,727	33,384			
Assistant Officer																
P-1	Gross	28,521	29,633	30,769	31,917	33,065	34,214	35,374	36,561	37,748	38,935					
	Net D	22,018	22,719	23,419	24,120	24,820	25,520	26,221	26,921	27,621	28,322					
	Net S	20,776	21,422	22,066	22,710	23,354	23,999	24,642	25,283	25,924	26,565					

D = Rate applicable to staff members with a dependent spouse or child.

S = Rate applicable to staff members with no dependent spouse or child.

^aThis scale represents the result of a consolidation of five multiplier points of post adjustment into net base salary. There will be consequential adjustments in the post adjustment indices and multipliers at all duty stations, effective 1 March 1991. Thereafter, changes in post adjustment classifications will be effected on the basis of the movements of the newly consolidated post adjustment indices.

General Assembly resolution 45/241

21 December 1990 Meeting 72 Adopted without vote

Approved by Fifth Committee (A/45/889) without vote, 18 December (meeting 49); draft by Mexico (A/C.5/45/L.16), based on informal consultations: agenda item 127.

Meeting numbers. GA 45th session: 5th Committee 27, 29-31, 34, 35, 37, 49; plenary 72.

Conditions of service and compensation of officials other than Secretariat officials

ICJ members

In November, the Secretary-General reported [A/C.5/45/44] on the compensation and conditions of service of members of the International Court of Justice (ICJ). Such a report was required every five years under General Assembly resolution 31/204 [YUN 1976, p. 869].

The Secretary-General said that, in May, the President, Vice-President and two ICJ members, accompanied by the Registrar, had met with him to express the Court's unanimous concern regarding the level of emoluments and conditions of service. The Secretary-General fully supported the view that a change in the level of emoluments was justified and recommended a 5 per cent base salary increase to \$106,500 from 1 January 1991, with a post adjustment arrangement for the Netherlands, the seat of the Court, to result in a total annual salary of \$145,000. The additional special allowance for the President, unchanged since 1985, would be raised from \$15,000 to \$20,000, while the Vice-President when acting as President would receive an additional \$115 a day, up to a maximum of \$11,500 per year, instead of the current \$94 a day, \$9,400 maximum. With those proposed increases, ICJ judges, elected to serve nine years, would receive a 29.9 per cent increase in pensions, from the current \$41,000 annually to \$53,250 a year. The financial implications of those proposals, together with others covering such matters as representation allowance, housing/rental subsidy and education grants, were estimated to amount to \$1,065,100 for 1991.

The Advisory Committee on Administrative and Budgetary Questions (ACABQ), in a December report [A/45/7/ADD. 10], recommended that the annual salary for ICJ members be raised to \$145,000, effective 1 January 1991, with the next review to take place no later than three years after that date. However, it expressed difficulties with some of the Secretary-General's other proposals and emphasized that emoluments and conditions of service applicable to Court members should be simple and distinct from any other in the UN system, not directly related or compared to those of senior Secretariat officials. It recommended no change in the special allowance for

the President or the Vice-President while acting as President. The Advisory Committee recommended against establishment of a representation allowance or housing allowance. There would be no cost-of-living adjustment or post adjustment, though the Committee recommended that a measure of protection against currency fluctuation be provided. It recommended a 22 per cent increase in pensions, allowing for a \$50,000 pension after nine years; re-elected judges should receive an additional \$250 a month for each further month of service, up to a maximum of \$75,000 a year. The financial implications of the ACABQ recommendations would amount to \$957,000 for 1991.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolutions 45/250 A, B and C.

A

Emoluments

The General Assembly,

Recalling its resolutions 31/204 of 22 December 1976, 35/220 A of 17 December 1980, 40/257 A of 18 December 1985 and section VI of its resolution 43/217 of 21 December 1988 on the emoluments of the members of the International Court of Justice,

Having considered the report of the Secretary-General and the related report of the Advisory Committee on Administrative and Budgetary Questions,

1. Decides that, with effect from 1 January 1991, the annual salary of the members of the International Court of Justice shall be 145,000 United States dollars;

2. Decides also that the *ad hoc* judges referred to in Article 31 of the Statute of the International Court of Justice shall continue to receive for each day they exercise their functions one three-hundred-and-sixty-fifth of the annual salary payable at the time to a member of the Court;

3. Decides further in between the regularly scheduled periodic reviews, to continue the system of floor/ceiling measures introduced pursuant to section VI of General Assembly resolution 43/217, in accordance with the recommendations contained in paragraphs 8 to 11 of the report of the Advisory Committee on Administrative and Budgetary Questions;

4. Decides that the emoluments and other conditions of service for the members of the International Court of Justice shall next be reviewed at its forty-eighth session.

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, 38/239 of 20 December 1983 and 40/257 B of 18 December 1985, on the pension scheme for the members of the International Court of Justice,

Having considered the report of the Secretary-General and the related report of the Advisory Committee on Administrative and Budgetary Questions,

1. Decides that, with effect from 1 January 1991, the pension entitlement of a member of the International Court of Justice who has served a full term of nine years shall be 50,000 United States dollars a year and that the pension entitlement of a member of the Court who is re-elected shall be increased by an additional 250 dollars per month for each further month of service up to a maximum pension of 75,000 dollars per year;

2. Also decides that, with effect from 1 January 1991 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 1990, including the pensions of any members of the Court who retire on or before that date, shall be increased by 22 per cent;

3. Further decides that the pension of the members of the International Court of Justice shall be subject to review whenever the annual salary of the members of the Court is reviewed;

4. Concurs with the recommendation of the Advisory Committee on Administrative and Budgetary Questions concerning the consequential changes in the Pension Scheme Regulations for the members of the International Court of Justice resulting from the recommendations as contained in paragraph 15 of its report.

C

Conditions of service

The General Assembly,

Recalling section XIV of its resolution 37/237 of 21 December 1982, section XVII of its resolution 38/234 of 20 December 1983 and section V of its resolution 39/236 of 18 December 1984 on conditions of service and compensation for officials other than Secretariat officials, as well as its resolutions 40/257 C of 18 December 1985 and 43/226 of 21 December 1988,

Having considered the report of the Secretary-General and the related report of the Advisory Committee on Administrative and Budgetary Questions,

1. Decides that, with effect from 1 January 1991, the President and the members of the International Court of Justice who have taken up primary residence at The Hague shall be reimbursed, up to a ceiling of 6,750 United States dollars, 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 return journey per year in respect of each child from the place of scholastic attendance, when outside the Netherlands, to The Hague;

2. Decides also that, with effect from 1 January 1991, the President and the members of the International Court of Justice who have taken up primary residence at The Hague shall be reimbursed, up to a ceiling of 9,000 dollars, for the actual cost of educating their disabled 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 return journey per year in respect of each child from the place of scholastic

attendance, when outside the Netherlands, to The Hague;

3. Decides further that any increase in the level of the education grant, including the education grant regarding disabled children, applicable to staff in the Professional and higher categories decided upon by the General Assembly at its forty-fifth session shall be extended to the members of the International Court of Justice.

General Assembly resolutions 45/250 A-C

21 December 1990 Meeting 72 Adopted without vote

Approved by Fifth Committee (A/45/900) without vote, 14 December (meeting 46); draft by Chairman (A/C.5/45/L.7); agenda item 118.

ICSC members and ACABQ Chairman

In November, the Secretary-General reported [A/C.5/45/21], in response to General Assembly resolution 40/256 [YUN 1985, p. 1252], on compensation and conditions of service of full-time members of ICSC and of the Chairman of ACABQ. Noting that staff in the Professional and higher categories of the Secretariat had received a salary increase of approximately 5 per cent effective 1 July 1990, the Secretary-General recommended an upward adjustment for the ICSC Chairman and Vice-Chairman and the Chairman of ACABQ of 5 per cent, to \$112,875 annually. An increase in the special allowance for the two Chairmen would bring the total remuneration of each to \$120,875. Those increases, plus rental subsidies, would entail additional appropriations of \$88,125 in 1991.

ACABQ, in a December report [A/45/7/Add.13], concurred with the Secretary-General's proposal to adjust compensation for the three officials upward by 5 per cent and to increase the special allowance.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/249.

Conditions of service and compensation for officials, other than Secretariat officials, serving the General Assembly

The General Assembly,

Recalling its resolutions 35/221 of 17 December 1980 and 40/256 of 18 December 1985 on the conditions of service and compensation for officials, other than Secretariat officials, serving the General Assembly,

Having considered the report of the Secretary-General and the related report of the Advisory Committee on Administrative and Budgetary Questions,

Reaffirming 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,

1. Decides that, with effect from 1 January 1991, 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 be 112,875 United

States dollars, with an additional special allowance of 8,000 dollars for the Chairman of the Commission and the Chairman of the Advisory Committee;

2. Approves the recommendations of the Advisory Committee on Administrative and Budgetary Questions as contained in paragraphs 3 to 5 of its report with regard to the Chairman and Vice-Chairman of the 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 Commission and of the Chairman of the Advisory Committee shall next be reviewed at the fiftieth session of the General Assembly and that, pending such review, the annual compensation shall be adjusted in accordance with the procedure approved in paragraph 3 of its resolution 35/221.

General Assembly resolution 45/249

21 December 1990 Meeting 72 Adopted without vote

Approved by Fifth Committee (A/45/900) without vote, 14 December (meeting 46); draft by Chairman (A/C.5/45/L.6); agenda item 118.

Meeting numbers. GA 45th session: 5th Committee 45, 46; plenary 72.

Remuneration of Secretary-General, DIEC Director-General and UNDP Administrator

In a December report [A/45/7/Add.12], ACABQ recommended that the 5 per cent salary increases of July 1990 for staff in the Professional and higher categories also be applied to the Director-General for Development and International Economic Co-operation (DIEC) and the Administrator of the United Nations Development Programme (UNDP), raising their net annual remuneration from \$130,556 to \$137,083, with their pensionable remuneration rising to \$163,960 from \$156,864. No change was recommended in their representation allowance of \$10,000.

The Advisory Committee recommended a more fundamental change in the salary and emoluments of the Secretary-General, from a net remuneration of \$141,270 to \$170,000, with his representation allowance, which had remained at \$22,500 since 1963, increasing to \$25,000 a year. The total net remuneration of the Secretary-General from 1 January 1991 would therefore be \$195,000.

ACABQ also recommended raising the maximum annual retirement allowance for the Secretary-General from \$81,650 to \$85,000, with necessary revisions for retirement allowances payable to a former Secretary-General and surviving spouses.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/251.

Salary and retirement allowance of the Secretary-General and salary and pensionable remuneration of the Director-General for Development and International Economic Co-operation and the Administrator of the United Nations Development Programme
The General Assembly,

Having considered the report of the Advisory Committee on Administrative and Budgetary Questions,

1. Concurs with the recommendations of the Advisory Committee on Administrative and Budgetary Questions concerning the salary and retirement allowance of the Secretary-General contained in paragraphs 5 and 6 of its report and the procedure for adjusting the retirement allowance and payments to surviving spouses as contained in paragraph 7 of its report;

2. Also concurs with the recommendations of the Advisory Committee concerning the salary and pensionable remuneration of the Director-General for Development and International Economic Co-operation and the Administrator of the United Nations Development Programme, contained in paragraphs 3 and 4 of its report;

3. Approves the amendment to annex I to the Staff Regulations of the United Nations with effect from 1 January 1991, as set forth in the annex to the present resolution.

ANNEX

Amendment to annex I of the Staff Regulations of the United Nations

In paragraph 1, the salary figure for the Administrator of the United Nations Development Programme and the Director-General for Development and International Economic Co-operation shall read \$US 151,233.

General Assembly resolution 45/251

21 December 1990 Meeting 72 Adopted without vote

Approved by Fifth Committee (A/45/900) without vote, 15 December (meeting 47); draft by Advisory Committee on Administrative and Budgetary Questions (A/45/7/Add.12); agenda item 118.

Pensions

According to the report [A/46/9] of the United Nations Joint Staff Pension Board to the General Assembly, the number of participants in the United Nations Joint Staff Pension Fund increased during 1990 from 56,222 to 58,263. As of year's end, there were 30,901 periodic benefits in award: 10,397 retirement benefits, 5,347 early retirement benefits, 5,338 deferred retirement benefits, 4,029 widows' and widowers' benefits, 5,154 children's benefits, 585 disability benefits and 51 secondary dependants' benefits. In the course of the year, 3,757 lump-sum withdrawals and other settlements were paid. The principal of the Fund increased from \$7,579,591,411 to \$8,478,108,817. Investment income totalled \$832,456,181, comprising \$553,587,499 in interest and dividends and \$278,868,682 in net profits on sales of investments. After deduction of in-

vestment management costs of \$9,171,166, net investment income was \$823,285,015.

In 1990, the Board held three sessions: its thirty-ninth (special) session (Rome, 21-23 February), its fortieth session (London, 20-29 June) and its forty-first (special) session (Geneva, 29-31 August). At those sessions, it dealt with the comprehensive review of the methodology for the determination of the scale of pensionable remuneration of staff in the Professional and higher categories, which the General Assembly, by resolution 41/208 [YUN 1986, p. 1071], had requested ICSC to undertake, in full co-operation with the Board and with recommendations to be submitted to the Assembly in 1990; the arrangements for a comprehensive review of the methodology for determining pensionable remuneration and consequent pensions of staff in the General Service and other locally recruited categories, to be carried out in 1991 by ICSC, in full co-operation with the Board; a review of the operations of the pension adjustment system; and the methodology and actuarial assumptions to be used in the valuation of the Fund as at 31 December 1990. The Board also examined the management of the Fund's investments, the financial statements and schedules for the year ended 31 December 1989, and a progress report on the efforts to improve the Fund's administrative and operational capacities. Other matters considered were the interest rates for calculating the lump-sum commutation of benefits; entitlements to survivors' benefits from the Fund for spouses and former spouses; and two recent judgements of the Administrative Tribunal of the International Labour Organisation (ILO) that affected the pension entitlements of ILO staff (see below).

ACABQ commented [A/45/699] on the Board's report in October.

Pension Fund investments

The Secretary-General's report [A/C.5/45/7] for the year ended 31 March 1990 on the investments of the United Nations Joint Staff Pension Fund was presented to the General Assembly in October. The Fund remained one of the most diversified pension funds in the world, with investments in 33 currencies and 43 countries; 52 per cent of assets were invested in currencies other than the United States dollar, the Fund's unit of account. The market value of the Fund's assets increased by 12.13 per cent to \$8,558 million, from \$7,632 million a year earlier, and \$947 million above the book value. Total investment return for the year ending 31 March 1990 was 11.56 per cent, which, after adjusting for inflation, represented a real return rate of 6.03 per cent.

Equities constituted 40 per cent of assets, down from 42 per cent the previous year. Bonds accounted for 39 per cent, up from 34 per cent the year before, while real estate-related securities amounted to 12 per cent, the same as in 1989. Efforts continued to increase investments in developing countries in response to Assembly requests. Development-related investments rose by 12.6 per cent over the previous year, from \$1,134.4 million to \$1,277.2 million as at 30 June 1990. The combined development-related assets represented 16.7 per cent of the Fund's total book value. Investments in development institutions amounted to \$1,036.6 million, 14 per cent over the total of \$909.4 million the year before; direct investments in specific developing countries increased by 6.9 per cent, from \$225 million to \$240.6 million. Direct investments and those through regional development institutions increased in Africa by 14.8 per cent, to \$117.1 million; in Latin America by 19.9 per cent, to \$244.1 million; and in Asia by 27.6 per cent, to \$314.3 million.

Given the volatility of the major financial markets and exchange rate fluctuations, the Secretary-General considered that the Fund's investment return of 11.56 per cent for the year ended 31 March 1990, when measured in United States dollars, was satisfactory. The defensive strategy of taking profits where appropriate and the diversification policy of increasing investments in those markets and instruments that performed better contributed to the Fund's satisfactory performance. He regarded the diversification policy and careful selection of investment instruments, including active investigation of opportunities in developing countries, as the best way of preserving the principal and enhancing investment return over the medium and long term. He would continue to discharge his fiduciary responsibilities through sound investment decisions in accordance with the criteria and values embodied in Assembly resolutions.

In an October report [A/45/699], ACABQ noting that total taxes withheld by countries on the Fund's investment income amounted to \$11,048,461, said that it shared the Board of Auditors' concern over the matter and supported a divestment of the Fund's holdings in those countries that refused to exempt the Fund's investment transactions from national taxes.

Actuarial balance

The United Nations Joint Staff Pension Board in 1990 examined and approved the actuarial assumptions proposed by the five-member Committee of Actuaries. The Board noted that actuarial assumptions, which were intended to deter-

mine whether current and estimated future assets of the Fund would be sufficient to meet liabilities, were meant to reflect the overall effect of events expected to occur over a very long period of time. The "regular" economic assumptions—a 6.5 per cent annual increase in pensionable remuneration (in addition to static increases), a nominal interest rate (or expected rate of return on investments) of 9 per cent a year, and a 6 per cent cost-of-living increase of benefits—remained unchanged; the real rate of return under those assumptions was 3 per cent (investment rate of return minus price increase). The Board agreed with the Committee that the new demographic assumptions—first used in the 31 December 1988 valuation—relating to rates of withdrawal, death in service, disability, early retirement and retirement appeared satisfactory, and therefore no changes were recommended. However, the rates of male mortality after retirement were to be decreased for the next valuation. The Committee also examined the rate of early retirements, noting that in 1989 the number of such retirements had decreased to about 87 per cent of the annual average number during 1987–1988. The Board agreed with the Committee of Actuaries that the forthcoming valuation should be based on Fund population growth assumptions consistent with those used in the 31 December 1988 valuation.

The Board agreed that a study should be carried out of the actuarial implications of extending the maximum number of years of creditable contributory service, currently set at 35 years. It felt, however, that there was no basis for reconsideration of a reduction of the eligibility period, as the matter had been thoroughly discussed in 1989 as part of the review of measures to restore the Fund's actuarial balance, and at that time it had not proved possible to reach agreement.

ILO judgements

In 1990, the Board considered recent judgements by the Administrative Tribunals within the UN system that appeared to be relevant, with particular attention to two cases decided by the ILO Tribunal dealing with the entitlements of staff members of ILO, under whose Staff Regulation 3.1.1 pensionable remuneration was defined in a manner which, at times, did not coincide with the definition in the Fund's regulations. At the instruction of the ILO Governing Body, the ILO Director-General requested the Board's assistance in implementing the first of the two judgements, which dealt with the legal consequences of ILO making the lower scale of pensionable remuneration for staff in the Professional and higher categories (which went into

effect under the Fund's regulations on 1 January 1985) applicable to its own officials in service on 31 December 1984, only from 1 April 1985. The ILO Administrative Tribunal held that such staff were entitled to receive from the organization the difference between their actual pensions and the amounts they would have received had those pensions been based until 31 March 1985 on the higher, pre-1 January 1985 scale of pensionable remuneration.

The Board agreed to recommend to the General Assembly that the assistance sought by ILO be provided, but only under the conditions that the ILO Governing Body completed formal action to replace article 3.1.1 by a cross-reference to the definition of pensionable remuneration under the Fund's regulations, so that the problem of differing definitions would not recur; that ILO agreed to bear the full actuarial and administrative costs involved in recalculating and paying the increased benefits of the approximately 350 participants involved; and that ILO endeavoured to reach lump-sum settlements with as many of the former staff members concerned as possible.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/242.

United Nations pension system

The General Assembly,

Recalling its resolution 44/199 of 21 December 1989,

Having considered the report of the United Nations Joint Staff Pension Board for 1990 to the General Assembly and to the member organizations of the United Nations Joint Staff Pension Fund, chapter III of the report of the International Civil Service Commission, the report of the Secretary-General on the investments of the Fund, and the related report of the Advisory Committee on Administrative and Budgetary Questions,

I

Pensionable remuneration of staff in the Professional and higher categories

Recalling its request in section I, paragraph 6, of its resolution 41/208 of 11 December 1986 to the International Civil Service Commission to undertake, in full co-operation with the United Nations Joint Staff Pension Board, a further comprehensive review of the methodology for the determination of the scale of pensionable remuneration of staff in the Professional and higher categories, for monitoring the level of the scale and for its adjustment between comprehensive reviews, and to submit its recommendations thereon to the General Assembly at its forty-fifth session,

Recalling also its request in section II, paragraph 2, of its resolution 44/199 to the Commission, in full co-operation with the Board, to study the desirability of establishing a margin range between the pensionable remuneration of staff in the Professional and higher categories in the United Nations common system and staff in comparable grades in the comparator civil service,

Noting with satisfaction that the close co-operation between the Commission and the Board has resulted in agreement between the two bodies on the substantive issues involved in the determination of the scale of pensionable remuneration, as reflected in their respective reports,

Taking note of the views of the Commission and the Board on the desirability of a margin range for pensionable remuneration, as set out in paragraphs 33 to 37 of the report of the Commission and paragraphs 50 to 55 of the report of the Board,

Recalling the criteria established by the General Assembly in section I of its resolution 41/208 for the determination of the scale of pensionable remuneration of staff in the Professional and higher categories.

1. Approves the recommendations made by International Civil Service Commission and the United Nations Joint Staff Pension Board for the determination of the scale of pensionable remuneration of staff in the Professional and higher categories, for monitoring the level of the scale and for its adjustment in between comprehensive reviews, namely:

(a) That income replacement in New York should continue to be used as the basis of the methodology for the determination of pensionable remuneration of staff in the Professional and higher categories, bearing in mind the relationship between pensionable remuneration amounts for United Nations staff in the Professional and higher categories and for their counterparts in the United States federal civil service;

(b) That the methodology used to establish the 1 April 1987 scale of pensionable remuneration on the occasion of the previous comprehensive review should continue to be used;

(c) That the scale of staff assessment shown in annex III to the report of the Commission should be used for the determination of pensionable remuneration of staff in the Professional and higher categories;

(d) That the interim adjustment procedure, as amended by the General Assembly at its forty-fourth session, should be continued;

(e) That the procedure outlined in annex IV to the report of the Commission should be used for the calculation and reporting of the annual pensionable remuneration margin;

(f) That the income replacement ratios applicable over the three-year period ending on 31 December of the margin year should be calculated for both the comparator and the United Nations system and reported to the General Assembly;

(g) That, following the annual review of the pensionable remuneration margin and the income replacement ratios, the Commission and the Board should report and make their respective recommendations, as appropriate, to the General Assembly;

2. Amends, with effect from 1 January 1991, article 54 (b) of the Regulations of the United Nations Joint Staff Pension Fund, as set out in the annex to the present resolution;

3. Requests the Commission, in full co-operation with the Board, to undertake in 1995 a further comprehensive review of the methodology for the determination of the scale of pensionable remuneration of staff in the Professional and higher categories, for monitoring the level of the scale and for its adjustment be-

tween comprehensive reviews, and to submit recommendations thereon to the General Assembly at its fiftieth session;

II

Pensionable remuneration and pensions of ungraded officials

Taking note of the information provided in paragraphs 59 to 67 of the report of the United Nations Joint Staff Pension Board, and in annex IV thereto, on the pensionable remuneration and net remuneration of ungraded officials, including the executive heads of member organizations of the United Nations Joint Staff Pension Fund, and on the possible amendments to the Regulations of the Fund considered by the Board to cover such officials;

Noting that the International Civil Service Commission, in the light of the advisory opinion it had received from the United Nations Legal Counsel, concluded that it had neither the statutory authority nor the mandate from the General Assembly to address the matter of the pensionable remuneration of ungraded officials;

Believing that a common system approach should be used for the determination of the pensionable remuneration and pensions of all participants in the Fund, including ungraded officials;

1. Expresses concern at the divergent practices that have emerged since 1984 in the common system in respect of the pensionable remuneration of ungraded officials;

2. Requests the International Civil Service Commission, in full co-operation with the United Nations Joint Staff Pension Board, to review the methodology for the determination of the pensionable remuneration of ungraded officials, including the executive heads of member organizations, who are participants in the United Nations Joint Staff Pension Fund, and to submit recommendations thereon to the General Assembly at its forty-sixth session, and requests the Board to recommend consequential changes in the Regulations of the Fund;

3. Invites the governing bodies and executive heads of the member organizations of the Fund to co-operate with the Commission and the Board, taking account of the information contained in paragraphs 59 to 67 of the report of the Board, and in annex IV thereto;

III

Pensionable remuneration of staff in the General Service and other locally recruited categories

1. Takes note of the intention of the International Civil Service Commission to undertake, in 1991, in full co-operation with the United Nations Joint Staff Pension Board, a comprehensive review of the pensionable remuneration and consequent pensions of staff in the General Service and other locally recruited categories and of the arrangements, designed to ensure full co-operation in the conduct of the review, agreed upon by the Commission as set out in paragraphs 55 to 57 of its report and by the Board as set out in paragraphs 72 to 75 of its report;

2. Requests the Commission, in full co-operation with the Board, to submit recommendations thereon to the General Assembly at its forty-sixth session;

IV

Changes in the pension adjustment system

1. Takes note of section III.E of the report of the United Nations Joint Staff Pension Board on the pension adjustment system, in particular of the modifications of that system considered by the Board, including the proposal of the International Telecommunication Union, for the determination of the initial local currency pension in the light of the expiration on 31 December 1990 of the interim measure approved by the General Assembly in its resolution 42/222 of 21 December 1987;

2. Takes note also of the arrangements made by the Board to continue, in 1991, its efforts to develop a long-term approach to the determination of the initial local currency pension;

3. Approves, with effect from 1 January 1991, the transitional measures recommended by the Board in paragraph 114 of its report, and the consequential change in the pension adjustment system, as set out in annex X to the report of the Board;

4. Also approves, with retroactive effect to 1 July 1990, the change in the pension adjustment system resulting from the introduction of a new salary structure for staff in the Professional and higher categories, as set out in annex X to the report of the Board;

5. Requests the Board to give priority to the development of a long-term approach to the determination of the initial local currency pensions, taking into account the observations made by the Advisory Committee on Administrative and Budgetary Questions in paragraphs 25 to 27 of its report and the need to safeguard the financial health of the United Nations Joint Staff Pension Fund while, at the same time, responding to the problems caused by the declining value of pensions in certain countries resulting from currency exchange rate fluctuations, and to submit recommendations on appropriate changes in the pension adjustment system to the General Assembly at its forty-sixth session;

6. Invites the governing bodies of the other member organizations of the Fund to refrain from seeking to establish for their staff, whether by provisions in their staff regulations or by other means, additional pension entitlements, as such action would be detrimental to

the common system under which all staff should receive equal treatment, irrespective of their employing organization;

V

Assistance to the International Labour Organisation in implementing Judgement No. 990 of its Administrative Tribunal

1. Takes note of the information provided in paragraphs 188 and 189 of the report of the United Nations Joint Staff Pension Board on the International Labour Organisation Administrative Tribunal Judgement No. 990 [In re Cuvillier (No. 3)] and the request by the Director-General of the International Labour Organisation for assistance by the Board in implementing that judgement;

2. Concurs with the views of the Board, as set out in paragraph 190 of its report, that the assistance requested should be provided only if the conditions specified in that paragraph are met;

3. Urges the Governing Body of the International Labour Organisation, in considering possible amendments to article 3.1.1. of its Staff Regulations, to ensure that the text it eventually adopts corresponds to the provisions in the staff regulations of the other member organizations of the United Nations Joint Staff Pension Fund which define pensionable remuneration by direct reference to its definition in the Regulations of the Fund, so that pensionable remuneration would be defined uniformly for the staff of all the member organizations of the Fund;

VI

Other matters

Takes note of the other matters considered in the report of the United Nations Joint Staff Pension Board;

VII

Investments of the United Nations Joint Staff Pension Fund

1. Takes note of the report of the Secretary-General on the investments of the United Nations Joint Staff Pension Fund;

2. Requests Member States that do not now grant tax exemptions on investments of the Fund to make all possible efforts to permit such exemptions.

APPENDIX

Scale of pensionable remuneration for staff in the Professional and higher categories

(In United States dollars)
(Effective 1 November 1990)

	Steps														
Level	I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII	XIII	XIV	XV
USG	137,349														
ASG	127,082														
D-2	106,311	108,863	111,269	113,766	116,320	118,931									
D-1	93,733	95,857	98,025	100,151	102,326	104,483	106,571	108,701	110,873						
P-5	83,208	85,115	86,940	88,801	90,729	92,516	94,421	96,618	98,585	100,430	102,310	104,225	106,175		
P-6	68,407	70,219	72,022	73,739	75,607	77,404	79,231	81,256	83,115	85,087	86,402	88,263	90,164	92,106	94,090
P-3	56,051	57,792	59,474	61,079	62,734	64,369	66,111	66,193	69,559	71,399	72,749	74,354	76,016	77,715	79,453
P-2	45,302	46,750	48,121	49,590	51,058	52,397	53,856	55,567	57,188	58,652	59,788	60,947			
P-1	35,525	36,744	37,824	38,925	40,139	41,228	42,533	44,234	45,669	46,978					

ANNEX

Amendment to the Regulations of the United Nations
Joint Staff Pension Fund

Article 54

Pensionable remuneration

Replace paragraph (b) by the following text:

“(b) In the case of participants in the Professional and higher categories, the pensionable remuneration effective 1 November 1990 shall be that set out in the appendix hereto. Thereafter, the scale of pensionable remuneration for such participants shall be adjusted as from the same date as the net remuneration amounts of officials in the Professional and higher categories in New York are adjusted. Such adjustment shall be by a uniform percentage equal to the variation in the net remuneration amounts, as determined by the International Civil Service Commission.”

General Assembly resolution 45/242

21 December 1990 Meeting 72 Adopted without vote

Approved by Fifth Committee (A/45/880) without vote, 17 December (meeting 48); draft by Vice-Chairman (A/C.5/45/L.14), based on informal consultations; agenda item 128.

Meeting numbers. GA 45th session: 5th Committee 27, 29-31, 34, 35, 48; plenary 72.

Staff management issues

Staff composition

Report of Secretary-General. In October 1990, the Secretary-General presented his annual report [A/45/541] to the General Assembly on the composition of the UN Secretariat-by nationality, sex, grade and type of appointment-for the period from 1 July 1989 to 30 June 1990. The total number of UN Secretariat staff as at 30 June was 14,043, of whom 9,565 were paid from the regular budget and 4,478 from extrabudgetary sources. Staff in the Professional category and above numbered 3,784; staff in the General Service and related categories were 9,145; and project personnel totalled 1,114.

On 30 June, there were 11 unrepresented Member States, the same number as the previous year, and 19 underrepresented Member States, as compared with 26 on 1 July 1989. Changes in Member States' representation resulted not only from appointments and separations from service of staff, but also from adjustments of the desirable ranges resulting from a change in the number of posts subject to geographical distribution and from variations in the assessed contributions of individual States or in their population, as well as from changes in the status of some staff members.

During the reporting period, 63 women were appointed to posts subject to geographical distribution, representing 31.2 per cent of appoint-

ments, compared with 36 appointments, or 26.86 per cent, during the previous period.

Secondment from government service

Report of Secretary-General. In October, the Secretary-General submitted to the General Assembly's Fifth Committee a report [A/C.5/45/12] on secondment to the Secretariat from government service, a practice by which an official is posted away from his or her service to another service for a specified period under defined terms and conditions, on the understanding that, at the end of that period, he or she will return to the service of origin. About 500 Secretariat staff members in the Professional category and above, from 51 nationalities, were currently seconded from their Governments; 430 of them were seconded from seven Member States.

The report said that while secondment, practised on a limited scale, could be beneficial to the international civil service, it could under certain circumstances undermine the Secretary-General's efforts to enhance the independence and efficiency of the Secretariat. On a number of occasions, the Administrative Tribunal of the United Nations had reviewed aspects of the practice of secondment. While a Tribunal judgement of May 1990 maintained the institution of secondment, it required a review by the Organization of its secondment procedures. In his report, the Secretary-General sought to identify the basic hypotheses according to which he would propose to devise policies to maximize the Organization's efficiency and effectiveness, while bearing in mind Member States' legitimate interests. In deciding whether to grant career appointments to staff members on secondment, he said he would consider all the interests of the Organization, giving paramount consideration to the necessity of securing the highest standards of efficiency, competence and integrity in recruiting staff members, as well as paying due regard to geographical distribution. The Secretary-General would also be guided by the necessity of ensuring an adequate turnover of personnel in the interest of the Organization's performance in its various fields of activity. He was especially mindful of the major challenges in the coming years and the need for the Secretariat to be able to adapt to diverse and evolving tasks, with consequential personnel requirements. He invited the Assembly to consider and approve the approach indicated in the report.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/239 A.

Composition of the Secretariat
The General Assembly,

Recalling Articles 97, 100 and 101 of the Charter of the United Nations,

Reaffirming its resolutions 33/143 of 20 December 1978, 35/210 of 17 December 1980, 41/213 of 19 December 1986, 42/200 A of 21 December 1987, 43/224 A of 21 December 1988 and 44/185 A of 19 December 1989,

Recognizing the importance of maintaining a qualified, independent and geographically balanced international civil service,

Having considered the report of the Secretary-General on the composition of the Secretariat and the relevant sections of the analytical report of the Secretary-General on the implementation of General Assembly resolution 41/213,

Noting with appreciation the progress made in reducing the number of Member States that are unrepresented or underrepresented in the Secretariat,

Recognizing that matters related to the representation of Member States in the Secretariat are dealt with on a country basis,

Noting the positive results of national competitive examinations for posts at the P-1 and P-2 levels and the intention of the Secretary-General to introduce national competitive examinations for posts at the P-3 level in two occupational groups,

Noting also the continued efforts made to fill posts in organizational units with high vacancy rates, particularly in the regional commissions,

Noting further that there are limited opportunities for promotion in some occupational groups in the Secretariat,

Bearing in mind the views on personnel questions expressed by Member States in the Fifth Committee during the forty-fifth session,

1. Reiterates its full support for the Secretary-General as the chief administrative officer of the Organization, and underlines its full respect for his prerogatives and responsibilities under the Charter of the United Nations;

2. Requests the Secretary-General to strengthen the role and emphasize the authority of the Office of Human Resources Management of the Secretariat in accordance with recommendation 41 of the Group of High-level Intergovernmental Experts to Review the Efficiency of the Administrative and Financial Functioning of the United Nations;

3. Reaffirms, in accordance with the Charter, that the paramount consideration in the appointment, promotion, granting or reviewing of permanent contracts and career development 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, and that this consideration is fully compatible with the principle of equitable geographical distribution;

4. Urges the Secretary-General, whenever making appointments at all levels to posts subject to geographical distribution, to make every effort to recruit nationals of unrepresented and underrepresented Member States, bearing in mind also the need to increase the number of staff recruited from Member States below the mid-point of their desirable ranges;

5. Notes that the existing practice of holding national competitive examinations is a useful tool for recruitment, *inter alia*, from unrepresented and underrepresented Member States, and requests the Secretary-General to expedite the recruitment of candidates successful in national competitive examinations with a view to filling all posts committed to each examination with the shortest possible delay;

6. Requests the Secretary-General to take every available measure to ensure, at the senior and policy-formulating levels of the Secretariat, the equitable representation of Member States, in particular of developing countries and Member States with inadequate representation at those levels, in accordance with the relevant resolutions of the General Assembly, and to include relevant information in future reports on the composition of the Secretariat;

7. Also requests the Secretary-General, in order to preserve the principles of equitable geographical distribution and rotation in the upper echelons of the Secretariat, to ensure that equal opportunity is given to candidates of all Member States when making appointments to all posts in the upper echelons, and not to extend, as a rule, the service of under-secretaries-general and assistant secretaries-general for a period exceeding ten years, in accordance with recommendation 54 of the Group of High-level Intergovernmental Experts;

8. Reaffirms that no post should be considered the exclusive preserve of any Member State or group of States, and accordingly requests the Secretary-General, when making appointments to high-level and policy-formulating posts, to give equal opportunity to all Member States through the announcement of such posts to the extent possible, with due regard to the principles of the highest standards of efficiency, competence and integrity and of equitable geographical distribution, bearing in mind that appointments are to be made at the discretion of the Secretary-General against specific selection criteria in accordance with Article 101 of the Charter;

9. Requests the Secretary-General to continue his efforts aimed at improving the composition of the Secretariat by ensuring a broad and equitable geographical distribution of staff in the Professional and higher categories in all main departments and offices, bearing in mind that the paramount consideration shall be the necessity of securing the highest standards of efficiency, competence and integrity, and to report thereon to the General Assembly at its forty-seventh session;

10. Also requests the Secretary-General to consider measures in order to ensure, to the extent possible, the representation of the main legal systems in the Secretariat, where appropriate;

11. Further requests the Secretary-General, in order to ensure that equal opportunity is given to internal and external candidates, to take appropriate measures for the timely distribution of vacancy announcements to all Member States;

12. Requests the Secretary-General, with respect to the recruitment, transfer and promotion of staff for placement in the regional commissions, to make every effort to encourage equitable representation of all Member States in the regional commissions, in order to reduce the high vacancy rates;

13. Also requests the Secretary-General to include in the report on the composition of the Secretariat to be submitted to the General Assembly at its forty-seventh session statistical tables indicating the nationality of staff serving in posts financed from extrabudgetary resources in the Secretariat;

14. Further requests the Secretary-General to include in future reports on the composition of the Secretariat statistical tables broken down by the current groupings of Member States as well as tables in alphabetical order and to continue to produce tables showing the representation of developing and other countries in posts subject to geographical distribution;

15. Requests the Secretary-General to submit to the General Assembly at its forty-sixth session a report on the implementation of a competitive examination for posts at the P-3 level in two occupational groups;

16. Also requests the Secretary-General to pursue efforts towards the establishment of a comprehensive career development system for all categories of staff, bearing in mind the need to secure the highest standards of competence, efficiency and integrity and to promote mobility, and to report on this system to the General Assembly at its forty-seventh session;

17. Further requests the Secretary-General to continue efforts to develop further and refine classification and evaluation systems and promotion procedures as an integral part of the vacancy management system, taking into account, inter alia, concepts of career ladders and linked grades, in consultation with the International Civil Service Commission, as appropriate, and to report thereon to the General Assembly at its forty-seventh session;

18. Reiterates its request to the Secretary-General to submit to the General Assembly, at its forty-sixth session, a report on the issues mentioned in paragraph 8 of its resolution 44/185 A;

19. Urges the Secretary-General to strengthen the training and retraining capabilities of the Secretariat at all duty stations, and requests him to submit a report to the General Assembly at its forty-seventh session on efforts to implement training programmes in the areas of language training, electronic data processing training, basic supervisory training and the upgrading of the professional knowledge of staff in substantive areas in conformity with recommendation 58 of the Group of High-level Intergovernmental Experts;

20. Requests the Secretary-General to continue the review of staff-management activities and of the cost of staff representation in order to establish a more coherent, transparent and cost-effective framework for staff-management activities and to report thereon to the General Assembly at its forty-sixth session;

21. Also requests the Secretary-General to submit, in the context of all future programme budgets, specific information concerning expenditures relating to staff union activities, including staffing costs;

22. Further requests the Secretary-General, within the framework of staff-management consultations, to stress the need to solve outstanding issues through regular channels so as to ensure the functioning of the Organization;

II

Having considered the report of the Secretary-General on secondment from government service,

Recalling Articles 100 and 101 of the Charter of the United Nations,

Recognizing that there are differences inherent in the secondment of staff from government service to the United Nations and secondment between agencies of the United Nations common system,

Noting the uncertain status of many staff members made available to the United Nations by their respective Governments under current secondment procedures vis-à-vis their re-employment rights as government civil servants,

Taking into account the views expressed by Member States during the debate concerning secondment from government service at its forty-fifth session,

1. Affirms that secondment is not in conflict with Articles 100 and 101 of the Charter of the United Nations;

2. Reaffirms that secondment of staff from government service to the Secretariat can be beneficial to both the United Nations and Member States;

3. Endorses the basic approach of the Secretary-General regarding secondment as set out in his report, and requests him to review the procedures for future secondment from government service, taking into account the legitimate interests of the Organization and of the government service and the individual concerned, and to submit appropriate amendments to the Staff Regulations to the General Assembly at its forty-sixth session;

4. Meanwhile requests the Secretary-General to deal with individual contracts on the basis of the approach described in paragraph 15 of his report, without prejudice to the rights of individuals as staff members of the Organization;

5. Invites Member States to continue to honour their obligations vis-à-vis their nationals made available to the United Nations under the current secondment procedures until their status is ascertained;

III

1. Requests the Secretary-General to exercise flexibility in the application of the desirable ranges in individual recruitment cases keeping in view all parts of the present resolution;

2. Also requests the Secretary-General to submit a report to the General Assembly at its forty-sixth session in the light of section III, paragraph 2, of General Assembly resolution 42/220 A on alternative options for desirable ranges, which was to have been considered at the forty-fifth session, and therefore resolves to decide this matter on a priority basis at the forty-sixth session of the Assembly;

3. Further requests the Secretary-General to include in the report referred to in paragraph 2 above other possible methodological ways for the distribution of posts subject to geographical distribution among Member States.

General Assembly resolution 45/239 A

21 December 1990 Meeting 72 Adopted without vote

Approved by Fifth Committee (A/45/898) without vote, 20 December (meeting 51): draft by Chairman (A/C.5/45/L.23). following informal consultations; agenda item 126.

Meeting numbers. GA 45th session: 5th Committee 15, 16, 18, 22, 24-28, 51; plenary 72.

Status of women in the Secretariat

Commission on Status of Women. The Commission on the Status of Women, at its 1990 session (see PART THREE, Chapter XIII), considered the issue of improvement of the status of women in the UN Secretariat and adopted a draft resolution which it recommended to the Economic and Social Council for action (see below).

ICSC consideration. The International Civil Service Commission (ICSC), in 1990 [A/45/30], made a number of recommendations to improve the status of women in the organizations of the UN system. ICSC decided to form a working group on the status of women in both the General Service and Professional categories, to aid the Commission in implementing its recommendations.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 24 May, the Economic and Social Council adopted resolution 1990/3.

Improvement of the status of women in the Secretariat

The Economic and Social Council,

Recalling the Nairobi Forward-looking Strategies for the Advancement of Women, in particular paragraphs 306, 315, 356 and 358, in which importance is attached to the appointment of women in the Secretariat at senior decision-making and managerial levels,

Recalling also General Assembly resolutions 43/101 and 43/103 of 8 December 1988, 43/224 C and 43/226 of 21 December 1988, 44/75 of 8 December 1989 and 44/185 C of 19 December 1989, Economic and Social Council resolution 1989/29 of 24 May 1989 and other related resolutions and decisions and their relevant provisions,

Recalling further the report of the Secretary-General on the improvement of the status of women in the Secretariat,

Noting that the Steering Committee for the Improvement of the Status of Women in the Secretariat has resumed its mandated monitoring role,

Noting also the oral report made before the Commission on the Status of Women at its thirty-fourth session by the officer designated as the focal point for women in the Office of Human Resources Management of the Secretariat, and noting with appreciation the measures taken by the Secretary-General to reach the goal of an overall participation rate for women of 30 per cent of the total by 1990, as requested by the General Assembly in its resolution 40/258 B, paragraph 3, of 18 December 1985;

1. Requests the Secretary-General to take the measures necessary to increase the number of women employed throughout the United Nations system in posts subject to geographical distribution, and to make a special effort to increase the number of women in senior policy-level and decision-making posts, in order to achieve an overall participation rate of 35 per cent of the total by 1995, without prejudice to the principle of equitable geographical distribution of posts;

2. Requests that Member States continue to support the efforts of the United Nations and its specialized agencies to increase the percentage of women in the Professional category and above, inter alia, by nominat-

ing more women candidates, especially for senior policy-level and decision-making posts, by encouraging women to apply for vacant posts and by creating national rosters of women candidates to be shared with the Secretariat and the governing bodies of the specialized agencies;

3. Requests the Secretary-General to ensure that the information in his annual report on progress achieved and future strategies to implement action programmes on the status of women in the Secretariat and the relevant resolutions adopted by the General Assembly and the Economic and Social Council is considered by the Assembly under the item concerning the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women;

4. Also requests the Secretary-General to make available to the Commission on the Status of Women at its thirty-fifth session the annual report referred to in paragraph 3 above, together with an update of the information contained therein.

Economic and Social Council resolution 1990/3

24 May 1990 Meeting 13 Adopted without vote

Approved by Second Committee (E/1990/68) without vote. 8 May (meeting 8); draft by Commission on the Status of Women (E/1990/25); agenda item 4.

Report of Secretary-General. In October, the Secretary-General submitted his sixth report [A/45/548] on the status of women in the UN Secretariat. He noted that during the period from July 1989 to June 1990, the percentage of women in the Secretariat rose by 1.5 per cent, the most significant annual increase since 1986. On 30 June 1990, the percentage of women in posts subject to geographical distribution stood at 28.3 per cent, compared to 26.9 per cent in June 1989. Overall, there had been an increase of 5.2 per cent over the last 5 years and a 9.6 per cent increase over the last 10 years, the Secretary-General said. The 1990 increase was all the more significant since it followed a recent retrenchment exercise during which approximately 500 posts were cut. As at June 1990, there were 725 women out of 2,561 staff in Secretariat posts subject to geographical distribution, compared to 679 out of 2,523 such staff in June 1989, showing a net gain of 46 women over the 12 months. The 1992-1997 draft medium-term plan proposed that the proportion of women in the Secretariat be increased by 1 per cent a year after the 30 per cent target was reached.

GENERAL ASSEMBLY ACTION

On 14 December, the General Assembly adopted resolution 45/125.

Improvement of the status of women in the Secretariat

The General Assembly,

Recalling Articles 1, 8, 97 and 101 of the Charter of the United Nations,

Recalling also its resolution 2715(XXV) of 15 December 1970, in which it first addressed the question of the employment of women in the Professional category, and all relevant resolutions that have continued to focus on this area since then.

Recalling further the report of the Secretary-General of 8 November 1985 on the improvement of the status of women in the Secretariat, which was submitted pursuant to General Assembly resolution 39/245 of 18 December 1984.

Recalling the relevant paragraphs of the Nairobi Forward-looking Strategies for the Advancement of Women, in particular paragraphs 315, 356 and 358 thereof,

Recalling also the recommendations for action contained in the fourth report, of 30 June 1988, of the Steering Committee for the Improvement of the Status of Women in the Secretariat, and realizing that they have not all been implemented,

Noting that the Steering Committee has resumed its work and will soon be submitting a report with recommendations to the Secretary-General,

Noting also that the Office of Human Resources Management of the Secretariat has implemented some special emergency measures pursuant to fulfilling the mandate found in paragraph 27 of the report of the Secretary-General of 8 November 1985 and subsequent resolutions on this topic,

Noting with appreciation that the report of the Secretary-General of 1 October 1990 on the improvement of the status of women in the Secretariat was submitted also under the item entitled "Forward-looking strategies for the advancement of women to the year 2000",

Noting with concern that, although there has been a slight increase in the percentage of women in the Secretariat, women still constitute less than 30 per cent of the Professional staff and that there has been a decrease in the number of women at the level of Assistant Secretary-General and above in the past twelve months,

Taking note of Economic and Social Council resolution 1990/3 of 24 May 1990,

1. Urges the Secretary-General to continue, in accordance with the Charter of the United Nations, all possible efforts to increase the number of women employed throughout the United Nations system, particularly in senior policy-level and decision-making posts, and particularly from the developing countries in view of the small proportion of women from these countries in such posts, in order to achieve an overall participation rate of 30 per cent by the end of 1990 and 35 per cent by 1995, with due regard to equitable geographical distribution, in accordance with the report of the Secretary-General of 8 November 1985, all relevant subsequent resolutions and the proposed medium-term plan for the period 1992-1997;

2. Requests Member States to continue to support the efforts of the United Nations, the specialized agencies and the regional commissions to increase the percentage of women in the Professional category and above by, *inter alia*, nominating more women candidates, especially for senior policy-level and decision-making posts, by encouraging women to apply for vacant posts and by creating national rosters of women candidates to be shared with the Secretariat, the gov-

erning bodies of the specialized agencies and the regional commissions;

3. Requests the Secretary-General to continue to address the unfulfilled points of the action programme for the improvement of the status of women in the Secretariat, which aims at the creation of a framework for the advancement of women as an integrated component of the United Nations policy-making process, and by so doing to fulfil the goal of the action programme to secure and maintain the attitudinal changes and the management commitment required for the full participation of women in the work of the Secretariat under conditions of equality;

4. Also requests the Secretary-General to include in his report to be submitted to the General Assembly and the Commission on the Status of Women an action programme for the advancement of women in the Secretariat for the period 1991-1995, further to the request made in paragraph 5 of its resolution 44/75 of 8 December 1989, which should also include a comprehensive evaluation and analysis by the Secretariat of the main obstacles to the improvement of the status of women in the Secretariat and should propose solutions to overcome those obstacles;

5. Further requests the Secretary-General, within existing resources, to ensure that adequate machinery, with the authority of enforcement and the responsibility of accountability, and including a senior-level official devoted to implementation of the action programme, is maintained and, to the extent possible, strengthened during the course of the programme for the period 1991-1995;

6. Requests the Secretary-General to ensure that his annual report on progress achieved and future strategies to implement action programmes on the status of women in the Secretariat and the relevant mandates adopted by the General Assembly and the Economic and Social Council and the recommendations of the Steering Committee for the Improvement of the Status of Women in the Secretariat are submitted to the Commission on the Status of Women at its thirty-fifth session and to the General Assembly at its forty-sixth session for consideration under the item entitled "Forward-looking strategies for the advancement of women to the year 2000".

General Assembly resolution 45/125

14 December 1990 Meeting 68 Adopted without vote

Approved by Third Committee (A/45/758) without vote, 13 November (meeting 40); 40-nation draft (A/C.3/45/L.19/Rev.2): agenda item 102.

Meeting numbers. GA 45th session: 3rd Committee 18-24, 31, 40; plenary 68.

Speaking after the approval of the draft resolution in the Third (Social, Humanitarian and Cultural) Committee, the United Kingdom voiced the opinion that all specific personnel matters fell within the purview of the Fifth Committee. Similarly, Japan expressed the hope that a further effort would be made to ensure that the text was not at variance with the results of the Fifth Committee's deliberations on the subject.

On 21 December, the General Assembly adopted resolution 45/239 C.

Improvement of the status of women in the Secretariat

The General Assembly,

Reaffirming that 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,

Recalling Articles 97, 100 and 101 of the Charter of the United Nations,

Recalling its resolution 2715(XXV) of 15 December 1970, in which it first addressed the question of the employment of women in the Professional category, and all relevant resolutions that have continued to focus on this area since then, particularly its resolution 40/258 B of 18 December 1985, in which it welcomed the action programme to improve the status of women in the Secretariat for 1985-1990,

Noting with satisfaction that the question of the improvement of the status of women in the secretariats of the United Nations system continues to be a standing item on the agenda of the Administrative Committee on Co-ordination,

Taking account of the relevant part of the report of the International Civil Service Commission,

Taking note of the report of the Secretary-General on the improvement of the status of women in the Secretariat and section II.G of the report of the Secretary-General on the composition of the Secretariat,

Noting with concern that, although there has been a slight increase in the percentage of women in the Secretariat, women fill only 7.1 per cent of posts at the D-1 level and above,

Reaffirming that the Fifth Committee is the appropriate Main Committee of the General Assembly entrusted with responsibility for administrative, budgetary and personnel matters, including, inter alia, the issue of representation of women in the Secretariat,

1. Reiterates its full support for the Secretary-General as the chief administrative officer of the Organization and his prerogatives and responsibilities under the Charter of the United Nations;

2. Urges the Secretary-General to continue his efforts to increase the number of women in posts subject to geographical distribution, particularly in senior policy-level and decision-making posts, in order to achieve an overall participation rate of 30 per cent by the end of 1990 and, to the extent possible, to 35 per cent by 1995, taking into account the principle that the paramount consideration shall be the necessity of securing the highest standards of efficiency, competence and integrity with full respect for the principle of equitable geographical distribution;

3. Also urges the Secretary-General, all things being equal and to the extent possible, to accord priority to the participation of women at the D-1 level and above with a view to increasing the participation rate of women in posts at the D-1 level and above to 25 per cent of the total within the overall participation rate of women in 35 per cent of posts subject to geographical distribution by 1995;

4. Reiterates its request that the Secretary-General make every effort to increase the representation of women from developing countries, in particular at the D-1 level and above;

5. Requests the Secretary-General to make every effort to increase the representation of women from those countries with a low representation of women;

6. Also requests the Secretary-General, in accordance with General Assembly resolution 44/185 C of 19 December 1989, to develop an action programme for the advancement of women in the Secretariat for the period 1991-1995, incorporating as necessary the unfulfilled points of the 1985-1990 action programme and to report thereon to the Assembly at its forty-sixth session;

7. Further requests the Secretary-General to include in the action programme for the advancement of women in the Secretariat for the period 1991-1995: (a) a comprehensive evaluation and analysis by the Secretariat of the main obstacles to the improvement of the status of women in the Organization; (b) proposed measures to overcome the underrepresentation of women from certain Member States; and (c) a detailed programme of activities, including monitoring procedures and a timetable for their completion;

8. Requests the Secretary-General to maintain the existing Secretariat machinery and to consider the adequacy of the existing machinery to implement the action programme, taking account of the work-loads in the relevant offices, and to report thereon when submitting the action programme for the period 1991-1995;

9. Requests Member States to continue to support the efforts of the United Nations, the specialized agencies and related organizations to increase the participation of women in the Professional category and above by, inter alia, nominating more women candidates, especially for senior policy-level and decision-making posts, by encouraging women to apply for vacant posts and by creating national rosters of women candidates to be shared with the Secretariat, specialized agencies and related organizations.

General Assembly resolution 45/239 C

21 December 1990 Meeting 72 Adopted without vote

Approved by Fifth Committee (A/45/898) without vote, 20 December (meeting 51); draft by Chairman (A/C.5/45/L.23), following informal consultations; agenda item 126.

Meeting numbers. GA 45th session: 5th Committee 15, 16, 18, 22, 24-28, 51; plenary 72.

Staff rules and regulations

In July 1990, the Secretary-General reported [A/C.5/45/3 & Corr.1] on amendments to the Staff Regulations of the United Nations, made to incorporate changes regarding boarding costs in relation to the education grant, the allowance for disabled children, home leave, establishment of additional steps at levels P-2 to P-5, post adjustment and separation payments.

In October, the Secretary-General submitted his annual report [A/C.5/45/18] containing the texts of provisional amendments to the Staff Rules of the United Nations. The changes concerned post adjustment, salary policy in promotions, the education grant, mission salary and allowances, mobility and hardship allowance, home leave, travel and removal expenses,

separation-from-service allowances, and the Joint Appeals Board.

By decision 45/452 of 21 December, the General Assembly took note of the Secretary-General's report on the amendments to the Staff Rules.

Other staff matters

Privileges and immunities

Pursuant to General Assembly resolution 44/186 [YUN 1989, p. 896], the Secretary-General, in October 1990, presented a report [A/C.5/45/10 & Corr.1], covering the period from 1 July 1989 to 30 June 1990, on respect for the privileges and immunities of officials of the United Nations and the specialized agencies and related organizations. The report was submitted on behalf of and with the approval of ACC.

Cases of arrest, detention and even abduction of officials continued to be matters of grave concern, the Secretary-General stated. Every case, whether pending from previous years or arising during the reporting period, had been meticulously followed to help ensure a successful resolution. The greatest number of such cases took place in the Middle East, and mainly concerned United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) officials, of whom 160 were arrested or detained during the reporting period. Of those, 100 were released without charge or trial, while eight were charged, tried and sentenced to imprisonment and one was deported. In no case did UNRWA receive adequate or timely information about the reasons for the arrest and detention, despite requests to the authorities. Several UNRWA members were held in prisons in Israel, having been transferred there from the occupied West Bank and the Gaza Strip.

The Secretary-General regretted having to report lack of progress and even negative developments in some arrest and detention cases, some of which occurred outside the Middle East. He noted, on the other hand, a marked decrease in the number of staff detained by militia groups in Lebanon, from 11 in the last reporting period to three in the current one. One attempted abduction, however, led to the death of a staff member of the United Nations Children's Fund (UNICEF) in Lebanon, when Jena Hlass, while driving home from her office, was dragged from her car and shot by an unidentified man. The act was condemned by the Lebanese Prime Minister.

The Secretary-General also reported on other matters involving the status, privileges and immunities of officials, such as restrictions on offi-

cial and private travel or movement and taxation or other forms of fiscal impositions. He summarized measures and proposals to further the safety and security of officials. In annexes to his report, he provided a consolidated list of staff members under arrest and detention or missing, as well as detailed information submitted by individual organizations and UN subsidiary organs and offices.

Concluding, the Secretary-General regretted that once again he was obliged to report that the number of cases involving arrest and detention remained very high and that there was little indication that the grave situation might begin to improve. At the same time, he hoped that measures would be found to reverse the trend and strongly believed that mutual efforts of Member States and the international organizations concerned would produce positive results.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/240.

Respect for the privileges and immunities of officials of the United Nations and the specialized agencies and related organizations
The General Assembly,

Recalling that, under Article 100 of the Charter of the United Nations, each Member of the United Nations undertakes to respect the exclusively international character of the responsibilities of the Secretary-General and the staff and not to seek to influence them in the discharge of their responsibilities,

Also recalling that, under Article 105 of the Charter, all officials of the Organization shall enjoy in the territory of each of its Member States such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Organization,

Further recalling the Convention on the Privileges and Immunities of the United Nations, the Convention on the Privileges and Immunities of the Specialized Agencies, the Agreement on the Privileges and Immunities of the International Atomic Energy Agency and the United Nations Development Programme 'Standard Basic Assistance Agreements,

Stressing that respect for the privileges and immunities of officials of the United Nations and the specialized agencies is becoming even more imperative owing to the growing number of assignments entrusted to the organizations of the United Nations system by the member States,

Recalling its resolution 76(I) of 7 December 1946, in which it approved the granting of the privileges and immunities referred to in articles V and VII of the Convention on the Privileges and Immunities of the United Nations to all members of the staff of the United Nations, with the exception of those who are recruited locally and are assigned to hourly rates,

Also recalling its resolution 43/173 of 9 December 1988, to which is annexed the Body of Principles for the Protection of All Persons under Any Form of Deten-

tion or Imprisonment, including the principle that all persons under arrest or detention shall be provided whenever necessary with medical care and treatment,

Reiterating the obligation of all officials of the Organization in the conduct of their duties to observe fully both the laws and regulations of Member States and their duties and responsibilities to the Organization,

Affirming that persistent obstruction of the exercise of the duties of United Nations officials constitutes an obstacle to the implementation of the mission entrusted by the member States to the organizations of the United Nations system and may affect programme delivery,

Mindful of the responsibilities of the Secretary-General to safeguard the functional immunity of all United Nations officials,

Mindful also of the importance in this respect of the provision by Member States of adequate and immediate information concerning the arrest and detention of staff members and, more particularly, their granting of access to them,

Bearing in mind the considerations of the Secretary-General to guarantee appropriate standards of justice and due process to United Nations officials,

Reaffirming its previous resolutions on this subject,

1. Takes note with grave concern of the report of the Secretary-General, submitted on behalf of the Administrative Committee on Co-ordination, and of the developments indicated therein, in particular the significant number of new cases of arrest and detention;

2. Deplores the increase in the number of cases where the functioning, safety and well-being of officials have been placed in jeopardy;

3. Also deplores the disregard for Article 105 of the Charter of the United Nations displayed by some Member States;

4. Calls upon all Member States scrupulously to respect the privileges and immunities enjoyed by officials of the United Nations and the specialized agencies and related organizations and to refrain from any acts that would impede such officials in the performance of their functions, thereby seriously affecting the proper functioning of the organizations;

5. Urges Member States and others responsible for the illegal detention of United Nations staff members to release them immediately;

6. Calls upon the Secretary-General to use all such means as are available to him to bring about an expeditious solution of the cases still pending, which were referred to in his report;

7. Urges the Secretary-General to give priority to the prompt follow-up of cases of arrest, detention and other possible matters relating to the security and proper functioning of officials of the United Nations and the specialized agencies and related organizations;

8. Calls upon those Member States holding under arrest or detention officials of the United Nations and the specialized agencies and related organizations to enable the Secretary-General or the executive head of the organization concerned to exercise fully the right of functional protection inherent in the relevant multilateral conventions and bilateral agreements, particularly with respect to immediate access to detained staff members;

9. Calls upon all Member States to take the necessary measures in order to promote knowledge of and com-

pliance with the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, including the principle that all persons under arrest or detention shall be provided whenever necessary with medical care and treatment;

10. Affirms that, in providing medical assistance, the use of independent medical teams should be considered;

11. Calls upon the staff of the United Nations and the specialized agencies and related organizations to comply fully with the provisions of Article 100 of the Charter and 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;

12. Takes note with concern of the restrictions on duty travel of officials as indicated in the report of the Secretary-General;

13. Also takes note with concern of the information contained in the report of the Secretary-General related to taxation on salaries and emoluments, and requests the Member States concerned and the Secretary-General to agree urgently on the appropriate action to be taken;

14. Calls upon all Member States otherwise impeding officials of the United Nations and the specialized agencies and related organizations in the proper discharge of their duties to review the cases and to co-ordinate their efforts with the Secretary-General or the executive head of the organization concerned to resolve each case with all due speed;

15. 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 by using all such means as are available to him;

16. Urges all Member States that have not yet become parties to the existing international legal instruments covering the question of privileges and immunities of officials, in particular to the Convention on the Privileges and Immunities of the United Nations and the Convention on the Privileges and Immunities of the Specialized Agencies, to do so promptly;

17. Welcomes the advisory opinion of 15 December 1989 of the International Court of Justice on the applicability of article VI, section 22, of the Convention on the Privileges and Immunities of the United Nations that this section is applicable to persons other than United Nations officials to whom a mission has been entrusted by the Organization and who are therefore entitled to enjoy the privileges and immunities provided for in that section with a view to the independent exercise of their function;

18. Requests the Secretary-General, as Chairman of the Administrative Committee on Co-ordination, to review and appraise the measures already taken to enhance the proper functioning, safety and protection of international civil servants;

19. Also requests the Secretary-General, in compiling the information for incorporation into the reports on privileges and immunities of officials submitted on behalf of the Administrative Committee on Co-ordination to include, to the extent possible, the views of the Member States.

General Assembly resolution 45/240

21 December 1990 Meeting 72 Adopted without vote

Approved by Fifth Committee (A/45/898) without vote, 20 December (meeting 51); draft by Chairman (A/C.5/45/L.24), following informal consultations; agenda item 126 (b).

Meeting numbers. GA 45th session: 5th Committee 15, 16, 18, 22, 24-28, 51; plenary 72.

After-service health insurance

In November, the Secretary-General presented a report [A/C.5/45/33], in response to General Assembly resolution 44/201 B, section XIV [YUN 1989, p. 901], on the after-service health insurance programme (ASHI), and in particular on the possibility of means by which extrabudgetary activities could contribute towards the costs of the programme. The Secretary-General indicated that he would continue to explore ways to refine further the methodology for apportioning the cost of ASHI, and further information was to be provided to ACABQ in 1991. The Advisory Committee, in a December report [A/45/7/Add.9], said it trusted that a simple but effective methodology would be developed to ensure that extrabudgetary activities contributed a fair proportion to the cost of ASHI. By resolution 45/248 A, section VI, the Assembly took note of both reports.

Travel-related matters

Responding to General Assembly decision 44/442 [YUN 1989, p. 902], requesting annual reports on standards of accommodation for air travel, and to Assembly decision 40/445 [YUN 1985, p. 1244], calling for reporting on all UN expenditures for first-class air travel, the Secretary-General, in November 1990, submitted a report for the period 1 July 1989 to 30 June 1990 [A/C.5/45/28] detailing those costs. First-class air travel for one representative of each least developed country attending the Assembly's regular and special sessions amounted to \$265,857 for 66 journeys during that period. Costs for 109 cases of first-class or business-class travel authorized by the Secretary-General for such reasons as medical condition or advanced age, exigencies of service, non-availability of standard accommodation, as well as for eminent persons, arduous journeys and personal aides or security personnel of the Secretary-General, amounted to \$95,956.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/248 A, section XIII.

Standards of accommodation for air travel
[The General Assembly . . .]

1. Takes note of the report of the Secretary-General;
2. Reaffirms its resolutions 41/213 of 19 December 1986 and 42/214 of 21 December 1987;

3. Requests the Secretary-General to review the existing arrangements in regard to payment of subsistence allowance and standards of air travel by representatives of Member States in their official capacity to attend meetings of various intergovernmental bodies and for other United Nations official work and to submit concrete proposals to the General Assembly at its forty-sixth session, through the Advisory Committee on Administrative and Budgetary Questions, with a view to ensuring consistency of travel arrangements within the United Nations;

4. Also requests the Secretary-General to examine how the discounts and other incentives offered by various airlines could be utilized to provide savings to the United Nations and upgraded travel arrangements to representatives of Member States, experts attending meetings of subsidiary bodies and the Secretariat staff without incurring any additional expenditure and to include his recommendations in this regard in his report to the General Assembly at its forty-sixth session;

5. Further requests the Secretary-General, in the interim, to continue to exercise his discretion in respect of business class travel for United Nations official work, taking into account the status of the traveller and in the light of the views expressed by Member States at the forty-fifth session of the General Assembly;

6. Requests the Secretary-General to include in his report to the General Assembly at its forty-sixth session information on the meetings attended by eminent persons for whom exceptions have been made for first class travel;

7. Decides to review at its forty-sixth session the arrangements regarding the payment of subsistence allowance and accommodation for air travel on the basis of the report of the Secretary-General to the General Assembly at its forty-sixth session;

General Assembly resolution 45/248 A, section XIII

21 December 1990 Meeting 72 Adopted without vote

Approved by Fifth Committee (A/45/900) without vote, 29 October (meeting 16); draft by United States (A/C.5/45/L.3); agenda item 118.

Meeting numbers. GA 45th session: 5th Committee 14-16; plenary/ 72.

Administration of justice

In October, responding to General Assembly resolution 44/185 B [YUN 1989, p. 903], the Secretary-General reported [A/C.5/45/11] on the operation of the administration of justice within the UN Secretariat under a new system of revised disciplinary rules effective 1 January 1990, and following the streamlining and consolidation of the appellate machinery and its procedures.

The main elements of the reform programme begun in 1987 had been put in place, the Secretary-General said, leading to a major enhancement in the efficiency and effectiveness of the system of administration of justice. Efforts were now directed principally at ensuring continuation of a smooth operation of the system's

formal mechanisms. In the area of informal procedures for settling grievances, a new approach was being explored with a view to increasing its effectiveness. According to the Secretary-General's report, there had been an increase in the number of appeals, partly due to the reduction of posts, which limited career opportunities for staff and led to a number of appeals relating to placement selection against higher-level posts. Between 1 January and 30 September 1990, the number of requests for review of administrative decisions, as a first step in the appeals process, rose substantially to 244, as compared to an annual average of 155 over the previous four years. Only one third of the requests for review had resulted in appeals, as it was the Secretary-General's policy to seek to resolve as many cases as possible at the preliminary stages. The number of cases pending before the Headquarters Joint Appeals Board (JAB) remained near its record low of about 30 cases, and all appeals from previous years, except four from 1989, had been disposed of. On average, an appeal was completed within six months, compared with over two years prior to implementation of the justice reform programme. The appeals process of the JABS at Vienna and Nairobi, Kenya, had been further improved, and for the first time no cases were pending there. In 1990, however, there were considerable numbers of new appeals filed with the Geneva JAB, the majority relating to the current retrenchment at the Office of the United Nations High Commissioner for Refugees (UNHCR). Measures were being taken to streamline Geneva JAB procedures in a manner similar to Headquarters.

The Secretary-General's policy of accepting unanimous JAB recommendations, except where a major question of law or principle was involved, continued to be applied. During the first nine months of 1990, the Secretary-General took decisions, on average within a week, on 59 reports of the Boards; he accepted the JAB recommendations in full in 48 cases, in part in 6 cases, and rejected the recommendations in 5 cases. It was expected that final decisions on appeals would increase substantially, from 55 in 1989 to 75 in 1990. Since only a few cases had arisen since the revised set of disciplinary rules had been promulgated, it was too early to assess their impact and to report on the operation of the new disciplinary system. Internal rules of procedure for Joint Disciplinary Committees (JDCs) were being drafted.

The Secretary-General reported that the Panel of Counsel had continued, on a volunteer basis, to assist staff by providing advice with regard to grievances and disputes, as well as by representing them before JAB, JDC and the Administrative

Tribunal. During the first nine months of 1990, the Co-ordinator of the Headquarters Panel received 169 cases, more than half of which were settled amicably, thus avoiding formal litigation. Since the establishment in 1976 of panels to investigate allegations of discriminatory treatment, about 100 cases a year were handled under that informal procedure, which was designed to supplement the formal recourse procedures of JAB. Departmental conciliation panels were now being set up on an experimental basis, with the aim of resolving problems as they arose and without their becoming formalized. If that decentralized approach proved successful, such panels could eventually replace the Secretariat bodies on discrimination and other grievances, the Secretary-General believed.

In November, ACABQ reported [A/45/806] on its consideration of the Secretary-General's report, recognizing the considerable progress achieved in the administration of justice, particularly the elimination of the backlog of appeals. However, it noted that the number of requests for review of administrative decisions, as the first step in the appeals process, had more than doubled, from an annual average of 155 over the previous four years to 314 in the first 10 months of 1990. It also noted that in 1989-1990, the Administration had paid a total of \$592,000 to staff in implementing the Secretary-General's final decisions on appeals and on Administrative Tribunal judgements, excluding cases of staff of UNDP and UNICEF, and other cases where amounts were still undetermined. The Advisory Committee noted that the increasing numbers of new appeals and compensation awarded by the Tribunal not only were related to more limited career opportunities due to retrenchment, but could also be seen as reflecting increasing problems of staff administration and management, including recently implemented personnel policies, such as those dealing with vacancy management, promotion and secondment.

ACABQ recommended requesting the Secretary-General to continue with the reforms in the administration of justice, in accordance with Assembly resolution 44/185 B. It called, in particular, on the Secretary-General to establish by 1991 an effective system for informal settlements of staff grievances, and a well-functioning disciplinary system, and to report thereon to the Assembly. At the same time, it underlined the need for caution in abolishing the discrimination and grievance panels.

The seven-member Administrative Tribunal, in its annual note transmitted to the Assembly by the Secretary-General [A/INF/45/7], reported that it had held two panel sessions in 1990 (Geneva, 23

April-25 May; New York, 8 October-19 November) and had rendered judgements in 32 cases. It reiterated even more strongly than in previous years its concern at the mounting volume of litigation. In view of the number of cases before it, the Tribunal decided to hold three sessions in 1991, in February, May, and during the last quarter of the year.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/239 B.

Administration of justice in the Secretariat

The General Assembly,

Reaffirming the importance of a just and efficient internal justice system in the Secretariat,

Recalling its resolutions 42/220 B of 21 December 1987, 43/224 B of 21 December 1988 and 44/185 B of 19 December 1989,

Having considered the report of the Secretary-General on the administration of justice in the Secretariat and the related report of the Advisory Committee on Administrative and Budgetary Questions,

1. Recognizes the considerable progress achieved in the area of the administration of justice in the Secretariat,

in particular the efficient functioning of the Headquarters Joint Appeals Board and the promulgation of a fully revised set of disciplinary rules;

2. Requests the Secretary-General to continue with reforms in the administration of justice in the Secretariat in accordance with resolution 44/185 B and to establish by 1991 an effective system for informal settlements of staff grievances as well as a well-functioning disciplinary system;

3. Also requests the Secretary-General to undertake a study of the overall system of administration of justice taking into account the concrete suggestions for improvement of the system, inter alia, those regarding the establishment of an office of ombudsman and the functioning of the United Nations Administrative Tribunal, the Committee on Applications for Review of Administrative Tribunal Judgements and the Panel on Discrimination and Other Grievances made by Member States during the forty-fifth session of the General Assembly and to report thereon to the Assembly at its forty-seventh session.

General Assembly resolution 45/239 B

21 December 1990 Meeting 72 Adopted without vote

Approved by Fifth Committee (A/45/898) without vote, 20 December (meeting 51); draft by Chairman (A/C.5/45/L.23), following informal consultations; agenda item 126.

Meeting numbers. GA 45th session: 5th Committee 15, 16, 18, 22, 24-28, 51; plenary 72.

Chapter III

Other administrative and management questions

During 1990, the Committee on Conferences again examined ways in which conference resources within the United Nations system could be used more effectively. It considered the possibility of central planning and co-ordination of all organizational aspects of conference servicing; compliance by General Assembly subsidiary bodies with the 32-page limit for documents; rules and regulations relating to documentation control and limitation; the Organization's printing requirements; publications policies; application of new technology; its role in reviewing the restructuring of the Department of Conference Services, within the general restructuring of the Organization; the 1992-1997 medium-term plan in relation to conference and library services; and the revised 1991 calendar of conferences and meetings of the United Nations. In December, the Assembly approved the 1991 calendar as submitted by the Committee.

Action was taken by the Assembly on a number of questions related to the 1990-1991 programme budget, including the implementation of technological innovations; budget estimates for the International Computing Centre in Geneva; administrative and unified conference services at the United Nations offices in Vienna; the integrated management information system project; the construction of additional conference facilities in Addis Ababa, Ethiopia, and Bangkok, Thailand; and the proposed optical disk storage and retrieval system.

Conferences and meetings

In 1990, the Committee on Conferences [A/45/32 & Add.1 & Add.1/Corr.1] considered requests for changes or additions to the approved calendar of conferences for 1990 and examined the draft revised calendar for 1991.

It discussed a number of issues related to the calendar, including improved utilization of conference-servicing resources, improved organization of work and effective use of conference resources. It dealt with the need to control and limit documentation and reviewed UN publications policy, the application of new technol-

ogy to conference servicing and the Committee's role in the context of the review of the Department of Conference Services. It considered requests from subsidiary bodies to meet during the annual session of the General Assembly, the 1992-1997 medium-term plan and its organization of work.

By resolution 44/196 A [YUN 1989, p. 905], the General Assembly had taken note of the Committee's intention to play a role in the review of the Department of Conference Services, on the understanding that the role to be determined by the Committee in 1990 would be in accordance with resolution 43/222 B [YUN 1988, p. 895]. In August, the Committee requested the Department of Conference Services, in co-operation with the Bureau of the Committee, to consider the issues that might require review in the Department and to report to the Committee at its substantive session in 1991.

The Committee held an organizational session from 9 to 12 February and its substantive session from 20 to 29 August.

Calendar of meetings

Calendar for 1990

At its organizational session in February, the Committee on Conferences agreed that proposed changes to the calendar for 1990 that did not have programme budget implications could be dealt with by the Secretariat in consultation with the Bureau of the Committee. Several such changes were made in 1990.

The Committee approved an additional session of the Group of Governmental Experts to Carry out a Comprehensive Update of the Study on Nuclear Weapons (New York, 26 June-6 July), on the understanding that there were no financial implications for the programme budget. It granted the request of the United Nations Council for Namibia to convene a special plenary meeting in Windhoek from 9 to 11 April and encouraged the exploration of possibilities for defraying part of the expenses in kind; and recommended that the General Assembly authorize the provision of records to enable the Council to submit its final report to the Assembly. The Committee approved, on an exceptional basis, the re-

scheduling of the Meeting of Governmental Experts of Island Developing Countries and Donor Countries and Organizations to 25-29 June in New York, instead of 2-6 July in Geneva, on the understanding that that would not be a precedent for decisions on the venue of future meetings.

In August, the Committee recommended that the Assembly authorize the following bodies to meet in New York during its forty-fifth session, subject to the availability of facilities: Committee on the Exercise of the Inalienable Rights of the Palestinian People; Committee on Relations with the Host Country; Special Committee against Apartheid; Working Group on the Financing of the United Nations Relief and Works Agency for Palestinian Refugees in the Near East; Advisory Committee on the United Nations Educational and Training Programme for Southern Africa; Committee of Trustees of the United Nations Trust Fund for South Africa; Ad Hoc Committee of the Whole for the Preparation of the International Development Strategy for the Fourth United Nations Development Decade; Committee for Programme and Co-ordination (CPC); International Civil Service Commission (ICSC).

The Committee also recommended that the Assembly authorize CPC to hold its resumed session from 17 to 21 September; a separate request was to be made if it needed to meet beyond 21 September. The Committee decided not to grant CPC permanent authorization to meet at Headquarters during regular sessions of the Assembly and encouraged it to schedule its resumed sessions during the first week of September.

The Committee recommended that the Assembly authorize ICSC to hold a special session in New York from 5 to 9 November, subject to the availability of facilities and on the understanding that a statement of programme budget implications would be submitted to the Assembly.

Draft revised calendar for 1991

During its substantive session in August, the Committee on Conferences considered a draft revised calendar of conferences and meetings for 1991. It also considered information from the Human Rights Committee and the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space on the venue of their future sessions.

The Committee recommended that the Assembly approve the 1991 draft revised calendar and authorize the Committee to make any necessary adjustments arising from actions taken by the Assembly.

The Committee appealed to the Committee on the Elimination of Discrimination against

Women to reconsider the dates of its January 1991 session, and agreed that if the Assembly decided to dissolve the United Nations Council for Namibia (see PART FOUR, Chapter III), the item would be deleted from the calendar.

The Committee agreed to review the matter of the venue and duration of the Legal Subcommittee in 1991, in the context of the draft calendar for 1992-1993, and referred the issue of the applicability of Assembly resolution 40/243 [YUN 1985, p. 1256] relating to venues for meetings of certain treaty bodies to the Assembly.

Conference and meeting services

The Secretary-General, pursuant to General Assembly resolution 44/196 A [YUN 1989, p. 905], submitted a June report on the improved utilization of conference-servicing resources [A/AC.172/88/Add.8]. The report provided statistics showing the planned and actual utilization of conference resources allocated to a limited core sample of bodies that had been meeting for several years in New York, Geneva and Vienna. The report also presented two methodologies for analysing those figures: a new method which treated all the bodies in the sample as a single organ, deriving the utilization factor from the total number of meetings planned, held and cancelled and total time lost in late starting and early ending; and the existing method, used as a cross-check, which produced an average utilization factor by totalling up the utilization factors of each body under review at each session held during a given year, and divided that total by the number of sessions held. Based on those methods, the utilization factor for 1989 was 72 and 74 per cent, respectively.

The Secretary-General also provided information on existing conference resources, services and facilities [A/AC.172/137] in New York, Geneva, Vienna and Nairobi, Kenya, and at the offices of the regional commissions. Also before the Committee was a report of the Secretary-General [A/AC.172/96/Add.7] containing letters sent by the Committee Chairman to the Chairmen of bodies failing to make adequate use of conference resources and the replies received.

The Committee on Conferences agreed, on an experimental basis, to put into use the newly proposed methodology for determining the utilization factor to run parallel with the existing methodology for three years, at the end of which period it would decide which one was the most appropriate. The Committee Chairman would continue to request the presiding officers of those bodies utilizing less than the 75 per cent bench-mark of conference resources allocated to

them to take measures to utilize the resources to the fullest possible extent.

The Committee noted a lack of information on conference servicing in duty stations other than New York, Geneva and Vienna and stressed the need to expand future reports to all conference centres, including the regional commissions. It requested the Secretariat to prepare a report on the possibility of central planning and co-ordination of all organizational aspects of conference servicing for consideration in 1991, including information on existing co-operation between the Committee on Conferences and the Economic and Social Council.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/238 A.

Report of the Committee on Conferences

The General Assembly,

Having considered the report of the Committee on Conferences,

Taking note of the various conclusions and recommendations of the Committee on Conferences as included in its report,

Recalling its resolution 44/196 A of 21 December 1989,

1. Approves the draft revised calendar of conferences and meetings of the United Nations for 1991 as submitted by the Committee on Conferences;

2. Requests the Committee on Conferences to review, within its mandate, the existing procedures with regard to inter-sessional departures from the approved calendar of conferences and meetings and to report thereon to the General Assembly at its forty-sixth session;

3. Authorizes the Committee on Conferences to make adjustments in the calendar of conferences and meetings for 1991 that may become necessary as a result of action and decisions taken by the General Assembly at its forty-fifth session;

4. Calls upon the Committee on Conferences to continue to explore new ways to improve its effectiveness in carrying out its mandate as approved by the General Assembly;

5. Notes the efforts made by a number of United Nations organs to improve the utilization of conference-servicing resources;

6. Invites United Nations bodies, in making requests for conference services in accordance with their respective mandates, to ensure that the conference services requested are sufficient to enable them to carry out their tasks fully and that they match, to the extent possible, their actual requirements;

7. Urges all United Nations organs and bodies to intensify their efforts to improve their utilization of requested conference-servicing resources;

8. Calls upon the Committee on Conferences to consider, within its mandate, further measures to improve the overall efficiency and effectiveness of the use of conference-servicing resources, bearing in mind the relevant recommendations contained in the report of

the Group of High-level Intergovernmental Experts to Review the Efficiency of the Administrative and Financial Functioning of the United Nations, as approved by the General Assembly in its resolution 41/213 of 19 December 1986, and to report to the Assembly at its forty-sixth session;

9. Requests the Chairman of the Committee on Conferences and the Secretary-General to maintain their contacts with all United Nations organs in order to ensure the most efficient and effective use of conference services allocated to those organs;

10. Requests the Chairmen of United Nations organs to bring the concerns about the utilization of conference-servicing resources to the attention of the organs concerned;

11. Requests the Committee on Conferences, in implementing the new methodology on conference-servicing utilization rates, to consider additional elements proposed in the discussions in the Fifth Committee and to report thereon to the General Assembly;

12. Also requests the Committee on Conferences to remain seized of the matter of the improved utilization of conference-servicing resources on the basis of further reports from the Secretary-General;

13. Welcomes the efforts of the Secretary-General in the area of system-wide co-ordination of conference services and invites him in this regard to use more extensively the co-ordinating potential of the Consultative Committee on Administrative Questions;

14. Also welcomes the revised work-load standards for conference-servicing staff, which, as noted in section II, paragraph 2, of General Assembly resolution 45/248 A of 21 December 1990, reflect a further step towards enhanced productivity of conference-servicing staff;

15. Requests the Secretary-General, in view of continuing investments in technologies, to continue to explore ways to achieve optimum use of all resources in the area of conference servicing.

General Assembly resolution 45/238 A

21 December 1990 Meeting 72 Adopted without vote

Approved by Fifth Committee (A/45/879) without vote, 14 December (meeting 46); draft by Rapporteur (A/C.5/45/L.8), following informal consultations; agenda item 124.

Meeting numbers. GA 45th session: 5th Committee 4, 7, 11, 12, 14, 46; plenary 72.

Translation and interpretation services for ECA

Responding to section VIII of General Assembly resolution 44/201 B [YUN 1989, p. 255], the Secretary-General in October [A/C.5/45/26] reviewed the translation and interpretation services at the Economic Commission for Africa (ECA). He reported that the major obstacle to delivering timely and quality translation services at ECA was the high vacancy rate, which stood at 47 per cent of total established Professional posts in 1988 and 1989 and 41 per cent as at 1 September in 1990. However, it would be premature to consider re-establishing a translator training programme until the final results of the competitive recruitment examinations were known. In the mean time, suc-

successful candidates from those examinations would be recruited on a priority basis, and revisers from New York, Geneva and other duty stations would be assigned to Addis Ababa to train them during their probationary period. In addition, the policy of rotating translators from those duty stations to ECA for two years or more would continue. If those measures proved unsuccessful, the issue of re-establishing the language training programme at ECA would be reviewed again and a proposal submitted to the Assembly in the context of the proposed programme budget.

Concerning interpretation services, consideration had been given to establishing a core interpretation unit at the ECA secretariat. However, given the pattern of distribution of meetings requiring those services, such an arrangement would be uneconomical. ECA should continue to rely on freelance interpretation services for the time being. The review had also revealed a number of shortcomings in the functioning of ECA conference services as a whole. There would be further review and if necessary remedies would be proposed in the context of the 1992-1993 programme budget.

The General Assembly, in resolution 45/248 B, section II, of 21 December, requested the Secretary-General to revive the training programme for translators/precis-writers in all official languages of ECA and to report to the Assembly at its forty-sixth (1991) session, through the Advisory Committee on Administrative and Budgetary Questions (ACABQ), on the measures taken.

Unified conference and interpretation services in Vienna

The Secretary-General submitted a November report [A/C.5/45/30] on a unified conference service for the UN organizations at the Vienna International Centre, which had been endorsed by the General Assembly in section VIII of resolution 44/201 A [YUN 1989, p. 908]. He reported that consultations on the subject were held with the United Nations Office at Vienna, the United Nations Industrial Development Organization (UNIDO) and the International Atomic Energy Agency (IAEA) during April and May, but no conclusive agreements were reached. The Joint Advisory Committee for Conference Services at Vienna met in May and was expected to present its findings to the Directors-General of the UN Office at Vienna, UNIDO and IAEA in 1991.

The Secretary-General assessed the current arrangements for conference servicing between UNIDO and the United Nations and said that the two organizations would be prepared to administer conference services as a common service. He

remained convinced that a single conference-servicing facility at the Vienna International Centre would represent the ideal solution from the point of view of cost efficiency, and the United Nations was best suited to assume the responsibility of providing such services to all organizations at the Centre. Short of that, a single unified service provided by the United Nations for itself and UNIDO would provide most of the benefits anticipated from fully unified services. If the Assembly agreed with the proposals, it might wish to invite UNIDO and IAEA to consider establishing a unified conference service as from the 1992-1993 biennium, and to request the Secretary-General to formulate specific proposals in that regard, which would be reviewed by ACABQ. The Secretary-General should submit to the Assembly in 1991 revised estimates for the 1992-1993 proposed programme budget.

ACABQ concurred [A/45/7/Add.6] with the Secretary-General's proposals and requested him to continue consultations with UNIDO and IAEA. It requested that his proposals for establishing unified conference services should, *inter alia*, identify the United Nations as the administering body and provide details on the apportionment of costs. Should no agreement be reached by the Joint Advisory Committee for Conference Services at Vienna, the Secretary-General should submit proposals for a separate UN service.

In a 26 November letter to the Secretary-General [A/C.5/45/62], the Director-General of UNIDO stated that the Secretary-General's report did not provide estimates of the posts and related costs involved in the suggested unification of conference services. Based on a preliminary calculation, it would involve 3 Professional and 12 General Service posts to establish a minimal personnel and finance infrastructure estimated at \$1.8 million per biennium; 15 Professional and 50 General Service posts resulting from the conversion of temporary assistance used on a regular basis; and 54 Professional and 80 General Service posts to absorb personnel currently financed by UNIDO. The move would result in substantial additional charges in the UN budget. UNIDO could hardly agree to share increased costs for functions effectively performed under the current arrangements at much less expense.

The General Assembly, in resolution 45/248 A, section VIII, of 21 December, took note of the report of the Secretary-General and the related comments of UNIDO, and endorsed the conclusions and recommendations of ACABQ (for information on administrative and common services in Vienna, see below, under "UN premises").

Application of new technologies

The Committee on Conferences in August 1990 discussed the application of computer technology to the management of the interpretation service and the meetings programme. The Committee noted that the Secretariat had limited its report [A/AC.172/123] to activities in New York and Geneva, with little or no information on other centres. The Secretariat informed the Committee that it had been guided by the administrative and financial areas of responsibility for the Department of Conference Services as covered by section 29 of the programme budget, namely, New York, Geneva and Vienna. Therefore, the immediate plans and the resources available to achieve that purpose stipulated concentration on those three duty stations. The Secretariat provided clarification on various aspects of the technological innovations programme, including the participation of author departments in the Document Records, Information and Tracking System in efforts to reduce response time to changes in the programme; electronic mail systems; word processing; electronic typesetting; and the optical disk document storage and retrieval system (see below, under "Information systems and computers").

The Committee requested the Secretariat to prepare for consideration in 1991 a report that would include completed and updated information on present and planned applications of new technologies for all UN conference centres, including at the regional commissions, and to develop further its system of interdepartmental co-operation, making it more extensive and complete.

Work-load standards for conference-servicing staff

The Secretary-General submitted in March a report [A/C.5/45/1] on work-load standards for various categories of conference-servicing staff, including clerical and typing staff, and work-load statistics for the various conference services in the 1986-1987 and 1988-1999 bienniums. The report showed that the introduction of word processing had significantly increased the productivity of typists. The Secretary-General proposed a net increase of 25 per cent to the existing standard for typists, and that a new standard be established for translators/self-revisers at: a level of 1,400 words per work-day (or 4.25 standard final pages). Concerning reproduction, while no work-load standard had been applied at Headquarters, a standard of 15,000-page impressions per work-day had been used to estimate temporary assistance requirements in Geneva. He proposed a standard of 15,000-page impressions for

Geneva and 30,000 for New York, taking into account the variables inherent in the printing process. Those were considered experimental, to be reviewed and revised when the full impact of staff reductions, restructuring and further technological innovations had been evaluated. No change in work-load standards was proposed for interpretation, *précis*-writing or verbatim reporting.

ACABQ recommended [A/45/7/Add.1] that formal technical standards be established and enforced for the transmission of documents from author departments to the Department of Conference Services. Efforts should be made to upgrade the drafting and editorial abilities of the Secretariat as a whole, through, *inter alia*, the expansion of efforts by the Training Service. It also recommended that, with regard to reproduction, the standard of 20,000-page impressions should serve as a starting point in Geneva, rather than the 15,000 proposed by the Secretary-General. ACABQ, noting that there were no unified work-load standards for conference-servicing staff in the UN system, recommended that the Secretariat explore the possibilities of introducing uniform standards wherever possible in those areas that were not currently covered.

The General Assembly, in resolution 45/248 A, section II, of 21 December, requested the Secretary-General to pursue through the Administrative Committee on Co-ordination the elaboration of unified work-load standards for conference-servicing staff within the UN common system and to report thereon, through ACABQ, to the General Assembly at its forty-seventh (1992) session.

Documents and publications

Documents limitation

In May 1990, the Secretary-General published an updated document [A/INF/45/1] setting forth the policies laid down by the General Assembly regarding the control and limitation of documentation, as had been requested by the Assembly in resolution 2538(XXIV) [YUN 1969, p. 830]. The document, which enumerated policy decisions adopted by the Assembly over the years, most recently in 1989, was distributed to all Member States. Annexed to the document were a list of meeting record entitlements and revised guidelines for the format and contents of reports of subsidiary organs of the Assembly, as well as guidelines for the control and limitation of documentation for UN special conferences.

The Secretary-General also submitted a June report [A/AC.172/139] regarding compliance by the Assembly's subsidiary organs with the 32-page document limit for their reports, set by Assembly resolution 36/117 A [YUN 1981, p. 1364]. He reported that during 1981 to 1989, only 22 subsidiary bodies had submitted reports within the 32-page limit. Only two of the four subsidiary bodies entitled to verbatim records and only 3 of the 12 entitled to summary records had submitted one or more reports within the 32-page limit since 1981.

The Secretary-General concluded that, while it was clear that Member States continued to attach importance to measures to control and limit the volume of documentation, experience since 1982 had led to the conclusion that the length of reports depended on the nature of the information they were required to convey.

In a July note [A/AC.172/140] on the provision of summary records to subsidiary organs of the Assembly, the Secretariat presented information on the number of meetings covered by precis-writers during 1975-1979 and 1985-1989 in New York, Geneva and Vienna, including meetings of UNIDO prior to 1986. During those periods, meetings in New York and Geneva had decreased from 798 and 527 to 456 and 350, respectively. The Secretariat stated that the Assembly's decision to limit the entitlement to summary records had produced a significant decrease in the work-load, thus freeing conference-servicing resources for other priority activities. It recommended that the Committee on Conferences propose that the Assembly adopt, on a permanent basis, subject to periodic monitoring by the Committee, the experimental arrangements by which no subsidiary organ of the Assembly should be entitled to summary records, except the Ad Hoc Committee on the Indian Ocean, the Committee on the Exercise of the Inalienable Rights of the Palestinian People, the International Law Commission, the Legal Sub-Committee of the Committee on the Peaceful Uses of Outer Space, the Special Committee against Apartheid, the United Nations Commission on International Trade Law and the United Nations Council for Namibia.

Also before the Committee on Conferences was a report on review of the implementation of all rules and recommendations relating to the control and limitation of documentation [A/AC.172/141]. According to the report, directives for control and limitation were prepared in response to Assembly resolutions and Secretariat experience, which were then approved by the Publications Board and issued as addenda to the 1969 administrative instruction on the regulations for the control and limitation of documen-

tation. The directives also covered aspects of the publications policy of the Organization. Those specifically concerned with the control and limitation of documentation included: the initiation, approval and execution of the UN publications programme; documentation work-load estimates; requests for document services; criteria for the selection of material to be issued as UN publications; newsletters; the maximum length of documents submitted in the name of the Secretary-General or of the Secretariat; and the timetable for the planning and submission of documents for sessions of UN organs. Compliance was regularly monitored by the Publications Board and its subsidiary bodies and there was a continuous exchange of views between author departments and the Board concerning measures to improve the quality and timely submission of documentation and to comply with directives of the Assembly concerning its control and limitation.

The Secretariat also reported on difficulties in complying with the six-week rule for the submission of documentation. Problems accounting for late submission included the timing of sessions of intergovernmental bodies, the need to take account of the latest relevant political developments, bottle-necks caused by submission of many documents at the same time, the necessity of receiving responses from Member States or UN system organizations, and short deadlines for complex documents requiring extensive research and analysis. In addition, initial estimates of the volume and timing of the flow of pre-session documentation were not reliable for planning, and the situation was further complicated by the need to give priority to the processing of in-session documentation. However, efforts continued to improve the timely processing and distribution of documents, including greater use of word processing; consultations between author departments, editors and the Documents Control Section at the earliest stage of preparation; identification of documents for contractual translation; introduction of electronic typesetting; and improved control and scheduling of the processing of documents through the Document Records, Information and Tracking System (DRITS).

Pursuant to Assembly resolution 43/222 C [YUN 1988, p. 899], the Secretariat submitted a report on the number of communications from Member States circulated as UN documents [A/AC.172/142/Rev. 1]. During the first six months of 1990, a total of 1,327 pages were circulated. At the rate of \$650 a page, the estimated notional cost of processing and circulating them was \$862,550. Some 83 Member States or observers

had submitted 269 communications, ranging in length from 1 to 25 pages, the average length being 4.9 pages and the median length 3. Only 25 submissions were more than 10 pages and only 4 Member States or observers submitted more than 10 communications. Of the total number of communications, 134 (about 50 per cent) were, at the request of those concerned, circulated as both Assembly and Security Council documents. While there were no clear trends, the number of communications from Member States seemed to have decreased since 1988, but their length had increased.

The Committee on Conferences requested the Secretariat to prepare a study on the 32-page limit for reports of the Assembly's subsidiary bodies, including the question of establishing a page limit for reports of those bodies to the Assembly. The Committee Chairman was to seek the views of the Chairmen of those bodies whose reports exceeded the 32-page limit, stressing the need to comply whenever possible. The Committee recommended that the Assembly request the secretariats of subsidiary organs to bring the recommendations on the 32-page limit to the attention of those organs at the start of substantive sessions. It would report on the matter to the Assembly at its forty-seventh (1992) session.

The Committee accepted the Secretariat's recommendation on the provision of summary records to the seven subsidiary organs listed above (the Council for Namibia was subsequently dissolved). It recommended to the Assembly that summary records continue to be provided to regular and special sessions of the Executive Board of the United Nations Children's Fund, the Executive Committee of the Programme of the United Nations High Commissioner for Refugees and the Governing Council of the United Nations Development Programme. It decided to continue to monitor the situation on a regular basis and to consider in 1991 the provision of records with respect to meetings of organs and programmes not funded from the UN regular budget.

The Committee recommended that the Assembly renew its appeal to Member States to respond in a timely manner to requests for information for inclusion in documents and reaffirmed the need for the Secretariat to comply with the six-week rule regarding the availability of documentation.

It also recommended that the Assembly renew its appeal to Member States to exercise restraint in their requests for circulation of communications as UN documents, and decided to keep the matter under review and to report to the Assembly in 1992.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/238 B.

Control and limitation of documentation

The General Assembly,

Recalling its resolution 44/196 B of 21 December 1989,

Recalling also its resolution 41/213 of 19 December 1986,

Taking into account the continuing financial crisis and the need to improve efficiency and effectiveness,

1. Requests the Committee on Conferences to continue to review the question of the provision of summary records on a regular basis and to report thereon to the General Assembly as appropriate;

2. Decides that, pending a further decision of the General Assembly on the recommendations of the Committee on Conferences, no subsidiary organ of the General Assembly shall be entitled to summary records, with the exception of the following:

(a) Ad Hoc Committee on the Indian Ocean;

(b) Committee on the Exercise of the Inalienable Rights of the Palestinian People;

(c) International Law Commission;

(d) Legal Sub-Committee of the Committee on the Peaceful Uses of Outer Space;

(e) Special Committee against Apartheid;

(f) United Nations Commission on International Trade Law;

3. Decides that summary records shall continue to be provided to regular and special sessions of the following governing bodies: the Executive Board of the United Nations Children's Fund, the Executive Committee of the Programme of the United Nations High Commissioner for Refugees, and the Governing Council of the United Nations Development Programme;

4. Renews its appeal to Member States to exercise restraint in their requests for the circulation of communications as United Nations documents and to keep their submissions as brief as possible;

5. Also renew its appeal to Member States and organizations of the United Nations system to respond in a timely manner to requests for information for inclusion in documents;

6. Requests the Secretary-General to take all appropriate measures to ensure that pre-session documents for meetings are distributed not less than six weeks before the meetings, simultaneously in all official languages of the organs of the United Nations, in accordance with General Assembly resolutions 33/56 of 14 December 1978 and 36/117 B of 10 December 1981, and to circulate eight weeks before the opening of a session of an intergovernmental body, with the annotated agenda of the session, a report on the state of preparation at that time of all the documents in all languages required for the session;

7. Requests the secretariats of subsidiary organs to bring the recommendations of the General Assembly on the desirable thirty-two-page limit for their reports to the Assembly to the attention of the subsidiary organs at the start of substantive sessions;

8. Requests that intergovernmental organs exercise restraint in their authorization of recurrent publications;

9. Requests the Secretary-General to maximize the use of internal printing facilities, revising the format of United Nations documents for which external printing is now required, as appropriate;

10. Requests the Committee on Conferences to keep the matter under review and to report to the General Assembly at its forty-seventh session.

General Assembly resolution 45/238 B

21 December 1990 Meeting 72 Adopted without vote

Approved by Fifth Committee (A/45/879) without vote, 14 December (meeting 46); draft by Rapporteur (A/C.5/45/L.8), following informal consultations; agenda item 124.

Meeting numbers. GA 45th session: 5th Committee 4, 7, 11, 12, 14, 46; plenary 72.

Printing and publications policy

Recurrent publications

The Committee on Conferences considered an August report of the Secretary-General [A/AC.172/138] on recurrent UN publications, which presented comparative data for the 1986-1987 and 1990-1991 bienniums, indicating the work-load for author departments and for various processing services in the Department of Conference Services. The data showed the number of original manuscript pages and number of copies in all languages as percentages of the total publications programme. The Secretary-General stated that the Department of Conference Services and the Office of Programme Planning, Budget and Finance were studying the question of a methodology to analyse the costs of recurrent publications, but an appropriate methodology had not yet been developed.

The Committee on Conferences decided to await the development of the new methodology being prepared by the Secretariat. In the mean time, it recommended that the Assembly request intergovernmental bodies to exercise restraint in their authorization of recurrent publications. It also asked for an evaluation of the readership of such publications.

The General Assembly, in resolution 45/238 B, requested intergovernmental organs to exercise restraint in the authorization of recurrent publications.

Printing requirements

The Secretary-General submitted in September a report [A/C.5/45/8] on UN printing requirements, pursuant to General Assembly resolution 44/196 B [YUN 1989, p. 907] requesting that he analyse those requirements and recommend proposals to maximize the cost-effectiveness of external and internal printing.

The Secretary-General stated that the practice of the United Nations was to make the most complete and effective use of the printing facilities at each conference centre and to turn to external printing only when the special requirements of a publication could not be met internally. In both cases, every effort was made to ensure that the printing was done as efficiently and economically as possible, which increasingly benefited from the application of computer-based technologies.

He recommended continuation of UN printing policies and practices so that maximum use was made of internal printing capacities at major conference centres, including the regional commissions, and that use of external printing services be carefully controlled to ensure that they were procured on the most economic and efficient basis.

The Committee on Conferences noted that the information before it was insufficient to make recommendations to the Assembly. It asked the Secretariat to prepare a report on printing requirements containing quantified data on work volume and costs, while clarifying the relationship between printing practices and publication policies. The Secretariat should develop an internal manual establishing rules and regulations on the Organization's printing policy, which would enable understanding of the software and hardware involved; explain technological devices used and the use and guidelines of DRITS and provide guidance on the control of external printing costs.

The Assembly, by decision 45/451 of 21 December, concurred with the Secretary-General's recommendations. In resolution 45/238 B, it requested the Secretary-General to maximize the use of internal printing facilities, revising the format of UN documents for which external printing was currently required.

UN premises

Conference facilities in Addis Ababa and Bangkok

In November, the Secretary-General reported [A/C.5/45/53] to the General Assembly's Fifth (Administrative and Budgetary) Committee regarding construction of additional conference facilities at the headquarters of the Economic Commission for Africa (ECA) in Addis Ababa, Ethiopia, and of the Economic and Social Commission for Asia and the Pacific (ESCAP) in Bangkok, Thailand. The report reviewed progress on the projects and contained updated timetables

for implementation and related financial considerations. Construction of both projects had originally been approved by the Assembly in 1984 [YUN 1984, pp. 620 & 628].

The Secretary-General reported that on 18 January a supplementary agreement to the ECA Headquarters Agreement regarding the construction site was signed, as was a letter regarding duty-free importation of materials and equipment and other procedures during the construction period. Advertisements were placed inviting applications for pre-qualification from construction contractors world wide and invitations to tender were issued in June to 17 contractors/consortia representing firms from 12 countries. Tenders were received from 10 contractors. Up-to-date estimates of project costs had been prepared by the quantity surveyor. In view of the 23 per cent increase in the exchange rate of the United States dollar to the European Currency Unit, the total project cost would be \$107,576,900. (Construction was estimated to be completed in 1991.)

The construction of ESCAP conference facilities in Bangkok continued at a slower pace than the contractor had envisaged in his original timetable. Thailand's construction boom had caused shortages in both materials and skilled personnel. Although the UN project had escaped the full effects of those adverse factors, by September 1990 it was four months behind schedule, with the completion of the main construction estimated at late 1991. Of the estimated total cost of \$44,177,700, expenditures up to the end of 1989 were \$11,165,000, with disbursement up to 31 August 1990 totalling \$7,631,500. A further \$4,764,700 was expected to be disbursed by the end of 1990. It was projected that \$15,500,000 would be needed in 1991. The total 1990-1991 appropriation of \$16,603,900 and the unexpended balance of \$11,533,000 in the construction-in-progress account would be sufficient to cover expenditures during the current biennium.

The General Assembly, by resolution 45/248 A, section X, of 21 December, took note of the report of the Secretary-General and requested him to proceed with the projects in accordance with the revised timetables.

Administrative and common services at Vienna

Responding to section XV of General Assembly resolution 44/201 B [YUN 1989, p. 908], the Secretary-General submitted a November report [A/C.5//5/32] to the Fifth Committee on administrative and common services units in Vienna. During the year, a team from the Management Advisory Service and another from the Internal

Audit Division reviewed the organization, functions, staffing and operations of those services in Vienna with a view to reducing duplication and costs of services and proposing improvements.

The Secretary-General said that the reviews pointed to the urgent need to reassess and restructure the Vienna administrative and common services arrangements, and to reconsider the assignment of functions. Some functions currently assigned to UNIDO could more appropriately devolve on the United Nations, such as security, communications, library services, language training and buildings management operations, each very closely related to conference servicing. A thorough review of all common and joint services would be conducted to determine the appropriate share of all users in the cost of each service. Consultations would be undertaken with the secretariats of UNIDO and IAEA in 1991 to formulate proposals for revised administrative arrangements. In anticipation of that revision, an appropriation of \$93,000 would be required in the 1990-1991 programme budget, net of staff assessment. The Secretary-General also proposed that the Assembly delegate authority to ACABQ to approve the revised administrative arrangements in 1991.

ACABQ [A/45/7/Add.6] agreed with the conclusions and recommendations of the Secretary-General. It recommended the establishment of new posts suggested by the Secretary-General; however, the related costs for 1991 should be absorbed from within existing resources. In December, the Secretary-General submitted UNIDO's comments [A/C.5/45/63] on those arrangements, in which it expressed reservations regarding his proposals. It suggested that the problems regarding common and joint services at the Vienna International Centre should be addressed within the framework of tripartite or bilateral consultations, with the results thereof being submitted to the respective governing bodies for consideration. Prior to that, no financial or administrative changes should be made, nor should there be any new infrastructure established or additional costs incurred. The Joint Inspection Unit should be requested to review the situation in Vienna and to submit recommendations to the governing bodies of the United Nations, IAEA and UNIDO.

The General Assembly, by resolution 45/248 A, section VIII, of 21 December, took note of the report of the Secretary-General and the related comments of UNIDO. It endorsed the conclusions and recommendations of ACABQ.

The Secretary-General also submitted a review [A/C.5/45/4], pursuant to Assembly resolution 44/201 B, section II [YUN 1989, p. 870], of the func-

tions and administrative support of the departments having mandates related to global social development issues and proposals for the strengthening of the United Nations Office at Vienna. In resolution 45/248 A, section VII, of 21 December, the Assembly took note of the report of the Secretary-General.

Information systems and computers

Technological innovations

In October, responding to General Assembly resolution 44/200 C [YUN 1989, p. 909], the Secretary-General submitted a report [A/45/478] on the status of technological innovations in the United Nations. The report reviewed and assessed current policies and procedures, discussed the results obtained with the introduction of technological innovations and examined future plans and expectations.

The Secretary-General said that, beginning in the 1990-1991 biennium, a programme had been initiated to improve data communications capabilities, intending to upgrade all workstations to microcomputers and to link them to local-area networks, which would be connected to organizational mid-range computers or mainframe machines. Data communications over wide-area networks were being strengthened to offer a global electronic mail facility. Image processing offered great promise and a project to implement the storage, distribution and retrieval of the full text of UN parliamentary documents was under way (see below). The integrated management information system (see below) in the Office of Human Resources Management, approved by the General Assembly in section XII of resolution 43/217 [YUN 1988, p. 901], was to provide managers and staff in administrative offices with a modern tool for processing information in budget, finance, human resources and general services. The technical environment would be a network of mainframe computers, minicomputers and microcomputers distributed throughout the Organization and linked through reliable telecommunication networks.

The Secretary-General concluded that the challenge to the Organization was to develop a detailed strategic plan to serve as a guideline in allocating resources to projects supporting the introduction of technological innovations. The Technological Innovations Board would ensure that budget provisions for training reflected

added requirements resulting from a global programme of acquisition and replacement of equipment and software. Transition from multiple central data-processing facilities to a networked organizational structure promised to be one of the most interesting trends in the next decade. Much work would be needed to reorient people to changes of that magnitude as well as to other innovations. Nearly everyone in the Organization would need to be computer literate. Training programmes would become of utmost importance in teaching users how to benefit from the new technologies.

On 21 December, the General Assembly, by resolution 45/254 C, took note of the report of the Secretary-General and requested that an updated version of that report be submitted in the context of the proposed programme budget for 1992-1993.

Integrated management information system

In November, the Secretary-General, in his second progress report on the integrated management information system (IMIS) project [A/C.5/45/20], stated that a consulting firm had been selected to undertake the project and work began in January 1990 on a detailed analysis of user requirements and the logical design of IMIS. In May, the analysis of administrative requirements for IMIS was completed. It was found that the requirements of overseas offices were similar to those of Headquarters and therefore the premise that an integrated system could be designed serving the needs of all UN offices had been confirmed. Following the user requirements analysis, a logical design (or external design) for an integrated system allowing on-line processing was constructed. Planning had begun also for the phased procurement of hardware and software.

The Secretary-General observed that IMIS, which was expected to be operational in 1993, would provide management with a comprehensive, timely and accurate view of UN assets and liabilities, giving the Organization the capacity to handle an increasing work-load while containing costs, simplifying procedures, improving information flow, reducing delays through improved delegation of authority and achieving a greater accountability level.

The General Assembly, by resolution 45/248 A, section IX, of 21 December, took note of the report of the Secretary-General and reiterated its request that he report to the Assembly on the cost benefits of the IMIS project.

Optical disk storage system

In December, the Secretary-General reported on the optical disk storage and retrieval system

[A/C.5/45/58], as requested by General Assembly resolution 44/201 B, section XVI [Y-UN 1989, p. 909]. The system was intended to provide efficient storage of UN documents, on-line access and retrieval of such documents by local and remote computer workstations and high-speed transmission of documents to remote users within the Organization. The Secretary-General reported that an interdepartmental steering group had been formed within the Secretariat to establish the first phase of the system in Geneva and New York and to plan the implementation of the full system, to include the regional commissions and other duty stations. The request for proposals for the implementation of the first phase had been issued and selection of the supplier was expected to be completed in the first quarter of 1991. To carry out the project an additional appropriation of \$400,000 was required for the 1990-1991 biennium, as well as Assembly approval to redeploy \$237,500 appropriated for external printing and binding in the biennium.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted resolution 45/248 A, section XIV

Optical disk storage and retrieval system

[The General Assembly . . .]

1. Decides to defer until its forty-sixth session consideration of the report of the Secretary-General on the optical disk storage and retrieval system;

2. Requests the Secretariat to carry out consultations with the permanent missions in order to determine the appropriateness of making the system compatible with those of permanent missions and to report thereon to the General Assembly at its forty-sixth session;

3. Empowers the Advisory Committee on Administrative and Budgetary Questions to authorize the Secretary-General to enter into commitments for additional requirements necessary for 1991, on the understanding 'that such appropriations as may be necessary for 1991 would have first call on the contingency fund of the programme budget for the biennium 1990-1991 at the forty-sixth session;

General Assembly resolution 45/248 A, section XIV
21 December 1990 Meeting 72 Adopted without vote

Approved by Fifth Committee (A/45/900) without vote, 14 December (meeting 46); oral proposal by Chairman; agenda item 118.

International Computing Centre

The 1991 budget estimates of the International Computing Centre (ICC) in Geneva were submitted by the Secretary-General in September 1990 [A/C.5/45/9]. ICC was established in 1971 as a provider of data-processing, text-processing and related telecommunications services for all UN organizations wishing to participate in its activities. At the time of the report, the United Nations and

19 other organizations and programmes participated.

For 1991, ICC requirements were estimated at \$10,515,500, as compared to \$11,260,400 in 1990. The five organizations/programmes that were projected to utilize ICC the most were, in order of money spent, the United Nations, the Office of the United Nations High Commissioner for Refugees, the World Health Organization, the World Food Programme and the World Intellectual Property Organization; together, they provided more than 80 per cent of the funding for ICC's operations. The UN share for its use in 1991 was estimated at \$2,716,400.

The Advisory Committee on Administrative and Budgetary Questions (ACABQ) in November stated [A/45/7/Add.3] that it had no objection to the 1991 budget estimates and the related share for the United Nations. In view of the increasing demand and urgent need to provide participants with universal and standard communication links, ACABQ called on ICC to expedite the recruitment of qualified staff to fill all vacant posts. It welcomed the review of the Centre and requested that future reports of the Secretary-General to the Assembly should include relevant information on the administrative and operational status of ICC, as well as staffing information. ACABQ considered that a highly reliable and secure operations environment was essential to provide proper and effective communications support to participants and trusted that the reorganization of the Centre would improve the security situation.

On 21 December, the General Assembly, by resolution 45/248 A, section III, approved the 1991 budget estimates of ICC, amounting to \$10,515,500.

UN Postal Administration

In 1990, gross revenue of the United Nations Postal Administration (UNPA) from the sale of philatelic items at United Nations Headquarters and at overseas offices totalled more than \$16.6 million. Revenue from the sale of stamps for philatelic purposes was retained by the United Nations. Under the terms of an agreement between the United Nations and the United States, revenue from the sale of United States dollar-denominated stamps used for postage from Headquarters was reimbursed to the United States Postal Service. Similarly, postal agreements between the United Nations and Switzerland and the United Nations and Austria required that

revenue derived from the sale of Swiss franc (SwF)-denominated stamps and Austrian schilling (S)-denominated stamps for postage use be reimbursed to the Swiss and Austrian postal authorities, respectively.

Six commemorative stamp issues, two definitive stamps and two souvenir cards were released by UNPA during the year.

Three commemorative stamps in denominations of 25 cents, SwF 1.50 and S 12 were issued on the theme of "International Trade Centre" on 2 February. Two definitive stamps carrying denominations of SwF 5 and S 1.50 were released on the same date.

The second commemorative stamp issue of the year was released on 16 March with the theme "Fight AIDS Worldwide". The stamps were in denominations of 25 cents, 40 cents, SwF 0.50, SwF 0.80, S 5 and S 11. A souvenir card accompanied the issue.

"Medicinal Plants" was the theme of the third commemorative issue of the year. Stamps in de-

nominations of 25 cents, 90 cents, SwF 0.90, SwF 1.40, S 4.50 and S 9.50 were issued on 4 May.

The "45th Anniversary of the United Nations" was celebrated on 26 June with an issue consisting of six stamps and three souvenir sheets. The stamps were denominated in 25 cents, 45 cents, SwF 0.90, SwF 1.10, S 7 and S 9, while the souvenir sheets carried denominations of 70 cents, SwF 2 and S 16.

"Crime Prevention" was the theme of the fifth commemorative issue of 1990. The stamps, released on 13 September, carried denominations of 25 cents, 36 cents, SwF 0.50, SwF 2, S 6 and S 8. A souvenir card was issued on the same date.

The second set of six stamps in the human rights stamp series was released on 16 November. The stamps, which illustrated articles 7 to 12 of the Universal Declaration of Human Rights, bore denominations of 25 cents, 45 cents, SwF 0.35, SwF 0.90, S 4.50 and S 7.

In 1990, UNPA produced 46,918,383 stamps and souvenir sheets. First day of issue cancellations were applied to 2,065,027 envelopes.

PART SEVEN

Intergovernmental organizations related to the United Nations

Chapter I

International Atomic Energy Agency (IAEA)

The International Atomic Energy Agency (IAEA), established in 1957 to foster the peaceful uses of nuclear energy, continued in 1990 to promote the exchange of scientific and technical information, to establish and administer safeguards, to provide technical information, to establish health and safety standards, and to provide technical assistance to its members.

The thirty-fourth session of the IAEA General Conference (Vienna, 17-21 September) reviewed progress made by the Standing Committee on Liability for Nuclear Damage, established in February 1990, including draft amendments to the 1963 Vienna Convention on Civil Liability for Nuclear Damage [YUN 1963, p. 595]. The Conference adopted resolutions relating to nuclear safety and radiological protection; the 1987 Convention on Physical Protection of Nuclear Material [YUN 1987, p. 1187]; safety guidelines for nuclear-powered vessels; prohibition of armed attacks against nuclear installations devoted to peaceful purposes; the use of nuclear desalinization for producing potable water; and the nuclear capabilities of Israel and of South Africa. It also adopted the Code of Practice on the International Transboundary Movement of Radioactive Waste.

IAEA membership decreased to 112 in 1990 with the unification of the Federal Republic of Germany and the German Democratic Republic into a single State (see PART ONE, Chapter IV).

Nuclear safety

During 1990, the International Nuclear Event Scale was accepted for a trial period of operation. By year's end, 25 countries had informed IAEA that they were using the scale for rating the safety significance of events and had agreed to report to the Agency within 24 hours information on any events rated at the second level or above for world-wide dissemination. The rating of the safety significance of nuclear events was based on seven levels and three attributes (on-site effects, off-site effects and degradation of defence in depth).

The Nuclear Safety Standards Advisory Group reviewed the revised texts of safety guides on siting, design and operation of nuclear installations; the International Nuclear Safety Advisory Group completed its deliberations on safety cul-

ture and finalized its report for publication in 1991. Seven site safety review missions in 1990 focused on seismic problems, while operational safety review team missions to existing construction sites revealed the need for basic organizational changes, the application of modern management principles, and the introduction of comprehensive quality assurance provisions and reinforced industrial safety practices.

The Incident Reporting System included 25 participating member States and 1,081 data base records by the end of 1990. The safety of older power reactors became a matter of international concern, with emphasis placed on improving the awareness of aging phenomena and on developing methods for evaluation and management. Following the endorsement by the General Conference of a project for international assistance in assessing the safety of early model WWER-440/230 plants (power plants with 440 megawatts water cooled and moderated reactors of Soviet design), an advisory group met in September to establish the technical and work programme of the project.

IAEA radiation protection services were enlarged in 1990. During the year, the Agency had more than 120 national projects, and four major regional projects were under way aimed at strengthening radiation safety capabilities in developing member States. It published amended versions of the IAEA transport regulations related to radioactive materials, and sponsored training courses on the safety and regulation of radiation sources (Argonne, Illinois, United States) and on radiation cytogenetics in biomedical, environmental, health and radiation protection problems (Rio de Janeiro, Brazil). Two seminars were held on preparedness for nuclear and radiological accidents, including medical aspects (Indonesia, March; Hungary, September). In connection with an international project, initiated at the request of the USSR, to assess the health and environmental effects of the 1986 Chernobyl (Ukrainian SSR) accident and evaluate the protective measures taken, fact-finding missions visited the affected areas and preliminary reports were prepared under the auspices of an international advisory committee. The committee's report was to be published in 1991.

Nuclear power

The Agency continued to provide support to its developing member States, especially for project feasibility studies, infrastructure development planning, manpower planning and project management. In addition, it provided assistance for 11 technical co-operation projects in the area of quality assurance. The IAEA workshops, seminars and symposia convened in 1990 emphasized nuclear power planning (Republic of Korea), financing nuclear power projects in developing countries (Indonesia), and quality management (Czechoslovakia) and quality assurance (India, Indonesia) for nuclear power projects. Work continued on comparative assessments of nuclear power and other energy sources, in particular the potential to avoid greenhouse gas emissions and global warming.

The Agency's Power Reactor Information System (PRIS) with 50 users in 23 member States and two international organizations, continued as a main tool for statistical analysis of nuclear power plant performance. During 1990, the Agency completed preparations for offering a new service called micro-PRIS, which was a personal computer (PC) version of PRIS data on diskette in a form readily accessible by standard, commercially available PC packages.

The International Thermonuclear Experimental Reactor Conceptual Design Activity was successfully concluded in December. The agreed design was based on the tokamak concept of magnetic confinement and a project plan was developed for future research, development and engineering design work that could be shared among national programmes.

Nuclear fuel cycle

IAEA activities related to the nuclear fuel cycle and resources in 1990 included projects, meetings and training courses on the environmental effects of nuclear fuel cycle facilities; the planning of such facilities in developing countries; resources of nuclear raw materials; processing of nuclear and reactor materials; reactor fuel design, fabrication and performance; and spent fuel management. A new edition of the "Red Book", a joint report of IAEA and the Nuclear Energy Agency of the Organisation for Economic Co-operation and Development containing statistical data on uranium resources, was published. Preparation of a comprehensive world map of uranium deposits was initiated. IAEA supported 27 technical co-operation projects on various aspects of uranium exploration and development.

Radioactive waste management

In September, the Agency's new Radioactive Waste Safety Standards Programme was presented to the IAEA Board of Governors. The programme aimed at producing a series of safety documents to set out internationally agreed-upon approaches to the safe management and disposal of radioactive wastes. In 1990, six regular missions and one special mission were conducted to developing member States as part of the Agency's Radioactive Waste Management Advisory Programme. The missions offered advice on establishing national waste management programmes and technical assistance on specific waste management issues or problems. Other IAEA activities in the area of radioactive waste management included preparation of reports and initiation of projects regarding the handling, treatment, conditioning and storage of radioactive wastes; radioactive waste disposal; and the decontamination and decommissioning of nuclear installations.

Food and agriculture

During 1990, IAEA-sponsored symposia and courses related to the use of nuclear technologies in food and agriculture included meetings on the use of stable isotopes in plant nutrition, soil fertility and environmental studies; plant mutation breeding; the use of immunoassay techniques for promoting animal health and preventing diseases; controlling pests using the sterile insect technique; and food irradiation. In addition, Agency projects were under way relating to soil fertility, irrigation and crop production; plant breeding and genetics; animal production and health; insect and pest control; agrochemicals and residues; and food preservation.

The International Consultative Group on Food Irradiation continued to provide information and advice to member countries, the Food and Agriculture Organization of the United Nations, IAEA and the World Health Organization (WHO), while the International Facility for Food Irradiation Technology, established in 1978, completed its mandate and ceased operation on 31 December 1990. The Soil Science Unit provided training to 16 fellows and conducted one interregional training course. The Plant Breeding Unit continued research and development activities related to mutation breeding and plant genetics. Activities related to animal production and health focused on improving livestock productivity and the diagnosis and surveillance of livestock diseases. The agrochemicals programme continued to assist member States in dealing with problems related to pesticide practices with a view to improving their efficacy, re-

ducing hazards to consumers and protecting the agricultural environment.

Human health

In 1990, inter-agency consultations between IAEA and WHO identified areas of mutual interest and resulted in an action plan for mutual co-operation. The Agency completed 16 of 130 technical co-operation projects in nuclear medicine and awarded fellowships in that field to 43 candidates from 25 developing countries. Other projects under way addressed topics related to applied radiation biology and radiotherapy and the role of nuclear and isotopic techniques in human nutrition.

Physical and earth sciences

Under industry and earth sciences and physical and chemical sciences, IAEA activities during 1990 focused on industrial applications, including manpower development, dissemination of information and technology transfer; development of water and mineral resources; nuclear measurements and instrumentation; and utilization of research reactors and particle accelerators.

The increasing role of nuclear and nuclear-related techniques in environmental conservation was emphasized. Projects and meetings addressed environmental pollution in the coal and coke industry; radiation processing; the exploration and exploitation of energy and mineral resources; non-destructive testing of materials; and characterization methods of new materials.

The Agency supported 44 technical co-operation projects related to isotope hydrology in 34 member States and regional projects in Africa, the Middle East and Latin America. The Isotope Hydrology Laboratory provided laboratories in member States with 320 samples for stable isotope measurement calibration and intercomparison. Investigations continued or were initiated in numerous arid and semi-arid zones to assess ground-water origin, recharge and dynamics; ground-water investigations were carried out in numerous tropical countries. Missions and projects also related to ground-water salinization and contamination, geothermal studies, surface water and sedimentology, and precipitation and atmospheric studies.

The development of computer software for applications related to nuclear measurements and instrumentation continued, as did Agency co-ordination of world-wide networks of nuclear and atomic data centres concerned with nuclear reaction data, nuclear structure and decay data,

and atomic and molecular data. Thirteen nuclear laboratories in developing countries, mostly in Africa, were given support to develop nuclear analytical facilities.

The International Centre for Theoretical Physics, jointly operated by IAEA and the United Nations Educational, Scientific and Cultural Organization (UNESCO) and located in Trieste, Italy, continued its research and training activities. Some 4,400 scientists, of whom 65 per cent were from developing countries, took part in the Centre's activities in 1990 and in the programme for training at Italian laboratories. In the area of physics and pure and applied mathematics, the Centre sponsored 43 courses, workshops and symposia in 22 countries.

Technical co-operation

The first biennial technical co-operation programme was concluded in 1990 and a special evaluation of the two-year cycle was scheduled for 1991. During the year, a total of 1,135 projects were operational, while arrangements were provided for 2,220 expert assignments. In addition, the programme processed 3,152 purchase orders for equipment and supplies, devised training programmes for 1,057 fellows and visiting scientists and organized 108 regional and interregional training courses for 1,358 participants. New resources available for technical co-operation decreased by 11.1 per cent over 1989 to \$44.6 million, due to a bookkeeping loss caused by the devaluation of a major non-convertible currency.

Agency safeguards responsibilities

In 1990, IAEA carried out 2,188 inspections of safeguarded nuclear material, leading it to conclude, as in previous years, that the nuclear material under Agency safeguards remained in peaceful nuclear activities or was otherwise accounted for.

As at 31 December 1990, 177 safeguards agreements were in force with 104 States and Taiwan, compared with 172 agreements with 101 States and Taiwan at the end of 1989. Safeguards agreements were in force with 86 States pursuant to the 1968 Treaty on the Non-Proliferation of Nuclear Weapons (NPT) [GA res. 2373(XXI)]. NPT safeguards agreements had been concluded with 10 of the 11 signatories of the 1985 South Pacific Nuclear Free Zone Treaty (Rarotonga Treaty) [YUN 1985, p. 58] and safeguards were applied in one of those States. Agreements had been concluded with 19 of the 23 Latin American States party to the 1967 Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of

Tlatelolco) [YUN 1967, p. 13], of which 16 were in force. Safeguards were applied in 42 States under agreements pursuant to NPT or to NPT and the Treaty of Tlatelolco.

As at 31 December 1990, 515 nuclear installations were under safeguards or contained safeguarded materials; nine of them were in nuclear-weapon States. A further 395 locations outside nuclear facilities contained small amounts of safeguarded materials and there were two safeguarded non-nuclear installations.

Nuclear information

In 1990, 95,604 records were added to the International Nuclear Information System (INIS), bringing the total number of records in the INIS data base to 1,447,960. During the year, nearly 11 million printed pages were distributed in computer-aided microfiche format, while member States spent a total of 700 hours on-line to the INIS data base. INIS membership remained at 79 member States plus 15 international organizations in 1990, with the admission of the Sudan and the reunification of Germany.

Secretariat

At the end of 1990, there were a total of 2,175 staff members of the IAEA secretariat, including 832 in the Professional and higher categories, 1,202 in the General Service category and 141 in the Maintenance and Operatives Service category.

Budget

The IAEA regular budget for 1990 amounted to \$178,653,000, of which \$170,135,000 was to be financed from contributions by member States on the basis of the 1990 scale of assessment, \$4,933,000 from income from work for others and \$3,584,000 from other miscellaneous income. Actual expenditures amounted to \$176,500,274, resulting in an unencumbered balance of \$2,152,726.

The target for voluntary contributions to the Technical Assistance and Co-operation Fund in 1990 was established at \$45.5 million, of which \$38,797,255 had been pledged by member States by the end of the year.

NOTE: For further information, see *The Annual Report for 1990*, published by IAEA.

HEADQUARTERS AND OTHER OFFICE

HEADQUARTERS

International Atomic Energy Agency
Wagramerstrasse 5
(P. O. Box 100, Vienna International Centre)
A-1400 Vienna, Austria
Cable address: INATOM VIENNA
Telephone: (43) (1) 20600
Fax: (43) (1) 20607
Telex: 1-2645 ATOM A
Internet: <http://www.iaea.org/worldatom>

LIAISON OFFICE

International Atomic Energy Agency Liaison Office at the United Nations
1 United Nations Plaza, Room 1155
New York, NY 10017, United States
Telephone: (1) (212) 963-6010, 6011, 6012
Fax: (1) (212) 751-4117
Telex: 42 05 44 UNH

Chapter II

International Labour Organisation (ILO)

The International Labour Organisation (ILO), established in 1919 as an autonomous institution associated with the League of Nations, in 1990 continued activities in six major areas: promoting policies to create employment and satisfy basic human needs; developing human resources; improving working conditions and environment; promoting social security; strengthening industrial relations and tripartite (government/employer/worker) co-operation; and advancing human rights in the social and labour fields.

ILO membership decreased to 148 in 1990 due to the unification of the Federal Republic of Germany and the German Democratic Republic and that of Yemen and Democratic Yemen (see PART ONE, Chapter IV).

Meetings

The seventy-seventh session of the International Labour Conference (Geneva, 7-27 June) adopted a new convention on night work and a protocol revising the Convention on night work for women, as well as a new convention on safety in the use of chemicals at work (see below, under "Standard-setting"). The Conference considered the annual reports of the ILO Governing Body and the Director-General, focusing on environment and the world of work, as well as the twenty-sixth special report on the effect of apartheid on labour and employment in South Africa. The Conference held a first discussion on working conditions in hotels and restaurants, with a view to the adoption of standards in that field at its 1991 session. A general discussion reviewed the promotion of self-employment, highlighting its role in economic growth and poverty alleviation. A tripartite Conference committee again examined the application of ILO Conventions and Recommendations by member States, and reviewed the application of ILO instruments concerning minimum standards in merchant shipping.

The Fifth Tripartite Technical Meeting for Mines Other than Coal Mines (Geneva, 28 March-5 April) adopted conclusions on the effects of new technology on the industry and on conditions of work. The Third Tripartite Technical Meeting for the Printing and Allied Trades

(Geneva, 5-13 December) examined conditions of work as well as security of employment and income in the light of structural and technological change.

international standards

In 1990, ILO's activities concerning Conventions and Recommendations consisted of standard-setting and implementation of standards.

Standard-setting

At its seventy-seventh session (June 1990), the International Labour Conference adopted the Chemicals Convention (No. 170) and Recommendation (No. 177), 1990; the Night Work Convention (No. 171) and Recommendation (No. 178), 1990; and the Protocol of 1990 to the Night Work (Women) Convention (Revised), 1948 (No. 89). The report forms for those instruments were approved by the Governing Body at its annual session in November.

The Seafarers' Welfare Convention, 1987 (No. 163) entered into force on 3 October 1990.

During the year, 74 ratifications of ILO Conventions by 19 member States were registered, bringing the total number of ratifications as at 31 December 1990 to 5,508.

Supervision of standards

At its annual meeting in March, the Committee of Experts on the Application of Conventions and Recommendations examined some 1,526 reports from member States regarding compliance with their obligations under the ILO Constitution and international labour standards, and formulated 1,551 comments in the form of observations published in its report or direct requests to Governments. The Committee again examined the application of the Employment Policy Convention, 1964 (No. 122), and prepared a general survey of national law and practice in ILO member States regarding application of the Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147) and the Merchant Shipping (Improvement of Standards) Recommendation, 1976 (No. 155).

The Governing Body Committee on Freedom of Association met three times in 1990 to examine

complaints of violations of freedom of association received from employers' and workers' organizations. The Committee submitted to the Governing Body seven reports containing final or interim conclusions in 74 cases.

A number of special procedures were pursued during 1990 to examine complaints and representations submitted under the ILO Constitution. Complaints under article 26 were examined concerning the application of ratified Conventions by Nicaragua and Romania, and representations under article 24 were examined concerning Argentina, Iraq, the Libyan Arab Jamahiriya, Mauritania and Turkey.

Employment and development

ILO continued to assist in developing policies to generate employment and alleviate poverty in the context of rapid national and international structural change. The organization participated in a meeting on the employment consequences of structural adjustment in five Arab countries (Algeria, Egypt, Jordan, Morocco and Tunisia) and began preparations for a tripartite symposium on structural adjustment, employment, and training for Latin America and the Caribbean to be held in 1991. Among reports and publications produced during the year were studies on effective structural adjustment packages conceived to meet distributional directives, a case-study on private investment in Zimbabwe, and books on rural labour in Tunisia and on the links between economic growth and labour outmigration from agriculture in 86 developing countries. A report on structural adjustment and its socio-economic effects in rural areas was prepared for the eleventh session of the Advisory Committee on Rural Development held in October 1990. Activities also addressed various aspects of the relationships between technological change, employment and structural adjustment. A comprehensive data base on the incidence of rural poverty in developing countries was created.

The World Employment Programme (WEP) continued, through research activities, technical advisory services, national projects and the work of regional teams in Africa, Asia and Latin America, to address the longer-term development problems of rural areas and the rapidly growing urban informal sector. Among other areas covered by WEP were ensuring fairness in structural adjustment programmes; employment and poverty monitoring; direct employment creation and generation for vulnerable groups; linkages between macro-economic and micro-economic interventions; and environment and labour market problems.

Working environment

The ILO International Programme for the Improvement of Working Conditions and Environment continued to assist countries in promoting occupational safety and health and improving general working conditions.

Under safety and health, 19 major extrabudgetary projects were carried out in 11 countries. Co-operation continued with the World Health Organization and the United Nations Environment Programme within the International Programme on Chemical Safety and with the International Atomic Energy Agency on preparation of revised basic safety standards for radiation protection. The Twelfth World Congress on Occupational Safety and Health was organized by ILO and the International Social Security Association in Hamburg in May. The International Occupational Safety and Health Information Centre continued to disseminate information through its network of national centres, micro-computer data base and bilingual bulletin.

In the area of conditions of work and welfare activities, ILO technical co-operation and advisory services gave assistance in combating child labour and protecting working children; improving working conditions and productivity in small and medium-sized enterprises; preventing and reducing alcohol and drug problems in the workplace; and providing women wage-earners with welfare facilities. In October, a meeting of experts addressed the social protection of homeworkers. The biannual Conditions of Work Digest dealt with telework and working hours: new work schedules in policy and practice.

Field activities

For the sixth consecutive year, ILO expenditure on operational activities increased in 1990 to \$152.2 million, a 6.1 per cent rise above \$143.4 million in 1989. The United Nations Development Programme remained the largest single source of external funding, while increased contributions were provided by trust funds and multi-bilateral donors.

Activities in labour and population, principally funded by the United Nations Population Fund, amounted to nearly \$11.5 million in 1990, representing nearly 8 per cent of total expenditure on ILO operational programmes. The ILO regular budget provided for operational activities close to 10 per cent of total resources available to the organization.

Regarding the substantive fields of action, the employment and development programme spent some \$54 million, primarily on projects in support of infrastructure and rural works, and employment planning and population. Training

programmes incurred \$41 million and were devoted principally to vocational training and management development. The third largest technical co-operation programme covered sectoral activities, within which operations in support of co-operatives alone provided over two thirds of the total, and other significant sectors were the hotel and tourism and maritime industries.

Training and research

By the end of 1990, 147 management development projects were in operation, focusing on monitoring and managing productivity improvement; developing entrepreneurs and small enterprises; assisting in structural adjustment processes; and strengthening management development institutions. The vocational training programme, which comprised 160 projects, was concerned with the problems of rural populations, the informal sector and disadvantaged groups such as women, unemployed rural youth and refugees. In addition, more than 50 countries received technical assistance or advice on vocation rehabilitation.

ILO expenditure for vocational training in 1990, excluding management development training, reached \$27 million, or about 19 per cent of total ILO technical co-operation expenditure. The International Centre for Advanced Techni-

cal and Vocational Training in Turin held 78 group training courses and seminars in 1990, involving 1,490 participants from around the world.

The International Institute for Labour Studies in Geneva, the ILO centre for education and research, held its twenty-fifth international internship course on active labour policy development (Geneva, 9 May-8 June). Other Institute activities included several projects under its new industrial organization programme as well as networking support to regional groups of researchers and institutions.

Secretariat

As at 31 December 1990, full-time staff numbered 3,266, including 1,445 in the Professional and higher categories, and 1,821 in the General Service or Maintenance categories. Of the Professional staff, 686 were assigned to technical co-operation projects.

Budget

The International Labour Conference in June 1989 adopted a budget of \$330.4 million for the 1990-1991 biennium.

NOTE: For further information on ILO, see Report of the Director-General: Activities of the ILO, 1990.

HEADQUARTERS AND OTHER OFFICES

HEADQUARTERS

International Labour Office
4 Route des Morillons
CH-1211 Geneva 22, Switzerland
Cab/e address: INTERLAB GENEVE
Telephone: (41) (22) 799-6111
Fax (41) (22) 798-8685
Telex: 845-27821
Internet: <http://www.ilo.org>

LIAISON OFFICE

International Labour Organisation
Liaison Office with the United Nations
Suite 3101
220 East 42nd Street
New York, NY 10017, United States
Telephone: (1) (212) 909-7800
Fax: (1) (212) 909-7816
Telex: 053-4458

ILO maintained regional offices at Abidjan, Côte d'Ivoire; Bangkok, Thailand; Geneva, Switzerland; and Lima, Peru, as well as liaison offices with the Economic Commission for Latin America and the Caribbean in Santiago, Chile.

Chapter III

Food and Agriculture Organization of the United Nations (FAO)

The Food and Agriculture Organization of the United Nations (FAO), established in 1945, continued in 1990 to help raise the living standards of the rural poor and improve agricultural productivity using techniques that did not degrade the environment. With its main objective remaining the global achievement of food security, FAO also continued to monitor food supply conditions world wide and provide emergency relief.

The 49-member Council of FAO, the organization's governing body between biennial meetings of the FAO Conference, at its ninety-eighth session (Rome, 19-30 November), reviewed FAO's programmes and discussed relevant aspects of food, agriculture and rural development. In resolutions, the Council expressed concern over the world food outlook in the light of changes in the formerly centrally planned economies of Eastern Europe and the debt burdens that continued to hamper the economic growth of some developing countries. Among FAO priorities approved by the Council were increased resources for forestry research and expansion of the organization's efforts in environmental protection.

During the year, FAO membership remained unchanged at 158 countries.

World food situation

Record wheat and rice harvests and higher output of root and tuber crops helped boost world food production by 4 per cent in 1990 to 2,160 million tonnes. The increase, well above the average growth rate of the 1980s, helped to replenish global cereal reserves depleted over the previous three years.

Due to favourable weather in most grain-growing areas, the easing of wheat acreage restrictions in the United States and higher prices, global cereal production increased almost 5 per cent, from 1,706 million tonnes in 1989 to 1,784 million tonnes in 1990. Bumper harvests were registered in North America and Mexico, and in Bangladesh, China, India and the USSR, where cereals and pulses output grew by 14 per cent. In the developing world, output expanded moderately, with the size of harvests varying widely

among regions: while output grew by some 10 per cent in Asia, it fell by 11 per cent in Latin America and 7.5 per cent in Africa.

World wheat production rose by 11 per cent to a record 599 million tonnes, while rice output reached a record 347 million tonnes due to an excellent monsoon season in Asia. However, those gains were offset by only slight growth in world coarse grain production, up less than 1 per cent to 834 million tonnes. Regarding other major food commodities, world production of roots and tubers grew by 1 per cent, global pulse production reached a record 59 million tonnes, world milk production increased by 0.5 per cent and meat output rose slightly to 171 million tonnes.

Activities in 1990

Emergency assistance

Serious food shortages due to civil strife or poor rainfall affected a number of countries in Africa in 1990, including Angola, Ethiopia, Liberia, Mozambique and the Sudan. Other countries in the region requiring exceptional assistance included Burundi, Cape Verde, Malawi, the Niger, Rwanda, Sierra Leone and Somalia. A number of countries recorded food surpluses but required external assistance to transport supplies internally and to other countries. In addition, serious food shortfalls required emergency assistance to nine developing countries outside Africa: Afghanistan, Bolivia, Haiti, Jordan, Lebanon, Nicaragua, Peru, Samoa and Sri Lanka. Assistance was provided to victims of a cyclone in Samoa in February. In Europe, food shortages were reported in the USSR due to post-harvest losses and problems in transport and distribution.

FAO set up the Screwworm Emergency Centre for North Africa in June 1990 as an international, inter-agency programme to eradicate the livestock pest from the Libyan Arab Jamahiriya, where an outbreak began in 1988. The Emergency Centre for Locust Operations was officially closed in December 1990 after having co-ordinated international campaigns to fight lo-

cust and grasshopper infestations. With FAO assistance, the desert locust plague of 1986-1989, which swept across the northern half of Africa, was brought to a halt.

Field programmes

There were some 2,325 FAO field projects under way in more than 130 countries world wide in 1990. The projects, which varied from small-scale, highly specialized activities to large multidisciplinary programmes, addressed crop production (24 per cent), forestry (15 per cent), rural development (15 per cent), natural resources (15 per cent), livestock (11 per cent), fisheries (9 per cent), policy analysis (7 per cent), research and technology (2 per cent), nutrition (1 per cent) and other categories (1 per cent).

Rural development

FAO's Agricultural Services Division continued in 1990 to promote farming systems analysis, from crop and livestock production to the availability of health care and the quality of the environment. Activities included publication of training materials on integrating land evaluation data into rural planning; workshops on the improved use of micro-level data in policy formulation and assessment; improving agricultural engineering and farm mechanization; developing post-harvest systems; strengthening agro-industries; applying biotechnology to traditional processing technologies; expanding markets; and strengthening rural financing. Assistance to rural financial institutions, including co-operatives, was a key activity.

The FAO Policy Analysis Division, another key player in rural development activities, continued to help developing countries to exercise more effective policy-making through policy advice, technical assistance and training. Areas of major concern included agricultural prices, marketing, processing, credit, fiscal and monetary policies, trade and exchange rates, food security and monitoring the impact of food and agricultural policies.

Crops

Many FAO activities in 1990 contributed to improvements in crop production. For example, FAO's Seed Exchange and Information Centre in Rome helped distribute seed samples to more than 82 developing countries. The Centre met 417 requests for samples of some 8,000 cultivars. Emergency shipments from the Centre's cold storerooms in

1990 included wheat seeds for agricultural rehabilitation in Afghanistan and vegetable seeds for farmers in Burundi.

Through integrated pest management techniques, which rely on natural control of pests rather than chemical pesticides, FAO offered farmers in Asia methods of keeping crop pests under control while limiting damage to the environment. The organization's Prevention of Food Losses projects involved simple techniques or technologies that could help prevent post-harvest food losses due to pests or poor storage and handling. FAO's programme for Integrated Plant Nutrition Systems relied on improvements in field techniques to reduce the amount of chemicals released into the environment.

Livestock

The FAO Animal Production and Health Division continued efforts to improve livestock production through programmes such as the eradication campaign of the Screwworm Emergency Centre for North Africa; information and vaccination campaigns to control rinderpest, a serious problem affecting livestock producers in Africa and some parts of Asia; and a cattle-painting campaign using a low-toxicity insecticide to stop tsetse fly attacks on cattle in Zanzibar.

As part of its efforts to improve indigenous livestock breeds, FAO launched a project to find ruminants suitable for a breeding programme in the Near East, including Jordan, the Syrian Arab Republic and Turkey. Other activities in 1990 included veterinary services development; publication of the Animal Health Yearbook (a reference book on over 135 infectious diseases); and a broad range of projects covering areas such as parasitic and vector-borne diseases, non-infectious and reproductive diseases, dairy development, tropical animal feeds, animal breed preservation and development, improved animal husbandry and animal product processing.

Fisheries

FAO activities in aquaculture and inland fisheries continued to expand in 1990. Programmes to improve crop yields or rural economies included fisheries activities to generate income or provide fodder or fertilizer. In addition, FAO programmes were under way in fish disease diagnostics, fish nutrition and fishery genetics.

The Fish Identification Group produced field guides, catalogues of species and other

material essential to the fisheries sector. The global data base, SPECIESDAB, was expanded and micro-computer software was designed to help developing countries assess the state of their fish stocks. Manuals and associated software were developed for estimating and managing fish populations and on aspects such as bioeconomic modelling, size and age frequency population analysis, trawl survey analysis and models incorporating spatial and geographic components.

Several fisheries projects focused on the role of women in the sector. A project in India helped set up a fish market run by women; loans were provided to women's groups in the fishing communities of Lake Tanganyika in the United Republic of Tanzania; and women fish processors in Nigeria were introduced to improved smoking kilns.

Forestry

The FAO forestry department continued to give high priority to watershed management and protection. Other priority areas included studies of dry land tree formations and management, particularly in the Sahelian region, the Sudan and southern Africa, as well as wildlife conservation. International forestry research, forest industries, technology and trade, and non-wood forest projects were other important areas of activity. Renewed support was given to institution-building, statistics-gathering and the Tropical Forestry Action Plan.

During the year, FAO staff worked with Indonesian planners to draft a national forestry action programme, responding to serious concerns about the future of Indonesia's forestry activities. Work also progressed on the forest industries training centre in Mutare, Zimbabwe, which would serve the countries of the Southern African Development Co-ordination Conference.

Environment

Activities of various FAO bodies and committees dealing with the environment expanded in 1990, including those in the areas of policy and planning, biological diversity, climate change, desertification control, integrated coastal area management and energy. Requests also increased for environmental assessments of field projects and programmes.

FAO was a sponsor of the Second World Climate Conference (Geneva, 29 October-7 November 1990), and presented a paper at the global gathering on the possible effects of climate change on agriculture, forestry and fisher-

ies. Several areas of action were identified as countermeasures, including the more efficient use of fertilizers to limit nitrous oxide emissions; improving livestock feeds to reduce methane emissions; and reforestation and long-sighted forest management to limit carbon dioxide emissions.

The sustainable management of land and water resources remained a major aim of FAO field-work. One study found that soil losses from erosion and unsound soil management practices in Africa amounted to some 70,000 square kilometres annually.

Nuclear techniques

The Joint FAO-International Atomic Energy Agency Division on nuclear techniques carried out activities in soil fertility, plant production, pest control, animal production, agrochemicals and food irradiation. Joint Division activities included tests of the diagnostic kits for livestock used in detection of trypanosomiasis; the testing of sera in rinderpest control; campaigns against the New World screwworm, the Mediterranean fruit fly and several moth and caterpillar crop pests; improved pesticides use; and irradiation in the quarantine treatment of fresh horticulture produce. The Division sponsored hundreds of seminars and exchange programmes for scientists from developing countries.

Technical co-operation among developing countries

FAO activities under the technical co-operation among developing countries (TCDC) programme intensified in 1990. In addition to promoting regional co-operation, sponsoring seminars and offering technical advice, the programme continued to focus on research and setting up regional networks for information exchange. For example, a TCDC project in the Sahel aimed to improve millet, sorghum, cowpea and maize production through regional co-operation in research. Another TCDC project, designed to provide support to Asian aquaculture centres and encourage them to share responsibility for developing viable aquaculture in the region, resulted in establishment of the Intergovernmental Asian Aquaculture Network.

Secretariat

At the end of 1990, some 3,231 staff were employed at FAO headquarters, of whom 1,175 were in the Professional and higher categories. There were an additional 3,252 FAO field project per-

sonnel and staff employed at regional and country offices, of whom 1,206 were in the Professional and higher categories and 1,756 in the General Service category. Of the 366 associated professional officers working with FAO, 76 were at headquarters and 290 were in the field or in regional and country offices.

Budget

The FAO Conference in 1989 approved a total working budget for the 1990-1991 biennium of \$568.8 million.

NOTE: For further information, see the annual report, FAO in 1990.

HEADQUARTERS AND OTHER OFFICES

HEADQUARTERS

Food and Agriculture Organization of the United Nations
Viale delle Terme di Caracalla
00100 Rome, Italy
Telephone: (39) (6) 5705-1
Fax: (39) (6) 5705-3152
Telex: 843-625852
E-mail: telex-room@fao.org
Internet: <http://www.fao.org>

NEW YORK LIAISON OFFICE

Food and Agriculture Organization Liaison
Office with the United Nations
1 United Nations Plaza, Room 1125
New York, NY 10017, United States
Telephone: (1) (212) 963-6036
Fax: (1) (212) 963-5425
Telex: 236350
E-mail: FAO-LONY@field.fao.org

FAO also maintained liaison offices in Washington, D.C., Geneva, Brussels and Tokyo; regional offices in Accra, Ghana; Bangkok, Thailand; Cairo, Egypt; and Santiago, Chile; and subregional offices in Harare, Zimbabwe; Apia, Samoa; Budapest, Hungary; Tunis, Tunisia; and Bridgetown, Barbados.

Chapter IV

United Nations Educational, Scientific and Cultural Organization (UNESCO)

The United Nations Educational, Scientific and Cultural Organization (UNESCO) continued in 1990 to promote co-operation among nations in the fields of education, science, culture and communication. In accordance with the medium-term plan for 1990-1995—a general policy and strategy document adopted by the UNESCO General Conference in 1989—activities during the year aimed to meet the challenges of peace, development and protection of the environment by focusing on the priorities of education for all and literacy; protection of the environment and rational use of natural resources; promotion of scientific research and science education; preservation of cultural heritage; the cultural dimension of development; free flow of information and enhancement of communication capacities of developing countries; defence and affirmation of human rights; and propagation of a culture of peace.

Membership in UNESCO decreased in 1990 from 161 to 159 due to the unification of the Federal Republic of Germany and the German Democratic Republic into a single State and that of the Yemen Arab Republic and the People's Democratic Republic of Yemen (see PART ONE, Chapter IV).

Education

During 1990, UNESCO educational programmes highlighted the priorities of reducing illiteracy and expanding basic education. As part of International Literacy Year (ILY), which was celebrated throughout the world in 1990, UNESCO promoted its Action Plan on the Eradication of Illiteracy by the Year 2000 and mobilized support for activities and programmes promoting literacy for youth and adults. Some 118 countries set up national ILY committees and UNESCO appointed 70 honorary ambassadors for ILY on the basis of nominations submitted by member States.

Together with the United Nations Children's Fund, the United Nations Development Programme and the World Bank, UNESCO sponsored the World Conference on Education for All (Jomtien, Thailand, 5-9 March). The Conference inspired many countries to reassess their educa-

tional situation and design new strategies for expanding basic education services and developing human resources. The forty-second International Conference on Education (Geneva, 3-8 September) was devoted to the follow-up of the Jomtien Conference recommendations.

During the year, programmes devoted to education for the twenty-first century and educational development sought to re-establish UNESCO's leading role in promoting international co-operation among professionals and policy makers to improve the quality and relevance of education as the means by which societies could promote their own continuity and change. National, regional and international projects, workshops and meetings undertaken by UNESCO emphasized such issues as higher education and inter-university co-operation; values in informal and non-formal education; girls' access to mathematics and science education; educational aid to refugees; vocational education; educational buildings and furniture; education for the prevention of drug abuse and AIDS; and educational services for families and young children. UNESCO awarded five international literacy prizes in 1990 to: the People's Government of Xiping County (China); the Universidad Central del Este (Dominican Republic); the Institute of the Brothers of the Christian Schools; the General Directorate of Non-Formal Education (Cape Verde); and the Kerala Sastra Sahithya Parishad Movement (India).

Natural sciences and environment

UNESCO continued activities related to the environment and the management of natural resources and to the application of science and technology to development. In partnership with the World Meteorological Organization, the United Nations Environment Programme, the Food and Agriculture Organization of the United Nations and the International Council of Scientific Unions, UNESCO co-sponsored the Second World Climate Conference (Geneva, 29 October-7 November). High-level regional symposia on science and technology for the future were convened in Berlin, Germany, and Acapulco, Mexico.

The inter-agency programme on Man and the Biosphere continued to encourage interdisciplinary research, demonstration and training on resource management by promoting better understanding of the biophysical, socio-economic and cultural factors involved in sustainable development. It comprised a series of international research networks and 293 biosphere reserves in 74 countries.

The Intergovernmental Oceanographic Commission (IOC) gave increased attention to regional concerns. IOC programmes emphasized ocean dynamics and climate, ocean science in relation to living and non-living resources, marine pollution research and monitoring, ocean mapping, ocean observation and warning systems, and marine data and information exchange. IOC also continued development of the Global Ocean Observing System, a globally co-ordinated, scientifically based strategy that would monitor and predict environmental and climatic changes globally, regionally and nationally, and manage and protect ocean and coastal resources.

In 1990, the fourth phase (1990-1995) of the International Hydrological Programme, which included 49 projects, was initiated under the general theme "Hydrology and water resources for sustainable development in a changing environment". A symposium celebrating 25 years of scientific hydrology was held (Paris, March).

The International Geological Correlation Programme, with 92 established national committees, continued to stimulate international collaboration in the earth sciences through 61 research projects. In addition, geological maps of Africa, South and East Asia, and the world were published in co-operation with the Commission for the Geological Map of the World.

The Molecular and Cell Biology Network, which comprised 24 microbiological resource centres in 19 countries, implemented 8 research projects and organized 10 missions and 8 scientific meetings. In engineering sciences, emphasis was placed on small-scale energy production in rural areas and on promoting co-operation between research institutions and industry.

Social and human sciences

UNESCO activities in the social and human sciences were aimed at bolstering the institutional capabilities of member States to stimulate research and training and increase their intellectual involvement in those areas.

The international symposium on the future of the family, to be held in Paris in 1991, held five regional consultations on the subject, in Beijing; Lome, Togo; Mexico City; Tunis. Tunisia; and Vi-

enna. UNESCO also sponsored a meeting on the role of confidence in international relations (Tunis, October), co-organized a conference on democracy and development (Montevideo, Uruguay, November), held a consultation of experts on multiculturalism and the integration of immigrants (Perth, Australia, October/November), and launched a new project to encourage better co-ordination of activities towards eliminating apartheid and preparing society in South Africa to live in conditions of non-discrimination and equality.

Culture

UNESCO continued to implement activities related to the World Decade for Cultural Development (1988-1997) in an increasing number of member States. It provided seed money for 94 projects, and 150 projects received the Decade label. Progress continued in major interdisciplinary and intercultural Decade projects, such as the Silk Roads, the Maya Worlds, and the Revival of the Ancient Library of Alexandria. A Regional Conference of National Committees of the Decade (Bali, Indonesia, June) promoted subregional and regional co-operation towards realizing the Decade's objectives.

During 1990, some \$245,000 was allocated to 20 international campaigns to safeguard cultural heritage, including co-ordination of international action to preserve the site of Angkor Wat in Cambodia. The World Heritage Committee, at its fourteenth session (Banff, Canada, December), inscribed 17 additional sites on the World Heritage List, bringing to 336 the number of cultural and natural sites protected under the 1972 Convention for the Protection of the World Cultural and Natural Heritage. By the end of 1990, 115 States had become parties to the Convention.

Communication and informatics

In 1990, UNESCO established a new sector for communication, information and informatics, in order to bring together three closely related programmes and improve co-operation among them. As part of a new communication strategy, which emphasized the free flow of information, meetings in support of press freedom and media independence were organized in Paris with the written media (February) and with radio and television practitioners (April) of Central and Eastern Europe. In addition, a regional Centre for the Training of Professionals in the Field of Journalism was established in Warsaw, Poland.

The Intergovernmental Council of the International Programme for the Development of Communication (IPDC), in March, allocated \$2,265,000 to 31 projects. IPDC projects included journalism training and community radio; vocational training courses for women; improving broadcasting capabilities in several African and Latin American countries; and assistance to news agencies in Mali, Mauritania, Morocco, Pakistan, Tunisia and Yemen.

The General Information Programme continued to assist countries to increase their capacity to gather, organize, diffuse and utilize information, particularly through seminars and workshops and by providing technical assistance to libraries, national archives and other information networks.

In informatics, training courses, seminars and workshops designed to update knowledge and skills in computer science were organized. Under

the Intergovernmental Informatics Programme, six projects were launched in 1990.

Secretariat

As at 31 December 1990, UNESCO had a full-time staff of 2,765, comprising 1,042 in the Professional or higher categories and 1,723 in the General Service category.

Budget

The General Conference of UNESCO in 1989 approved a budget of \$378.8 million for the 1990-1991 biennium. The level of the working capital fund was fixed at \$15 million and the total assessment on member States (after deducting miscellaneous income) amounted to \$364.8 million.

NOTE: For further information on UNESCO's activities in 1990, see Report of the Director-General 1990-1991, published by UNESCO.

HEADQUARTERS AND OTHER OFFICES

HEADQUARTERS

UNESCO House
Place de Fontenoy
75352 Paris 07SP, France
Cable address: UNESCO PARIS
Telephone: (33) (1) 45-68-10-00
Fax: (33) (1) 45-67-16-90
Internet: <http://www.unesco.org>

NEW YORK LIAISON OFFICE

United Nations Educational, Scientific and Cultural Organization
2 United Nations Plaza, Room 900
New York, NY 10017, United States
Cable address: UNESCO NEWYORK
Telephone: (1) (212) 963-5995
Fax: (1) (212) 963-8014

UNESCO also maintained liaison offices in Geneva and Vienna

Chapter V

World Health Organization (WHO)

The World Health Organization (WHO), established in 1948, continued in 1990 to serve as the directing and co-ordinating authority on international health. WHO focused on disease prevention and control; promoting primary health care and the health of specific populations; addressing health issues related to environment and development; and encouraging implementation of a global strategy of health for all. The World Health Assembly, the governing body of WHO, at its forty-third session (Geneva, 7-17 May), focused on the negative effects of the worsening economic situation in many countries on the health of populations.

During 1990, two States, Belize and Namibia, became members of WHO. However, with the merger of Yemen and Democratic Yemen into one State and the accession of the German Democratic Republic to the Federal Republic of Germany (see PART ONE, Chapter IV), WHO membership remained at 166.

Health policy and infrastructure

The Consultative Committee on Primary Health Care Development (Geneva, April) recommended measures to enhance the implementation and sustainability of the primary health care approach, especially in countries facing severe economic constraints. On the basis of an interregional consultation on quality assurance in primary health care (China, October), training modules were established and a first training workshop was planned for September 1991. A report on the experiences of primary health care delivery in 15 countries was published, and guidelines for assessing community involvement in district health systems based on primary health care were prepared and widely circulated. A study group on the functions of hospitals at the first referral level (Geneva, October/November 1990) drew up principles for establishing a rational, balanced relationship between hospitals, health centres and health posts with respect to their staff, training, logistics, financing and minimum requirements for clinical skills, laboratory services, education and management.

WHO increased its activities in relief and emergency preparedness in response to a large number of natural and man-made disasters. The Division of Emergency Relief Operations, established in

July 1989, was further strengthened for preparedness and response and a series of protocols for the rapid assessment of the immediate and potential impact of a broad range of emergencies and disasters was developed and field-tested. WHO launched a broad range of activities relating to the International Decade for Natural Disaster Reduction (1990-2000), including projects in Bangladesh, China, India, Indonesia, the Philippines and the Sudan.

WHO continued to ensure that member States had access to the information they required on significant international and national legislative developments in the health and environmental sectors. It also provided diverse forms of technical co-operation to members at their request, including the provision of consultant services to developing countries to draw up, review and amend health legislation.

Public information and education for health

World Health Day (7 April), observed in 1990 under the theme "Our planet, our health-Think globally, act locally", was widely promoted and celebrated, as were World No-Tobacco Day (31 May) and World AIDS Day (1 December). Health education for school-age children remained a critical concern in all regions.

Several African countries revised the school health syllabus to include AIDS and other priority health topics; country reports on school health education were compiled in five countries in South-East Asia; and a teacher training summer school in health education/promotion was held in the United Kingdom-National and inter-country training workshops to stimulate involvement of the media in health education, especially for the prevention of AIDS, were organized for the western Pacific (Sydney, Australia, March) and the eastern Mediterranean (Rabat, Morocco, November).

All WHO regions were supporting training programmes in health education and communication and several were producing educational and promotional materials for health education.

Health protection and promotion

WHO continued to give attention to the major health needs of women, whose status in and contributions to the field of health were recognized to be vital to the health of the population as a whole. A special report prepared by WHO for the World Conference on Education for All (Jomtien, Thailand, March) focused on improving education for girls and women. In 1990, inter-regional workshops for training in research in the field of women's health were held in Mexico City and in Ouagadougou, Burkina Faso, and the first meeting of a task force on human resources development for maternal health and safe motherhood took place in Geneva. Guidelines on AIDS prevention in maternal and child health and family planning were prepared and distributed. WHO and the United Nations Children's Fund convened a technical meeting (Geneva, June) to review the scientific basis of breast-feeding strategies, and a meeting of policy makers from developed and developing countries was held (Florence, Italy, July) to analyse deficient breast-feeding practices and approaches to improving the situation.

WHO became increasingly involved in food aid as part of emergency and longer-term projects for refugees and displaced persons under a newly established food and nutrition programme, responsible for promoting healthy diets and preventing malnutrition and food-borne diseases. A joint Food and Agriculture Organization of the United Nations/WHO consultation on the assessment of biotechnology in food production and processing as it related to food safety (Geneva, November) defined strategies for evaluating safety that provided sound technical and policy guidance for use by national food regulatory agencies and the food industry. Several regional courses and seminars convened in 1990 dealt with food safety and food technology and hygiene.

The Seventh World Conference on Smoking and Health was convened in Perth, Australia, in April. During the year, an increasing number of African countries instituted legal provisions restricting smoking in public places; a regional plan of action for the prevention and control of the use of tobacco, adopted in 1989, was being implemented in the Americas; and WHO support for educational programmes related to tobacco and health was provided to several countries in other regions. WHO was also active in the promotion of oral health and the promotion of accident and injury prevention.

Health of specific populations

As an approach to tackling the range of problems affecting mothers and children throughout the world, WHO activities were restructured to focus on maternal health and safe motherhood, child health and development, perinatal and neonatal care, and family planning and population. Particular attention was given to the development and adaptation of appropriate technology for use in primary health care. During the year, technical co-operation and human resources development were made components of the maternal health and safe motherhood programme and guidelines were produced on essential obstetric functions, rapid evaluation methodology, treatment of obstetric fistulae, use of the partograph and abortion care.

WHO activities related to child health and development included measures to promote perinatal and neonatal health, breast-feeding, growth and development of children and care of those children in difficult situations. The organization established an adolescent health programme in 1990 to promote the health and development of young people aged 10 to 24, with special attention to the needs of developing countries. The first WHO collaborating centre for adolescent health was formally opened at the University of Nairobi (Kenya) in June.

Regarding reproductive health, a WHO scientific group (Geneva, December) reviewed current knowledge about the use of combined oral contraceptives and the risk of neoplasia; a meeting of scientists from Eastern and Western Europe (Szeged, Hungary, October) discussed opportunities for collaboration in reproductive health research that would benefit developing countries; and an inter-agency consultation (Geneva, September) addressed the challenges of the 1990s in human reproduction research.

Activities carried out in collaboration with other international organizations related to occupational health included a symposium on contaminant measurement in environmental protection and occupational hygiene (Lubeck, Germany, September), the European Industrial Hygiene Conference (Milan, Italy, November) and a course on occupational health (Coimbra, Portugal, December).

WHO efforts, with the collaboration of several groups of scientists from some 15 countries, provided a basis for the adoption of standardized epidemiological and clinical procedures as well as research objectives with regard to the health of the elderly. The steering committee for a project on osteoporosis held its first meeting (Bethesda, Maryland, United States, September) to make recommendations related to identifying older

people, especially women, at risk of fractures and to assess risk and protective factors for bone loss and fracture in older populations.

Environment, health and development

The WHO Commission on Health and Environment was established in 1990 to review knowledge about the impact of environmental change on human health and lay down a basis for WHO to develop the strategies needed to solve problems of health in the context of environment and development. The work of the Commission was supported by four expert panels which analysed the health implications of the environmental impact of food production and agricultural practices; industrial activities; energy production and use; and urbanization.

The International Drinking Water Supply and Sanitation Decade (1981-1990) concluded with a series of events in which WHO was closely involved, including a global consultation on safe water and sanitation for the 1990s (New Delhi, India, September) and the World Summit for Children (New York, September), which reaffirmed the Decade's goals of universal access to safe drinking water and sanitary means of excreta disposal for the end of the 1990s.

A United Nations Environment Programme (UNEP)/WHO consultation on global freshwater quality monitoring (Leningrad, USSR, August) defined new programme objectives emphasizing the importance of data interpretation and greater sharing of tasks with collaborating centres and other international organizations. In November, a training course in water quality surveillance and control was held in the United Republic of Tanzania. A global radiation monitoring network was set up with UNEP, and a third co-ordination meeting of WHO collaborating centres for radiation emergency medical preparedness and assistance was held in Leningrad in May.

Disease prevention and control

During the year, substantial progress was made in national immunization programmes in all WHO regions. For the first time, some 80 per cent of children in the first year of life were covered by a third dose of combined diphtheria, pertussis and tetanus vaccine as well as poliomyelitis vaccine. Within WHO, collaboration was directed towards neonatal tetanus prevention, vitamin A supplementation, preparing training manuals and providing training in logistics.

Development and evaluation of new pesticides for control of disease vectors, such as those that spread malaria, continued in 1990. WHO and representatives of the pesticide industry met to discuss the procedures followed by the organization in ap-

proving pesticides. In collaboration with drug manufacturers, WHO continued to monitor the efficacy and side-effects of antimalaria drugs, and a monitoring system was made available to malaria control programmes in endemic countries. The World Health Assembly marked the achievements of the United Nations Development Programme/World Bank/WHO Special Programme for Research and Training in Tropical Diseases in developing and testing a number of important new disease control tools and strengthening research capability in developing countries. A product development unit was set up with the Special Programme to examine research products of high priority for disease control and to collaborate with industry in order to turn them into practical tools for field use against tropical diseases, including malaria, schistosomiasis, African trypanosomiasis, Chagas disease, leishmaniasis and leprosy.

Efforts were intensified at all levels in 1990 to control diarrhoeal diseases. By year's end, a total of 67 programme managers' courses had been held and nearly 27 per cent of health staff had been trained in supervisory skills. The proportion of curative health staff trained in correct diarrhoea management was estimated at just over 14 per cent. The global use rate for oral rehydration therapy by the beginning of 1990 was 36 per cent, an increase of 4 per cent over 1988.

Preparation of a manual on methods for the surveillance of bacterial drug resistance related to acute respiratory infections was completed and the draft reviewed by a group of experts (Geneva, December). Following a July workshop, guidelines were prepared on tuberculosis treatment for adults and children. Another workshop drew up recommendations on case definitions and reporting systems for use in national tuberculosis programmes.

Regarding sexually transmitted diseases, a consensus statement on how to control hepatitis B virus infection was drawn up at a WHO meeting (Geneva, November). Six priorities were identified for WHO's work in AIDS prevention and control in the early 1990s: strengthening national AIDS programmes; planning for the social and economic consequences of AIDS; developing more effective interventions for halting the spread of HIV and caring for infected persons; accelerating biomedical research aimed at producing safe, effective, affordable and universally available vaccines and drugs; supporting human rights and opposing discrimination towards HIV-infected persons; and fighting complacency with relation to the AIDS pandemic.

The WHO cancer control programme continued to focus on two main components: primary prevention, early detection and treatment, and palliative care; and research on epidemiology, etiology, prevention and the mechanisms of carcinogenesis. In 1990, the recommendations of a study group on diet, nutrition and the prevention of chronic diseases were accepted by the WHO Executive Board as guidelines for a strategy to reduce cancers and other chronic diseases in industrialized countries and prevent increases in those diseases in developing countries.

Secretariat

As at 30 November 1990, the total number of WHO staff stood at 4,596.

Budget

The effective working budget approved by the forty-second (1989) World Health Assembly for the 1990-1991 biennium totalled \$653.7 million.

NOTE: For further details of WHO activities, see The Work of WHO 1990-1991, Biennial Report of the Director-General, published by the organization.

HEADQUARTERS AND OTHER OFFICES

HEADQUARTERS

World Health Organization
20 Avenue Avenue
CH-1211 Geneva 27, Switzerland
Cable address: UNISANTE GENEVA
Telephone: (41) (22) 791-21-11
Fax: (41) (22) 791-07-46
Telex: 84527821
Internet: <http://www.who.ch>

WHO OFFICE AT THE UNITED NATIONS

2 United Nations Plaza
New York, NY 10017, United States
Cable address: UNISANTE NEW YORK
Telephone: (1) (212) 963-4388
Fax: (1) (212) 223-2920
Telex: 234292

WHO also maintained regional offices in Alexandria, Egypt; Brazzaville, Congo; Copenhagen, Denmark; Manila, Philippines; New Delhi, India; and Washington, D.C.

Chapter VI

International Bank for Reconstruction and Development (World Bank)

The International Bank for Reconstruction and Development (World Bank), established in 1945, continued in 1990 to help raise living standards in developing countries by channelling financial resources to them from developed countries. Through loans and other economic assistance, the Bank financed all kinds of capital infrastructure, while at the same time emphasizing investments that directly affected the well-being of poor people in developing countries by making them more productive and by integrating them as active partners in the developmental process. The Bank also provided loans in support of structural adjustment and policy reform. For the fiscal year ending 30 June 1990, Bank lending totalled some \$15,180 million.

During 1990, membership in the World Bank increased to 154, with the admission of Bulgaria, Czechoslovakia and Namibia, and the merger of Yemen with Democratic Yemen.

Lending operations

The World Bank granted a total of 121 loans to 38 countries for the fiscal year ending 30 June 1990, amounting to gross commitments of \$15,179.7 million, a decline of \$1,254 million over fiscal 1989. Sectorally, total lending included \$1,994.5 million for 29 agriculture and rural development loans in 21 countries; \$945 million for development finance companies in six countries; \$530.1 million for eight education projects in five countries; \$3,084 million for 14 energy projects in 11 countries; \$650.5 million for six industry-sector loans; \$2,600 million for non-project loans to eight countries; \$524.6 million for seven population, health and nutrition projects; \$480 million for two public-sector management loans; \$50 million for one small-scale enterprise loan; \$96 million for six technical assistance loans; \$592.2 million for three loans in the telecommunications sector; \$2,250.2 million for transportation projects in 13 countries; \$702.7 million for seven urbanization projects; and \$679.4 million for 11 water supply and sewerage loans in nine countries. The cumulative total of loan commitments by the Bank since it began operations in 1946 amounted to \$186,661.7 million.

Economic Development Institute

During fiscal 1990, the Economic Development Institute (EDI) increased its activities in three areas: training those involved in leading and managing development in developing member countries; providing assistance to training and research institutions in developing countries to help them strengthen their capacities for policy analyses and economic management; and producing and disseminating training materials. In fiscal 1990, EDI organized 99 seminars and courses. Among the most important were those focusing on human resource and social issues; access by the poor to urban services; vocational and technical education policy; structuring relations between the public and private sectors; experience with structural adjustment; and financial sector reform. The Institute continued to administer the World Bank graduate scholarship programme, funded by the Government of Japan, which had awarded a total of 222 scholarships, 25 per cent of them to women and 80 per cent to applicants from developing countries.

Sub-Saharan Africa continued to account for half of the Institute's activities, which ranged from organizing courses and seminars in collaboration with African institutions to providing institutional assistance to help train senior and mid-level staff. In the Europe, Middle East and North Africa region, EDI sustained its expanded programme for Arab countries and responded to increased interest to collaborate with it from Eastern and Central Europe. In Latin America and the Caribbean, EDI priorities included adjustment and growth (including financial sector reform), public- and private-sector management and human resource development. A number of programmes in the institutionally weaker countries of Asia and the Pacific, such as Viet Nam and the Lao People's Democratic Republic, emphasized development management and project-related issues.

While the United Nations Development Programme remained the largest source of external support for the Institute's activities, co-financing from bilateral sources continued to expand more rapidly than other sources, repre-

senting more than half of total external resources mobilized.

Co-financing

The volume of co-financing anticipated in support of World Bank-assisted operations reached a record level \$12,978.5 million in fiscal 1990. More than half of all Bank-assisted projects attracted some form of co-financing. By region, 33 per cent of the co-financing volume was for operations in Asia, 32 per cent in Latin America and the Caribbean, 23 per cent in Africa and 12 per cent in the Europe, Middle East and North Africa region. In terms of the number of co-financed operations, the distribution by region indicated that 50 per cent was in Africa, 22 per cent in Asia, 14 per cent in Latin America and the Caribbean, and 13 per cent in the Europe, Middle East and North Africa region.

The largest sources of co-financing continued to be official bilateral agencies and multilateral development institutions, which together accounted for \$9.1 billion. The volume of anticipated export credits increased significantly to an estimated \$3.2 billion. Commercial bank co-financing accounted for some \$657 million, reflecting continued difficulties experienced by Bank borrowers in attracting medium-to-long-term financing from commercial sources.

Financing activities

During fiscal 1990, the Bank borrowed a total of \$11,720 million, consisting of \$9,225.3 million of medium- and long-term public offerings; \$1,216.8 million of medium- and long-term placements with central banks and Governments; \$1,166.2 million of medium- and long-term other placements; and \$111.7 million of short-term borrowings.

Although some 98 per cent of fiscal 1990 borrowings, after swaps, were in deutsche mark, United States dollars and Japanese yen, the Bank borrowed in a total of 15 currencies, continuing its policy of diversifying its borrowings in a large number of markets and currencies.

The outstanding debt of the Bank at the end of fiscal 1990 was \$81.2 billion of medium- and long-term borrowings and \$5.3 billion of short-term borrowings.

Capitalization

As at 30 June 1990, total subscribed capital of the Bank amounted to \$125,262 million, an increase of \$9,594 million over fiscal 1989.

Income, expenditures and reserves

The Bank's gross revenues totalled \$8,317 million, an increase of \$43.3 million over fiscal 1989. Net income was \$1,406 million, of which \$750 million was allocated to the General Reserve; the remaining \$296 million was included in unallocated accumulated net income pending a decision on its deposition. Expenses decreased by some \$28 million in fiscal 1990 to \$7,092 million. Administrative costs totalled \$494.1 million, up by \$31.8 million from fiscal 1989. At the end of fiscal 1990, the Bank's General Reserve amounted to \$9,195.5 million.

Secretariat

As at 30 June 1990, the World Bank had a total regular and fixed-term staff numbering 5,860, of which 3,714 were in the Professional or higher categories drawn from 125 nationalities.

NOTE: For further details regarding the Bank's activities, see The World Bank Annual Report 1990.

HEADQUARTERS AND OTHER OFFICES

HEADQUARTERS

The World Bank
1818 H Street, N.W.
Washington, DC 20433, United States
Cab/e address: INTBAFRAD WASHINGTON DC
Telephone: (1) (202) 477-1234
Fax: (1) (202) 477-6391
Telex: MCI 64145 WORLDBANK
MCI 246423 WORLDBANK
Internet: <http://www.worldbank.org>
E-mail: books@worldbank.org

NEW YORK OFFICE

The World Bank Mission to the United Nations
809 UN Plaza, Suite 900
New York, NY 10017, United States
Cab/e address: INTBAFRAD NEW-YORK
Telephone: (1) (212) 963-6008
Fax: (1) (212) 697-7020

The World Bank also maintained offices in Paris and Tokyo.

Chapter VII

International Finance Corporation (IFC)

Established in 1956 as an independent affiliate of the International Bank for Reconstruction and Development (World Bank), the International Finance Corporation (IFC) continued in 1990 to further economic growth in developing member countries by promoting private investment. During 1990, IFC continued to expand its activities, achieving record volumes in its three principal areas of work-financing projects, mobilizing funds from other sources and providing advisory services-and launching a number of new initiatives. Increased attention was given to protecting the environment, with the IFC environmental adviser reviewing some 100 project proposals.

During fiscal year 1990 (1 July 1989-30 June 1990), Angola and Cape Verde joined IFC, increasing its membership to 135.

Financial and advisory services

During fiscal 1990, IFC approved new investments totalling \$1.5 billion for 122 private-sector projects in 38 countries. Overall costs of projects financed by IFC totalled nearly \$9.4 billion, and the number of companies in which IFC held loan or equity investments increased from 468 in fiscal 1989 to 495 in fiscal 1990. Funds raised directly by IFC for projects through syndicated bank loans, underwritings and private placements were the highest ever, at \$1 billion. For every dollar invested by IFC, an average of \$5.2 was supplied by other lenders and investors, a mobilization rate below that achieved in 1989, but above the average of \$4.5 for the five-year period 1985 to 1989.

The volume and variety of advisory services to both public- and private-sector clients grew during the fiscal year, principally in the areas of privatization, corporate restructuring and capital markets development. At year's end, IFC was working on more than 50 advisory assignments in 30 countries, with service fee income amounting to \$17 million.

Regional projects

During the year, Eastern Europe emerged as an important area requiring increasing emphasis in IFC activities, with the Corporation able to provide advice on the problems of the transition to market-based economic systems. In Hungary

and Poland, IFC provided advice on a variety of subjects to government agencies involved in the process of economic and financial reform and was engaged in a programme of investments, mainly joint ventures, in those countries. Within IFC, a new Department of Investments, Europe, was created to concentrate on Eastern and Southern Europe.

A new department was also created to focus greater attention on the Middle East and North Africa, an area where IFC's investment had not grown strongly in recent years. During fiscal 1990, total financing of \$244 million was approved for 21 projects in seven countries in Europe and the Middle East, including capital markets projects.

Net investment approvals in Africa rose 50 per cent in fiscal 1990 to a record level. During the year, total financing of \$362 million was approved for 34 projects in 13 African countries. IFC investments in the region were concentrated in industries based on natural resources, including mining, tourism and fishing. IFC was also active in the textile industry. It approved credit lines to private commercial intermediaries. The Corporation continued its efforts to assist small and medium-sized businesses in sub-Saharan Africa, particularly through the Africa Enterprise Fund and the Africa Project Development Facility.

Net investment approvals in Asia were up 81 per cent, with total financing of \$697 million approved for 35 projects in eight countries, including capital markets and energy projects. Activities in the region included major industrial investments in East Asia and investments in the power sector in South Asia. During fiscal 1990, IFC opened a new regional mission in Pakistan. Following on the success of the African and Caribbean Project Development Facilities, IFC was establishing a similar facility for the South Pacific.

The share of new IFC investments to Latin America and the Caribbean, which had been over 50 per cent for several years, decreased in fiscal 1990. During the year, total financing of \$735 million was approved for 29 projects in 10 countries, including capital markets and energy projects. Investments were approved in a number of large projects in Brazil, Chile, Mexico and Venezuela, which were funded in part by mobilizing funds from international sources. IFC also pro

vided advisory and financial services, including the Corporation's first currency swap intermediations, which were transacted for two Latin American banks.

Financial performance

The Corporation's net income for fiscal 1990 was \$157 million, a decrease from \$196.5 million achieved in fiscal 1989. Interest, dividend and fee income were all at record levels, but realized capital gains, at \$91 million, were not as high as in fiscal 1989. The return on the Corporation's equity portfolio (net of reserves) in fiscal 1990 amounted to 25.9 per cent.

Capital and retained earnings

With additional payments of capital and retained earnings during the year, IFC's net worth increased to \$1.9 billion at 30 June 1990, compared with \$1.6 billion at the end of fiscal 1989. Total borrowings over the year were \$799 million.

Secretariat

As at 30 June 1990, IFC's staff totalled 595 from some 70 countries, including more than 50 developing countries.

NOTE: For further details of IFC's activities, see International Finance Corporation Annual Report, 1990, published by IFC.

HEADQUARTERS AND OTHER OFFICE

HEADQUARTERS

International Finance Corporation
1850 I Street, N.W.
Washington, DC 20433, United States
Telephone: (1) (202) 477-1234
Fax: (1) (202) 477-6391
E-mail: Webmaster@ifc.org
Internet: <http://www.worldbank.org>

NEW YORK OFFICE

International Finance Corporation
809 UN Plaza, Suite 900
New York, NY 10017, United States
Cable address: CORINTFIN NEW-YORK
Telephone: (1) (212) 963-6008
Fax: (1) (212) 697-7020

Chapter VIII

International Development Association (IDA)

The International Development Association (IDA), which was established in 1960 as an affiliate of the International Bank for Reconstruction and Development (World Bank), continued to provide concessionary assistance to low-income countries on terms that bore less heavily on their balance of payments than those of the Bank. During fiscal year 1990 (1 July 1989-30 June 1990), IDA continued to concentrate on the very poor countries—those with an annual per capita gross national product of less than \$650 (in 1988 United States dollars). More than 40 countries were eligible under that criterion in fiscal 1990.

Agreement was reached during the fiscal year on the ninth replenishment of IDA resources (IDA-9), amounting to some \$15.5 billion for the three-year (fiscal 1991-1993) period. Thirty-one IDA members, plus Switzerland (not a member of IDA), contributed to IDA-9, among them seven members who were borrowers from the World Bank: Brazil, Hungary, Mexico, Poland, the Republic of Korea, Turkey and Yugoslavia. Three programme areas earmarked for higher priority during IDA-9 were poverty reduction, support for sound macro-economic and sectoral policies, and the environment.

As at 30 June 1990, cumulative IDA commitments totalled \$58,222 million. During fiscal 1990, IDA approved credits (called credits to distinguish them from World Bank loans) totalling \$5,222 million, of which \$2,785.9 million went to 30 countries in Africa and \$2,222.3 million went to nine countries in Asia. The largest borrower was India, with eight credits totalling \$832.4 million, followed by China (five credits totalling \$590

million) and Bangladesh (five credits totalling \$540.1 million).

In fiscal 1990, 21 countries received 30 credits totalling \$1,661.6 million for agriculture and rural development; 14 received \$956.5 million in support of education projects; nine countries received \$535.1 million for transportation projects; eight countries were granted a total of \$444 million for non-project assistance; 10 countries received \$408.8 million for population, health and nutrition; and eight countries and the Caribbean region were extended \$326.7 million to assist development finance companies. In addition, urban development projects in nine countries were extended support totalling \$299.4 million; six countries received \$252.4 million for water supply and sewerage projects; and four countries were granted a total of \$219.8 million to assist with electric power programmes. Lesser amounts were granted as follows: \$157.5 million to five countries for small-scale enterprises; \$145.1 million to two countries and the Western Africa region for industry sector credits; \$45.6 million to three countries for public-sector management; \$45 million to five countries for technical assistance projects; and \$24.5 million to one country for a telecommunications project.

IDA membership in 1990 remained at 138.

Secretariat

Though legally and financially distinct from the World Bank, the staffing and headquarters of IDA were the same as those of the Bank.

NOTE: For further details regarding IDA activities, see The World Bank Annual Report 1990.

HEADQUARTERS AND OTHER OFFICE

HEADQUARTERS

International Development Association
1818 H Street, N.W.
Washington, DC 20433, United States
Cable address: INTBAFRAD WASHINGTONDC
Telephone: (1) (202) 477-1234
Fax: (1) (202) 477-6391
Telex: MCI 64145 WORLDBANK
MCI 248423 WORLDBANK
E-mail: books@worldbank.org
Internet: <http://www.worldbank.org>

NEW YORK OFFICE

International Development Association
809 United Nations Plaza, Suite 900
New York, NY 10017, United States
Cable address: INDEVAS NEWYORK
Telephone: (1) (212) 963-6008
Fax: (1) (212) 697-7020

Chapter IX

International Monetary Fund (IMF)

The International Monetary Fund (IMF) continued in 1990 to monitor the international monetary system and to promote conditions conducive to a healthy world economy. Surveillance over the policies of its members remained the central activity of the Fund. That surveillance consisted of an ongoing monitoring and analysis of a broad range of domestic and external policies affecting members' price and growth performance, external payments balances, exchange rates and restrictive systems.

During the year, the IMF Executive Board, the Fund's permanent decision-making body, discussed, among other things, the effects of inflation and the implications of a monetary strategy aimed at achieving price stability. The Fund's 1990 fiscal year covered the period from 1 May 1989 to 30 April 1990.

IMF membership rose to 154 in 1990 with the admission of Bulgaria, Czechoslovakia and Namibia. Democratic Yemen and Yemen merged into one State.

IMF facilities and policies

A principal activity of the Fund continued to be support of macro-economic and structural policy adjustments in its member countries. IMF support and funds (in the form of special drawing rights (SDR)) were provided through various policies and facilities, which differed in the types of problems they sought to address and the terms and degree of conditionality attached to them.

In fiscal 1990, IMF committed SDR 10.9 billion under stand-by and extended arrangements (designed to overcome short- and medium-term balance-of-payments difficulties), representing a more than threefold increase over the average of the preceding six years. The rise partly reflected the fact that developing countries were requesting Fund assistance to reduce inflation, improve resource allocation and lower barriers to trade and foreign investment. The Fund's structural adjustment facility (SAF) and enhanced structural adjustment facility (ESAF) arrangements provided resources on concessional terms to low-income countries in support of macro-economic and structural adjustment policies. Six of the seven low-income countries for which the Fund approved new three-year arrangements under SAF and ESAF in fiscal 1990 were in sub-Saharan Africa and the other in Asia. The compensatory

and contingency financing facility (CCFF), which was established in 1988 to help stabilize the earnings of countries exporting primary commodities and to protect the Fund-supported economic policies of members from the disruptive effects of unanticipated external shocks, continued to provide resources to members to cover export earnings shortfalls beyond their control and to provide financial protection to maintain the momentum of Fund-supported adjustment in the face of external disruptions.

IMF continued to devote considerable attention to the external debt problems of its members. The three main elements of the Fund's co-operative, case-by-case strategy for dealing with the problems of heavily indebted countries comprised ensuring that: debtor countries pursued growth-oriented structural reforms; multilateral, official and private sources provided adequate finance; and all countries collaborated in maintaining a favourable global economic environment. Guidelines approved in 1989 to determine countries' eligibility to receive Fund support for debt-reduction operations were applied in four initial cases: Costa Rica, Mexico, the Philippines and Venezuela. In April 1990, the Fund approved arrangements with six countries that had yet to conclude negotiations with their creditors on financing packages involving debt reduction: Argentina, Cote d'Ivoire, Ecuador, Jordan, Poland and Venezuela.

Financial assistance

In fiscal 1990, IMF approved 26 new arrangements with member countries, amounting to SDR 11.3 billion, the largest amount since fiscal 1984. The arrangements included 16 stand-by arrangements totalling SDR 3.2 billion; 3 extended arrangements amounting to SDR 7.6 billion; and 3 SAF arrangements and 4 ESAF arrangements totalling SDR 460.5 million. Two arrangements incorporated CCFF contingency mechanisms, while three were accompanied by drawings for CCFF compensatory financing of export fluctuations. Purchases under CCFF rose to SDR 0.8 billion in fiscal 1990 from SDR 0.2 billion in fiscal 1989.

As at 30 April 1990, the Fund had 51 arrangements with 49 countries. Of those, 19 were stand-by arrangements, 4 extended arrangements, 17 SAF arrangements and 11 ESAF arrangements.

The number of countries using Fund resources totalled 87—well over half the Fund's membership. Among the countries that entered into arrangements with the Fund during fiscal 1990, 9 were from the western hemisphere (Argentina, Chile, Costa Rica, Ecuador, Haiti, Jamaica, Mexico, Trinidad and Tobago, Venezuela); 10 were from Africa (Algeria, Benin, Côte d'Ivoire, Gabon, Kenya, Madagascar, Mauritania, Sao Tome and Principe, Togo, Zaire); 1 was from the Middle East (Jordan); 3 were from Asia (the Lao People's Democratic Republic, Papua New Guinea, the Philippines); and 3 were from Europe (Hungary, Poland, Yugoslavia).

Liquidity

The liquid resources of the Fund consisted of usable currencies and SDRs held in the General Resources Account, supplemented, as necessary, by borrowed resources. As at 30 April 1990, the Fund's uncommitted and usable ordinary resources totalled SDR 41.2 billion, compared with SDR 42.9 billion a year earlier. Available borrowed resources amounted to SDR 20 billion, all under a 1986 short-term borrowing agreement with Japan. That represented a use of borrowed resources during fiscal 1990 of SDR 1 billion, compared with SDR 0.2 billion during fiscal 1989.

The Fund's liquid liabilities declined to SDR 24.8 billion at 30 April 1990 from SDR 27.3 billion a year earlier. Those liabilities comprised reserve tranche positions, which declined by SDR 0.4 billion to SDR 21.3 billion, and loan claims on the Fund, which fell to SDR 3.5 billion from SDR 5.6 billion a year earlier.

SDR activity

Total purchases from the General Resources Account increased in fiscal 1990 to SDR 4.4 billion from SDR 2.1 billion in fiscal 1989. The increase reflected a rise of SDR 2.2 billion in disbursements under extended arrangements. In addition, ordinary resources were used to repay SDR 0.4 billion of Fund borrowing that was to be repaid before the corresponding repurchases became due.

Repurchases in the General Resources Account in fiscal 1990 amounted to SDR 6 billion, representing a decrease of SDR 0.3 billion from the previous fiscal year. Of that total, about SDR 0.4 billion consisted of early repurchases by Mauritius and Thailand whose balance-of-payments and reserve positions improved during the period.

Those flows resulted in a fall in Fund credit outstanding in the General Resources Account from SDR 23.7 billion in fiscal 1989 to SDR 22.1 billion in fiscal 1990.

Policy on arrears

Overdue financial obligations remained a serious problem, with the total amounting to SDR 3.27 billion at the end of fiscal 1990. Of that amount, some SDR 3.25 billion represented overdue obligations of 11 members in arrears to the Fund by six months or more as at 30 April 1990. At the same date, a total of 10 members had been declared ineligible to use the general resources of the Fund, in the light of their overdue obligations, which represented 98.4 per cent of total overdue obligations. The eligibility of two members was subsequently restored in June following full settlement of their overdue obligations.

Technical assistance and training

Technical assistance and training in economic and financial matters continued to be an important element of the Fund's relations with its member countries. Members sought assistance on matters ranging from broad policy issues connected with stabilization and adjustment policies and external debt management to more specialized technical, legal and data-processing matters.

Training was provided by the IMF Institute—both at headquarters and overseas—and by many other departments, including the Central Banking, Fiscal Affairs and Legal Departments, the Bureau of Computing Services and the Bureau of Statistics. During the year, the IMF Institute introduced new courses on programming and policies for medium-term adjustment and on techniques of financial analysis and programming. In addition, the Institute sharply increased the number of external workshops and seminars. Also in 1990, agreement was reached between the Fund and the United Nations Development Programme (UNDP), which allowed IMF to act as executing agency for UNDP-financed technical assistance.

IMF-World Bank collaboration

The Fund and the International Bank for Reconstruction and Development (World Bank) shared the objective of promoting sustained growth and development of their member countries. While their charters provided them with differing but complementary mandates to pursue that objective, they co-operated to help their members by pooling their specialized expertise and co-ordinating policy advice and financial assistance. Collaboration was based on regular contacts between the two staffs, both at headquarters and in the field. Additional procedures for collaboration included systematic and fre-

quent meetings of the senior staffs and managements of the two institutions. A joint task force was established to promote co-operation, analyse debt strategy issues and exchange information on financing techniques. During the 15-month period ending 31 March 1990, discussions on policy framework papers took place in 44 joint or parallel missions. Bank staff participated in 21 Fund missions that did not directly involve discussions on policy framework papers; Fund staff participated in 13 Bank missions. Close working relations were also maintained

through unified positions regarding debt- and debt-service reduction and the problem of arrears.

Secretariat

At the end of fiscal 1990, the total full-time staff of IMF numbered 1,731, drawn from 104 countries.

NOTE: For details of IMF activities for the 1990 fiscal year, see International Monetary Fund, Annual Report of the Executive Board for the Financial Year Ended April

HEADQUARTERS AND OTHER OFFICE

HEADQUARTERS

International Monetary Fund
700 19th Street, N.W.
Washington, DC 20431, United States
Cable address: INTERFUND WASHINGTON DC
Telephone: (1) (202) 623-7000
Fax: (10) (202) 623-4661
Telex: 248331 IMF UR
E-mail: publicaffairs@imf.org
Internet: <http://www.imf.org>

NEW YORK OFFICE

International Monetary Fund
828 Second Avenue
New York, NY 10017, United States
Telephone: (1) (212) 557-0894
Fax: (1) (212) 687-9123

Chapter X

International Civil Aviation Organization (ICAO)

The International Civil Aviation Organization (ICAO), an intergovernmental regulatory organization whose objectives were set forth in annexes to the 1944 Convention on International Civil Aviation, continued in 1990 to prescribe standards, practices and procedures for the safety, regularity and efficiency of civil air transport. During the year, ICAO accorded high priority to aviation security through efforts to develop a comprehensive and detailed ICAO aviation security training programme for world-wide implementation. In addition, airport and airspace congestion continued to be closely monitored.

In 1990, traffic on the world's scheduled airlines amounted to some 236 billion tonne-kilometres, an increase of 5.4 per cent over 1989. The airlines carried 1.2 billion passengers, 4 per cent more than in 1989. As the number of seats offered increased at the same rate as passengers carried, the estimated passenger load factor remained at 68 per cent. Air freight increased by over 3 per cent to some 59 billion tonne-kilometres and airmail traffic increased by almost 5 per cent to more than 5 billion tonne-kilometres.

In October, the ICAO Assembly held an extraordinary session to amend the Convention on International Civil Aviation to increase the membership of the Council from 33 to 36. The amendment would go into effect following ratification by a two-thirds majority of ICAO member States. The Assembly also agreed on a world-wide policy towards operating restrictions on subsonic jet aircraft with a view to noise reduction and approved a resolution condemning violation of the sovereignty of the airspace of Kuwait and the seizure of Kuwait International Airport by Iraqi armed forces (see PART TWO, Chapter III).

The ICAO Council held three regular sessions in 1990. In January, the Sub-Committee for the Preparation of a New Legal Instrument Regarding the Marking of Plastic Explosives for Detectability drew up the draft of a new international agreement intended to ensure that plastic explosives were marked with an additive to enhance their detectability. The Sub-Committee was convened in response to concerns about the dangers to the travelling public following the use of plastic explosives in the downing of Pan American

flight 103 over Lockerbie, Scotland, in December 1988.

In 1990, ICAO membership decreased to 161 with the merger of Yemen with Democratic Yemen and the unification of the German Democratic Republic and the Federal Republic of Germany.

Activities

Air navigation

In 1990, ICAO continued to direct its efforts in the air navigation field towards updating and implementing ICAO specifications, guidance material and regional plans. Six air navigation meetings during the year made recommendations for changes to ICAO specifications contained in six technical annexes to the Convention on International Civil Aviation and two documents in the Procedures of Air Navigation Services. Amendments were also made to regional plans, which set forth air navigation facilities and services required in the nine ICAO regions, and ICAO regional offices continued to assist States in the implementation of those plans. New guidance material was made available in the form of new and revised technical manuals and ICAO circulars.

Particular attention was given to safeguarding international civil aviation and its facilities against acts of unlawful interference. In the light of developments in the Persian Gulf area during the year, co-ordinating teams were established to identify and monitor alternative routings for civil air traffic to maintain safety, efficiency and regularity of international civil aviation. ICAO projects in 1990 also focused on accident investigation and prevention; aerodromes; bird strikes to aircraft; audio-visual training aids; aviation medicine; flight safety and human factors; illicit transport of drugs by air; instrument landing system/microwave landing system (ILS/MLS) transition; meteorology; rules of the air and air traffic services; and search and rescue.

Air transport

ICAO continued its programmes of economic studies, collecting and publishing air transport

statistics, and promoting greater facilitation in international air transport. During 1990, a panel of experts completed its work of assisting with the development of an airport economics manual, and a technical advisory group completed specifications for machine-readable visas. Workshops were held on airport and route facility management (Varna, Bulgaria, December); international fares and rates (Trinidad and Tobago, April); and statistics (Cairo, Egypt, June). Publications included the regular series of digests of civil aviation statistics, the yearbook on civil aviation statistics, the 1990 edition of the manual of airport and air navigation facility tariffs, the ninth edition of Annex 9-Facilitation, a study of regional differences in fares, rates and costs for international air transport in 1988, and a survey of international air transport fares and rates in 1989.

By the end of 1990, all 22 States parties to the 1956 Danish and Icelandic Joint Financing Agreements for air navigation services had accepted the protocols of an amendment agreed upon in 1982 and applied since 1 January 1983.

Legal matters

A special sub-committee of the ICAO Legal Committee met (Montreal, Canada, 9-19 January) to study the topic of a draft instrument relating to the marking of plastic explosives for detectability, and to prepare a draft instrument for consideration by the Legal Committee. The Legal Committee considered the draft at its twenty-seventh session (27 March-12 April), resulting in a final text containing six articles for a draft convention on the marking of plastic (and sheet) explosives for the purpose of detection. In July, the ICAO Council decided to convene an International Conference on Air Law in Montreal from 12 February to 1 March 1991 to consider and approve the new convention.

In June, the Council approved the text of a new revised Headquarters Agreement between ICAO, and the Government of Canada, which followed closely the relevant provisions of the 1961 Vienna Convention on Diplomatic Relations and the Convention on the Privileges and Immunities of the Specialized Agencies of 21 November 1947. The Agreement, which was signed in October, would be submitted to the Canadian Parliament for legislative implementation and subsequently would enter into force with an exchange of notes between the President of the ICAO Council and the Government of Canada.

During the year, the following ratifications, adherences or successions were registered to conventions and protocols on international air law concluded under ICAO, auspices:

Convention on Damage Caused by Foreign Aircraft to Third Parties on the Surface (Rome, Italy, 1952)

Guinea, United Arab Emirates

Protocol to Amend the Convention for the Unification of Certain Rules relating to International Carriage by Air signed at Warsaw on 12 October 1929 (The Hague, 1955)

Guinea

Convention, Supplementary to the Warsaw Convention, for the Unification of Certain Rules relating to International Carriage by Air Performed by a Person Other than the Contracting Carrier (Guadalajara, Mexico, 1961)

Mauritius

Convention on Offences and Certain Other Acts Committed on Board Aircraft (Tokyo, Japan, 1963)

Mongolia

Protocol to Amend the Convention for the Unification of Certain Rules relating to International Carriage by Air Signed at Warsaw on 12 October 1929 as Amended by the Protocol Done at The Hague on 28 September 1955 (Guatemala City, 1971) (not in force)

Cyprus

Additional Protocol No. 1 to Amend the Convention for the Unification of Certain Rules relating to International Carriage by Air Signed at Warsaw on 12 October 1929 (Montreal: 1975) (not in force)

Argentina

Additional Protocol No. 2 to Amend the Convention for the Unification of Certain Rules relating to International Carriage by Air Signed at Warsaw on 12 October 1929 as Amended by the Protocol Done at The Hague on 28 September 1955 (Montreal, 1975) (not in force)

Argentina

Additional Protocol No. 3 to Amend the Convention for the Unification of Certain Rules relating to International Carriage by Air Signed at Warsaw on 12 October 1929 as Amended by the Protocols Done at The Hague on 28 September 1955 and at Guatemala City on 8 March 1971 (Montreal, 1975) (not in force)

Argentina

Montreal Protocol No. 4 to Amend the Convention for the Unification of Certain Rules relating to International Carriage by Air Signed at Warsaw on 12 October 1929 as Amended by the Protocol Done at The Hague on 28 September 1955 (Montreal, 1975) (not in force)

Argentina

Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, Supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, Done at Montreal on 23 September 1971 (Montreal, 1988)

Australia, Czechoslovakia, Iceland, Italy, Mali, Mexico, Norway, Republic of Korea, Saint Lucia, Sweden, Switzerland, Togo, United Kingdom

Technical co-operation

During 1990, ICAO provided technical co-operation to 139 countries in the form of resident expertise, equipment, fellowships, scholarships and short-term expert missions. ICAO awarded a total of 1,468 fellowships and employed 443 experts from 56 countries, 340 on assignment through the United Nations Development Pro-

gramme (UNDP) and 111 on Trust Fund projects. There were also 20 United Nations Volunteers. The total number of experts in the field at the end of 1990 was 175, compared with 191 at the end of 1989.

Equipment purchases and sub-contracts continued to represent a substantial proportion of the technical co-operation programme. In addition to UNDP and Trust Fund projects, 61 Governments or organizations had registered with ICAO under its Civil Aviation Purchasing Service. The value of equipment and sub-contracts delivered in 1990 increased to \$18.4 million, compared with \$16.2 million in 1989.

Secretariat

As at 31 December 1990, the total number of staff members employed at the ICAO secretariat stood at 817, including 315 in the Professional and higher categories and 502 in the General Service and related categories.

Budget

Appropriations for the ICAO budget for 1990 totalled \$39,263,000, as modified by the ICAO Council; actual obligations for the year amounted to \$39,137,284.

NOTE: For further details on the activities of ICAO in 1990, see Annual Report of the Council-1990.

HEADQUARTERS

International Civil Aviation Organization
P.O. Box 400
999 University Street
Montreal, Quebec, Canada H3C 5H7
Cable address: ICAO MONTREAL
Telephone: (1) (514) 954-8219
Fax: (1) (514) 954-6077
Telex: 05-24513
E-mail: icaohq@icao.org
Internet: <http://www.icao.org>

Chapter XI

Universal Postal Union (UPU)

The Universal Postal Union (UPU), established in Berne, Switzerland, in 1874, continued during 1990 to promote the reciprocal exchange of postal services between nations through the organization and improvement of postal services and to develop international collaboration. At the request of its members, UPU also participated in various forms of postal technical assistance.

In 1990, UPU membership decreased to 168, reflecting the merger of Yemen and Democratic Yemen into one State and the accession of the German Democratic Republic to the Federal Republic of Germany (see PART ONE, Chapter IV). No new members were admitted during the year.

Activities of UPU

Universal Postal Congress

The Universal Postal Congress, the supreme legislative authority composed of all member States, normally meets every five years. The twentieth Congress took place in Washington, D.C., in 1989, and the twenty-first was scheduled to meet in Seoul, Republic of Korea, in 1994.

The work of the Congress consists mainly of making administrative arrangements for UPU activities as well as examining and revising the Acts of the Union based on proposals submitted by member States, the Executive Council or the Consultative Council for Postal Studies (CCPS).

Executive Council

At its 1990 session (Berne, 8-18 May), the UPU Executive Council—which carried out the work of the Union between sessions of the Congress—considered administrative matters and examined studies concerning international mail referred to it by the 1989 Congress. A large number of studies were launched in 1990, including those dealing with the structure of the Acts of the Union and management of the Union's work as well as technical studies on operations, organization, accounting and news services.

Consultative Council for Postal Studies

The 1990 session of CCPS (Berne, 8-19 October) focused on launching the Union's main strategies and objectives for the period 1989- 1994, as laid out

at the twentieth Congress in the Washington General Action Plan [YUN 1989, p. 944]. Key activities would focus on designing new products and services; improving the quality of the products and services marketed; introducing leading-edge techniques and new technologies; standardizing, harmonizing and encouraging the general implementation of modern operating, management and communications systems; and increasing co-operation and support for postal development in UPU member countries.

The Electronic Transmission Standards Group worked on developing a statement of user requirements for message communication and system integration related to the establishment of a world-wide postal electronic data transmission network.

In conjunction with the 1990 Executive Council session, a symposium was held on 7 and 8 May on the security of the mails. As a result, a new Intergroup of Postal Security Experts was created, which would report to both the Executive Council and CCPS.

CCPS symposia were convened in the areas of market research, new parcel-post products and services and the Expedited Mail Service. Work continued on a new edition of the Multilingual Vocabulary of the International Postal Service, for publication in 1991.

International Bureau

The International Bureau, which functions as the UPU secretariat, continued to serve the postal administrations of member States as an organ for liaison, information and consultation. In 1990, the Bureau collected, co-ordinated, published and disseminated international postal information. At the request of postal administrations, it also conducted inquiries and acted as a clearing-house for settling accounts between them.

As at 31 December 1990, the UPU Bureau employed 147 permanent and temporary staff members, of whom 62 were in the Professional and higher categories and 85 were in the General Service category. Also, as French remained the sole official UPU language, 14 officials were employed in the Arabic, English, Portuguese, Russian and Spanish translation services.

Technical co-operation

UPU technical assistance totalled about \$5.2 million in 1990, of which some \$3.8 million was financed by the United Nations Development Programme. Assistance was also provided through the UPU regular budget and its special fund, consisting of voluntary contributions in cash and kind from member States.

During the year, 103 expert and consultant missions were carried out and 324 fellowships were granted, with the emphasis placed on the quality of postal services, commercial and operational strategies, and public information. UPU undertook initiatives to increase its field presence with regard to technical assistance and co-operation. In addition, a number of surveys were

conducted as part of the Washington General Action Plan to identify the priority projects to be carried out for 1992-1995 in developing countries.

Budget

Under the Union's self-financing system, contributions were payable in advance by member States based on the following year's budget. The budget approved for 1990 amounted to 24,389,550 Swiss francs.

In 1990, the UPU Executive Council approved the 1991 budget at a total net expenditure of 26,163,930 Swiss francs.

NOTE: For details of UPU activities, see Report on the Work of the Union, 1990, published by UPU.

HEADQUARTERS

Universal Postal Union
Weltpoststrasse 4
Berne, Switzerland
Postal address: Union postale universelle
Case postale
3000 Berne 15, Switzerland
Cable address: UPU BERNE
Telephone: (41) (31) 350 31 11
Fax: (41) (31) 350 31 10
E-mail: ib.info@ib.upu.org
Internet: <http://www.upu.int>

Chapter XII

International Telecommunication Union (ITU)

During 1990, the International Telecommunication Union (ITU), which was founded in 1865 as the International Telegraph Union and became a specialized agency of the United Nations in 1947, continued to promote the development and efficient operation of telecommunications facilities and to offer technical assistance in its areas of expertise.

By 31 December, one member State (Barbados) had ratified the ITU Constitution and International Telecommunication Convention (Nice, 1989). The Convention would enter into force 30 days after the deposit of 55 instruments of ratification, acceptance, approval or accession with ITU's secretariat.

The ITU Administrative Council held its forty-fifth session in Geneva from 11 to 22 June. It adopted the 1991 budget, considered the reports on the activities of the Union, and reviewed the first progress report of the High Level Committee, established in 1989 to study and recommend measures to ensure greater effectiveness of ITU organs in the context of the changing international telecommunications environment. In addition, the Council established a voluntary group of experts to study how to improve the use of the radio frequency spectrum and how to simplify radio regulations governing frequency use, and reviewed the development of direct remote access to ITU data bases.

ITU membership decreased from 166 to 164 in 1990 as a result of the merger of the Yemen Arab Republic and the People's Democratic Republic of Yemen and the unification of the German Democratic Republic and the Federal Republic of Germany (see PART ONE, Chapter IV).

Conferences

The Council approved the agenda of the 1992 World Administrative Radio Conference (WARC) dealing with a partial reallocation of the frequency spectrum and deferred until 1991 the adoption of the agenda of WARC-1993 on short-wave broadcasting.

Radio and telecommunications activities

In 1990, the International Radio Consultative Committee (CCIR) adopted new working methods to reflect the telecommunications priorities

of the 1990s, to streamline the decision-making process and to focus decision responsibility. It adopted recommendations (standards) relating to high-definition television and future universal personal telecommunications. Among the meetings convened by CCIR were expert group sessions on future mobile telecommunications and on compatibility of network protocols related to satellite links. By the end of the year, a total of 59 private agencies, 44 scientific or industrial organizations and 49 international organizations were participating in the Committee's work.

The International Telegraph and Telephone Consultative Committee (CCITT) study groups and working parties focused on preparing recommendations and replies to questions referred to them by the ninth CCITT Plenary Assembly in 1988. Twenty-one new or revised recommendations were approved and 77 draft new or revised recommendations were drawn up at 43 meetings convened during the year. By the end of 1990, a total of 65 recognized private agencies, 162 scientific or industrial agencies and 39 international organizations were participating in the Committee's work.

The International Frequency Registration Board (IFRB) continued in 1990 to maintain the Master International Frequency Register, the International Frequency List and related service documents. During the year, IFRB examined 79,290 frequency assignment notices submitted by administrations; published four Tentative High Frequency Broadcasting schedules for 1990 and 1991; applied a special frequency selection and co-ordination procedure for world-wide frequencies in the aeronautical mobile service; and took follow-up action on decisions of several relevant conferences. The Board continued to provide special assistance in frequency management matters and dealt with 94 reports of harmful interference. The IFRB biennial seminar on frequency management and the use of the radio frequency spectrum and the geostationary-satellite orbit (October) focused on terrestrial services.

Technical co-operation and training

The ITU Telecommunications Development Bureau, established in 1989 to strengthen technical co-operation, became operational in 1990. During the year, 628 expert missions were carried

out, 1,279 fellows were undergoing training abroad, and equipment valued at \$8 million was delivered. A total of 191 national and regional technical co-operation projects amounting to some \$32.8 million were under implementation, mainly in three broad categories: development of telecommunications networks (39 per cent); strengthening national, technical and administrative services (37 per cent); and development of human resources (24 per cent).

In the area of human resources development, 273 people from telecommunications administrations and broadcasting organizations participated in national and regional training workshops on course development, instructional techniques and human resources management during the year. In Africa, ITU continued to support the African Advanced Level Telecommunications Institute in Nairobi, Kenya, and the Higher Multinational School for Telecommunications in Dakar, Senegal. In Latin America, telecommunications training specialists met to improve the co-ordination of training at the regional level and discuss computer-assisted training and human resources management and development. In the Asia and the Pacific region, a new inter-country project on telecommunications management development and training was begun in June 1990. In Europe, the Middle East and the

Mediterranean Basin, a report was prepared on the development of policies and strategies for training and other means of human resources development in telecommunications and on the design of a model training centre in Budapest, Hungary.

The ITU Centre for Telecommunications Development conducted a distance-learning training course on project management in 16 developing countries in Africa, Asia and Latin America.

Secretariat

As at 31 December 1990, 735 staff were employed by ITU on permanent or fixed-term contracts, either at headquarters or in the field.

Budget

The adjusted ITU budget for 1990 totalled 138,433,400 Swiss francs (SwF), including SwF 120,718,800 for ordinary budget expenditures, SwF 417,300 for regional administrative conferences, SwF 6,197,300 for technical co-operation and SwF 11,100,000 for publications.

NOTE: For further details regarding ITU's activities, see Report on the Activities of the International Telecommunication Union in 1990, published by ITU.

HEADQUARTERS

International Telecommunication Union
Place des Nations
CH-1211 Geneva 20, Switzerland
Cable address: BURINTERNA GENEVA
Telephone: (41) (22) 730-5111
Fax: (41) (22) 733-7256
Telex: 45 42 1000
E-mail: itumail@itu.int
Internet: <http://www.itu.org>

Chapter XIII

World Meteorological Organization (WMO)

The World Meteorological Organization (WMO), established in 1950, continued its activities to facilitate world-wide co-operation related to meteorological information and the application of meteorology to aviation, shipping, agriculture and other human activities. In March 1990, WMO commemorated its fortieth anniversary.

During the year, climate change and other environmental issues were emphasized. In June, the forty-second annual session of the Executive Council authorized the convening of an ad hoc working group to pave the way for negotiations on a climate change convention. The Intergovernmental Panel on Climate Change, established jointly by WMO and the United Nations Environment Programme (UNEP), completed its first assessment report in August, and the Second World Climate Conference was convened in Geneva from 29 October to 7 November (see PART THREE, Chapter VIII).

WMO membership remained at 154 States and five territories during 1990.

World Weather Watch

As the core programme of WMO, the World Weather Watch (www) was a world-wide integrated system for the collection, analysis and dissemination of meteorological data and processed products.

During 1990, the WMO Commission for Basic Systems held an extraordinary session (London, 24 September-5 October) to review each of the main components of the www system—the Global Observing System (GOS), the Global Data-processing System (GDPS) and the Global Telecommunication System (GTS). Concerning GOS, the Commission adopted recommendations on the future use of Automated Shipboard Aerological Programme observing systems, on the further development and implementation of a Composite Observing System for the North Atlantic and on aircraft meteorological data reporting. Proposals were made regarding studies on satellite capabilities and on the observing of volcanic activity.

With regard to GDPS, the Commission updated regulatory specifications and protocols related to quality of observations and verification of numerical weather prediction products and estab-

lished priorities for their exchange. GDPS capabilities, functions and services continued to improve with the introduction of more powerful computers at the three World Meteorological Centres (Melbourne, Australia; Moscow; Washington, D.C.) and at some of the 29 Regional Specialized Meteorological Centres. Similarly, several National Meteorological Centres in Asia and the South-West Pacific improved their capabilities through the implementation of real-time data-processing functions and services using micro/minicomputers.

The Commission revised the organizational aspects of GTS to take greater advantage of modern telecommunication means and techniques, and particularly to integrate satellite-based data collection and dissemination systems in the GTS structure. Arrangements were considered for the exchange of seismic data on GTS in support of the Conference on Disarmament and operational arrangements were developed for the use of GTS in support of conventions of the International Atomic Energy Agency. The Commission agreed on the need to create a WMO multidisciplinary body responsible for reviewing the question of allocation of radio frequencies to meteorological activities, with particular reference to data-collection services via meteorological satellites and to wind profilers.

Instruments and methods of observation

Radiation standard instruments of 19 regional centres were calibrated at the Seventh International Pyrheliometer Comparison (IPC-VII) from 26 September to 12 October at the Swiss Meteorological Institute at the Physico-Meteorological Observatory Davos. The main purpose of IPCs was to carry out at five-year intervals calibrations of radiation standards of the 22 designated Regional Radiation Centres against the World Standard Group, consisting of eight absolute radiometers.

Tropical Cyclone Programme

During 1990, many tropical cyclones occurred. Reports indicated that activities under the Tropical Cyclone Programme (TCP) for the improvement and upgrading of tropical cyclone warning systems contributed significantly to the reduc-

tion of loss of life and property damage from those cyclones compared with those of earlier years. Substantial progress was made towards improving warning systems, especially through the installation or upgrading of observing, telecommunications and data-processing facilities and services. Steps were taken to establish regional and subregional tropical cyclone advisory and warning centres in the south-west Indian Ocean and the South Pacific and in the south-east Indian Ocean. Training of personnel-in particular tropical cyclone forecasters-was provided to developing countries through technical co-operation, workshops, fellowships, exchange programmes and other schemes and consultancy services with support from United Nations Development Programme (UNDP) regional projects and the WMO Voluntary Co-operation Programme.

World Climate Programme

The World Climate Programme (WCP), established in 1979, continued to aid in applying climate information to human activities, to improve the knowledge of climate processes and to warn of natural and man-made climate change. The components of WCP were the World Climate Applications Programme (WCAP), the World Climate Data Programme (WCDP), the World Climate Impact Programme (WCIP) and the World Climate Research Programme (WCRP).

WCAP continued to publish guidance materials in the priority areas of food, water, energy, and urban and building climatology. The Commission for Climatology initiated the development of the Tropical Urban Climate Experiment (TRUCE), aimed at improving basic understanding of the controlling mechanisms associated with the modification of climate in tropical urban areas. An international symposium (Guadalajara, Mexico) agreed to a plan of action for TRUCE. Work progressed on the standardization and expansion of the Climate Applications Referral System, which contained information on methods for the application of meteorological and climatological data in the solution of problems relating to food production, desertification and drought management, and energy assessment, among others.

In 1990, WCDP included the Data Rescue (DARE) project, which was fully implemented in nine countries; the climate computing (CLICOM) project, which had been installed in some 90 countries; the World Climate Data Information Referral System (INFOCLIMA), which collected and distributed information about the existence and availability of climate data and climatological networks; and the Climate System Mon-

itoring Project, supported by UNEP. In November, a meeting of experts initiated plans for the Climate Change Detection Project, aimed at developing a system for the assessment of chronic or persistent climatological anomalies.

WCIP focused on the application of methods of climate impact assessment, particularly related to climate change. Studies continued on the consequences of drought in developing countries and the monitoring and assessment of the impacts of climatic events such as El Niño. Support was provided for a network of national climate impact studies programmes and for the establishment of the African Centre of Meteorological Applications for Development.

WCRP, undertaken jointly by WMO and the International Council of Scientific Unions (ICSU), continued activities aimed at providing a quantitative understanding of climate and predictions of global and regional climate changes on all time scales. In 1990, a scientific plan was completed for the Global Energy and Water Cycle Experiment (GEWEX), designed to observe, model and predict variations in the global hydrological cycle. The mid-point of the 10-year Tropical Ocean/Global Atmosphere programme was marked at an international conference (Honolulu, Hawaii, United States, July). Field operations began during the year in the World Ocean Circulation Experiment, a world-wide oceanographic programme led by the ICSU Scientific Committee on Ocean Sciences and the United Nations Educational, Scientific and Cultural Organization's Intergovernmental Oceanographic Commission and organized as a component of WCRP.

Research and development

The tenth session of the Commission for Atmospheric Sciences (Offenbach, Germany, April) welcomed the launch of the Global Atmosphere Watch (GAW) as an essential component for monitoring the atmosphere in the climate change context. As an umbrella system for existing monitoring networks such as the Global Ozone Observing System and the Background Air Pollution Monitoring Network, GAW was to serve as an early warning system for rapid detection of changes in the atmospheric concentration of chemical components, including ozone and greenhouse gases, and to establish reliable long-term data sets to answer questions on major issues related to global change. The WMO World Data Centre for Greenhouse Gases was inaugurated on 1 October at the headquarters of the Japan Meteorological Agency, Tokyo. The facility served to archive global data, past and present, concerning greenhouse gases.

During the year, training workshops were organized on long-range forecasting (Nanjing, China, October) and on the future development of limited-area models for meteorological forecasting (Trieste, Italy, October/November). International symposia were held on assimilating observations in meteorology and oceanography (Clermont-Ferrand, France, July) and on understanding the physical processes controlling droughts (Niamey, Niger, May).

Applications of meteorology

Under its Applications of Meteorology Programme, WMO emphasized agricultural meteorology, aeronautical meteorology and marine meteorology. Under agricultural meteorology, WMO continued to promote sustainable agricultural systems, improve productivity, ensure the efficient use of water, labour and energy, reduce pollution caused by agricultural chemicals and combat the damaging effects of drought, desertification, erosion, deforestation, locust swarms and other environmental threats. Missions were undertaken to Algeria, Benin, Cape Verde, Chad and the Niger, among other countries, to assist member States in improving their agrometeorological services and to support technical co-operation activities. Workshops and seminars during 1990 included a regional workshop on the preparation of practical agroclimatic information (Los Baños, Philippines, March/April); a roving seminar on the use of agrometeorological data and information to assess potential primary production of natural pastures in the rainy season (Yangon, Myanmar, June); and a symposium on the practical applications of agrometeorology to plant protection (Florence, Italy, December).

The Commission for Aeronautical Meteorology held its ninth session (Montreal, Canada, September) conjointly with the International Civil Aviation Organization (ICAO) Communications/Meteorology/Operations Divisional Meeting because of the close links between the two bodies. In addition to discussing various issues concerning meteorological support to aviation, the meeting addressed the World Area Forecast System, jointly adopted by WMO and ICAO in 1982, reviewed aeronautical operational requirements and updated specifications for aeronautical climatological information.

The WMO Marine Meteorology and Associated Oceanographic Activities Programme continued to provide meteorological and oceanographic services in support of marine users and to maintain a comprehensive operational global marine meteorological and oceanographic observing system in support of all WMO programmes. Dur-

ing 1990, the programme focused on drawing up a draft new global system for the preparation and dissemination of meteorological forecasts and warnings to shipping on the high seas. In addition, activities focused on further steps in the planning and implementation of a comprehensive global ocean observing system. A series of expert meetings and consultations convened during the year resulted in preparation of a detailed analysis of the strengths and weaknesses of existing ocean observation systems, together with a prospectus for the future global ocean observing system. It was expected that a first draft plan for the global system, suitable for immediate implementation, would be developed during 1991.

Hydrology and water resources

Some \$9 million in UNDP-funded technical assistance projects in hydrology and hydrometeorology were executed by WMO in 1990. By year's end, the technology transfer system known as the Hydrological Operational Multipurpose Subprogramme (HOMS), in operation since 1981, consisted of more than 400 components comprising discrete descriptions of items of hydrological technology, such as a computer program for determining areal rainfall amounts, a current meter for measuring river flows, and a guide to making measurements of soil moisture. Those components, contained in the HOMS Reference Manual, were contributed to HOMS by hydrological services in developed countries.

Education and training

During 1990, a total of 182 people participated in seven training events organized by WMO in six countries. WMO also co-sponsored or supported another 17 training events organized by member States. Two WMO-sponsored training events were convened (Harare, Zimbabwe; Turin, Italy) in the area of training instructors.

The network of 17 WMO Regional Meteorological Training Centres continued to provide education and training in meteorology and operational hydrology and related areas. WMO provided assistance to a number of the Centres in the form of training material, visiting scientists and support for instructors and training events. Work continued on the preparation of new training publications and the revision and translation of existing ones from the original into other WMO working languages. The WMO Training Library continued to make educational material available to the training institutions of member countries.

Technical co-operation

In 1990, some 130 countries received technical assistance valued at some \$33 million, financed by UNDP (53 per cent), the WMO Voluntary Co-operation Programme (28 per cent), trust funds (16 per cent), and the WMO regular budget (3 per cent).

Secretariat

As at 31 December 1990, the total number of full-time staff employed by WMO (excluding 41 professionals on technical assistance projects) stood at 291. Of these, 134 drawn from 49 nationalities were in the Professional or higher categories and 157 in the General Service and related categories.

Budget

The year 1990 was the third year of the tenth financial period for which the Tenth wmo Congress established a maximum expenditure of 170,000,000 Swiss francs (SwF). The wmo Executive Council in June 1989 approved a regular budget of SwF 87,871,700 for the 1990-1991 biennium. In addition, the Executive Council in June 1990 approved supplementary estimates of SwF 4,800,000 for increases in salaries and allowances.

NOTE: For further details regarding wmo activities, see World Meteorological Organization Annual Report 1990, published by the organization.

HEADQUARTERS

World Meteorological Organization
41. Avenue Giuseppe-Motta
(Case postale No. 2300)
CH- 1211 Geneva 2, Switzerland
Cab/e address: METEOMONO GENEVA
Telephone: (41) (22) 730-81-11
Fax: (41) (22) 734-23-26
Telex: 41-41 99 OMMCH
E-mail: ipa@www.wmo.ch
Internet: <http://www.wmo.org>

Chapter XIV

International Maritime Organization (IMO)

The International Maritime Organization (IMO), which began work in 1959 as the Intergovernmental Maritime Consultative Organization, continued in 1990 to develop and promote international shipping standards and treaties designed to improve maritime safety and prevent pollution from ships.

A new international instrument adopted during 1990 aimed at increasing the compensation paid to passengers involved in maritime accidents. Among other new treaty instruments and amendments that were adopted or entered into force during 1990 were measures designed to help combat oil pollution, improve the safety of passenger ships, especially roll-on/roll-off ferries, and institute a satellite-based maritime distress system.

IMO membership increased to 135 in 1990, with the admission of Belize and Sao Tome and Principe. IMO also had two associate members, Hong Kong and Macau.

Activities in 1990

In September, the International Maritime Prize for 1989 was awarded to Professor J. W. Doerffer of Poland, who had been involved in IMO's work since 1970 and had served as Chairman of the Sub-Committee on Ship Design and Equipment from 1978 to 1988. The Prize was awarded annually to the individual or organization judged to have made the most significant contribution to IMO's work and objectives.

The theme for World Maritime Day, which was celebrated at IMO headquarters on 27 September, was "Cleaner Oceans: The Role of IMO in the 1990s".

Prevention of pollution

In November 1990, a two-week conference in London, attended by delegates from 90 countries, culminated in the adoption of the International Convention on Oil Pollution Preparedness, Response and Co-operation, 1990, a new international treaty designed to help Governments combat major oil-pollution incidents. The Convention recognized that in the event of a pollution incident, prompt and effective action was essential. Such action depended upon the establishment of emergency plans on ships and offshore installations and at ports and oil-handling facilities, together with national and regional

contingency plans. The Convention aimed to encourage the elaboration of such plans as well as establish a framework for international co-operation in response to pollution emergencies which would enable maximum resources to be mobilized as quickly as possible.

Ship security and safety at sea

The Global Maritime Distress and Safety System (GMDSS), which would make use of satellite communications and other new technologies and would result in the gradual phasing out of radio-telegraphy, was introduced by means of amendments to the International Convention for the Safety of Life at Sea (SOLAS), 1974. The amendments entered into force on 1 February 1990. GMDSS was designed to overcome the shortcomings of the existing system, which was a combination of radio-telephony and Morse radio-telegraphy.

On 30 March, a Protocol was adopted to the Athens Convention relating to the Carriage of Passengers and Their Luggage by Sea, 1974. Measures contained in the new Protocol would substantially increase the compensation paid to passengers involved in maritime accidents. The Protocol was elaborated following the capsizing and sinking of the *Herald of Free Enterprise*, a British roll-on/roll-off car ferry, off the port of Zeebrugge, Belgium, in March 1987, in which 188 people died. After the disaster, the United Kingdom proposed that steps be taken urgently to revise the compensation limits contained in the Athens Convention, which set the maximum compensation limits for death or injury at about \$50,000. The new Protocol raised the maximum compensation payable in the event of death or personal injury to some \$225,000. The Protocol would enter into force 90 days after being ratified by 10 States.

Also in response to the *Herald of Free Enterprise* tragedy, amendments to chapter II-1 of the SOLAS Convention entered into force on 29 April. The amendments, which were adopted in 1988, were intended to improve the safety of passenger ships, especially roll-on/roll-off ferries, and would require that masters of all passenger ships be supplied with data enabling them to maintain sufficient intact stability in all service conditions; that cargo loading doors be closed and locked before

the ship proceeded on any voyage and remained that way until the ship arrived at its next berth; and that a survey be carried out on passenger ships at periodic intervals not to exceed five years to verify any changes in lightweight displacement and ensure that any increase would not impair the ship's stability or centre of gravity.

Budget

In 1989, the IMO Assembly approved budgetary appropriations of 12.1 million pounds sterling for 1990.

NOTE: For further information, see the organization's quarterly magazine, IMO News.

HEADQUARTERS

International Maritime Organization
4 Albert Embankment
London SE 1 7SR, United Kingdom
Cable address: INTERMAR LONDON SE1
Telephone: (44) (171) 735-7611
Fax: (44) (171) 587-3210
Telex: 23588 IMOLDN G, 296979 IMOLDN G
E-mail: info@imo.org
Internet: <http://www.imo.org>

Chapter XV

World Intellectual Property Organization (WIPO)

In 1990, the World Intellectual Property Organization (WIPO) continued to promote the protection and use of intellectual property—both industrial property and copyright—through development co-operation, norm-setting and registration activities. During the year, new activities were undertaken in the area of norm-setting for the protection and enforcement of international property rights, and an increase in international registration activities related to patents, marks and industrial designs was experienced. WIPO also completed work for new treaties or revised regulations related to patent law, copyright and the registration of marks.

The Governing Bodies of WIPO and the Unions administered by it, at their twenty-first series of meetings (Geneva, 24 September–2 October), decided to hold the Diplomatic Conference for the Conclusion of a Treaty Supplementing the Paris Convention as Far as Patents are Concerned (Patent Law Treaty) in The Hague, Netherlands, in June 1991.

During 1990, WIPO membership increased to 125, with the accession of Singapore to the 1967 Convention establishing WIPO, amended in 1979. At the end of 1990, the number of States adhering to other treaties administered by WIPO stood at: 100 States parties to the Paris Convention for the Protection of Industrial Property; 84 to the Berne Convention for the Protection of Literary and Artistic Works; 24 to the Budapest Treaty on the International Recognition of the Deposit of Micro-organisms for the Purposes of Patent Procedure; 34 to the Nice Agreement concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks; 35 to the Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations; and 45 to the Patent Co-operation Treaty.

Activities in 1990

Development co-operation

WIPO activities to promote development co-operation continued to focus on assisting developing countries to establish or modernize intellectual property systems; facilitate the creation or improvement of national and regional legisla-

tion and their enforcement; encourage domestic inventive and creative artistic activity; facilitate the acquisition of foreign patented technology and the access to foreign works protected by copyright; and facilitate the access to and use of technological information contained in patent documents.

During 1990, WIPO organized about 150 training events, which were hosted or organized by 43 developing countries and five intergovernmental organizations, to provide basic knowledge of industrial property or copyright, or specialized information related to patents and trademarks, computerization of industrial property office administration, the use of information data bases, and the use and collection of copyright royalties. WIPO missions were undertaken to about 80 developing countries. During the year, WIPO provided approximately 500 search reports and copies of 3,000 patent documents to requesting Governments and institutions. A total of 105 developing countries and eight intergovernmental organizations benefited from the WIPO development co-operation programme in 1990, which was supported by 62 developing and industrialized countries and eight intergovernmental and non-governmental organizations.

Setting of norms and standards

Progress continued towards making the protection and enforcement of international property rights more effective throughout the world. Preparations were completed for the Diplomatic Conference for the Conclusion of a Treaty Supplementing the Paris Convention as Far as Patents are Concerned (Patent Law Treaty), to be held in 1991.

Work was finalized on the Model Provisions for Legislation in the Field of Copyright, which were to be published in 1991. The Provisions covered protection, rights protected, limitations of economic rights, duration of protection, ownership of rights, transfer of rights, collective administration of economic rights, and obligations concerning equipment used for acts covered by protection, as well as measures, remedies and sanctions in case of piracy and other infringements.

In September, WIPO published a study containing advice on the collective administration of copyright and neighbouring rights.

During the year, five countries (Austria, Burkina Faso, Czechoslovakia, France, Mexico) ratified or acceded to the Treaty on the International Registration of Audiovisual Works, fulfilling the requirement for its entry into force in February 1991. The Committee of Experts on the Settlement of Intellectual Property Disputes Between States held two sessions (February, October). Discussions focused on the subject-matter of disputes, the parties to disputes, disputes to which a proposed treaty would not apply, consultations, good offices, conciliation and mediation, panel procedure, reporting and arbitration. The Committee of Experts on the Harmonization of Laws for the Protection of Marks, at its second session (June), held discussions, based on the draft Trademark Law Treaty, on the establishment of a Union of the Contracting Parties. The Committee of Experts on the International Protection of Geographical Indications, at its first session (May/June), decided that a preliminary draft treaty should be prepared for consideration. New studies begun by WIPO during 1990 addressed the role of intellectual property in the field of franchising; artificial intelligence; individual contracts in copyright; character merchandizing; and arbitration of disputes in intellectual property, among others.

Registration activities

Patent Co-operation Treaty (PCT). In 1990, 19,159 international applications were filed under PCT, a 29 per cent increase over 1989. With an average of 20.01 countries designated per application, the total number of international applications filed had the effect of over 400,000 national applications.

In July, September and December, the PCT Committee for Administrative and Legal Matters considered amendments to the PCT Regulations. The amendments, which aimed at further streamlining PCT procedures to facilitate the work of applicants and of the offices and authorities concerned, were expected to be submitted to the PCT Assembly for adoption in 1991.

Madrid Agreement. Under the Madrid Agreement concerning the International Registration of Marks, 17,157 international trademark registrations were received in 1990, an increase of 16 per cent over 1989, while the number of renewals was 4,854, a 5 per cent increase. With an average of 10 countries designated per international registration, the total applications filed had the effect of some 200,000 national applications.

The Working Group on the Application of the Madrid Protocol of 1989 held two sessions (March and November), with the aim of preparing new Regulations that would apply under both the Madrid Agreement and the Madrid Protocol, once it entered into force.

The Madrid Assembly approved the implementation of the ROMARIN project, which would lead to the creation of two CD-ROMs containing data from the International Trademark Register on the textual and figurative elements of each international registration.

Hague Agreement. Under the Hague Agreement concerning the International Deposit of Industrial Designs, 4,292 industrial design deposits, renewals and prolongations were received, a 6 per cent increase over 1989. As growth was expected to continue, plans were made for computerization of operations.

Secretariat

As at 1 January 1990, WIPO employed 335 staff members. Of those, 114, drawn from 40 States, were in the Professional and higher categories and 221 were in the General Service category.

Budget

WIPO's principal income was derived from contributions from member States and international registration services, primarily under PCT and the Madrid Agreement. For the 1990-1991 biennium, WIPO's budgeted income was estimated at 184.2 million Swiss francs (SwF) and budgeted expenditures at SwF 145.8 million.

NOTE: For further information on WIPO, see Report on the Activities of WIPO in the Year 1990.

HEADQUARTERS AND OTHER OFFICE

HEADQUARTERS

World Intellectual Property Organisation
34 Chemin des Colombettes
1211 Geneva 20, Switzerland
Cable address: OMPI GENEVA
Telephone: (41) (22) 338-91-11
Fax: (41) (22) 733-54-28
Telex 412 912 OMPI CH
E-mail: wipo.mail@wipo.int
Internet: <http://www.wipo.int>
<http://www.omni.int>

WIPO OFFICE AT THE UNITED NATIONS

2 United Nations Plaza, Room 560
New York, NY 10017, United States
Telephone: (1) (212) 963-6813
Fax: (1) (212) 963-4801
Telex: 420544 UNH U1

Chapter XVI

International Fund for Agricultural Development (IFAD)

The International Fund for Agricultural Development (IFAD), established in 1977, continued in 1990 to provide concessional financial assistance to agricultural projects in low-income, food-deficit countries. The Fund aimed to increase food output while retaining environmental sustainability and focusing on support for poor rural women. By year's end, IFAD had committed a cumulative total of more than \$3,100 million of its own resources to 292 projects in 93 developing countries.

The IFAD Executive Board, during three regular sessions in 1990 (April, October, December), approved 27 loans for 26 projects, including three under the Special Programme for Sub-Saharan African Countries Affected by Drought and Desertification (SPA), and 37 technical assistance grants. The Board also approved a programme of work for 1991 at a level of 235 million special drawing rights (SDR) for loans and grants under the regular programme and endorsed SDR 17.2 million for the SPA programme of work.

IFAD membership stood at 144 in 1990, with non-original membership pending for Namibia. Of the current members, 21 were in Category I (developed countries), 12 in Category II (oil-exporting developing countries) and 111 in Category III (other developing countries).

Resources

Although agreement was reached in 1989 setting the third replenishment of IFAD's resources at \$522.9 million, after receipt of additional pledges from member States of Category III, which Category I countries had agreed to match on a three-to-one basis, pledges as at January 1990 amounted to \$566.6 million. Category I member States contributed \$186.6 million in core contributions and \$191.5 million in supplementary contributions; Category II members, \$124.4 million; and Category III members, \$64.1 million.

Activities in 1990

During the year, new IFAD loans and technical assistance grants under both the Regular Programme and SPA totalled SDR 237.5 million (\$322.5 million), including SDR 226.8 million (\$307.6 million) in 27 loans and SDR 10.7 million (\$15 million) in 37 grants. The Fund's regular resources financed 23 loans totalling SDR 202.5 mil-

lion (\$273.7 million) and 24 grants totalling SDR 9.2 million (\$12.9 million). The balance of three loans totalling SDR 24.3 million (\$33.9 million) and eight grants totalling SDR 1.3 million (\$1.8 million) were financed under SPA. An additional five technical assistance grants, totalling SDR 0.22 million (\$0.31 million), were provided under the IFAD/ non-governmental organizations extended Co-operation Programme.

The amount of resources approved for new loans and grants in 1990 was the largest recorded by IFAD since 1983 and represented an 11 per cent increase over the SDR 213.8 approved in 1989. The average size of IFAD loans for new projects was SDR 8.7 million (\$11.8 million) in 1990, the same as in 1989. The number of Fund recipients in 1990 totalled 93, with the provision during the year of the first IFAD loan to Seychelles.

During the year, 23.4 per cent of Regular Programme loans (39.5 percent in 1989) were approved for nine projects totalling SDR 211.7 million (\$286.6 million) in the Africa region. Loans to the Asia region, which had commanded more than one third of Regular Programme lending since 1978, fell to 26.5 per cent in 1990. Latin America and the Caribbean increased its share of IFAD lending in 1990 to 28.9 per cent for five projects, compared with only 8.3 per cent for two projects in 1989.

In addition to maintaining an appropriate balance in its regional allocations, IFAD endeavoured to respond to the needs of three priority groups: the 44 countries of sub-Saharan Africa affected by drought and desertification; the 41 countries designated as least developed by the General Assembly (see PART THREE, Chapter I); and the 68 low-income, food-deficit countries identified as such by the Food and Agriculture Organization of the United Nations (FAO). During 1990, sub-Saharan African countries received 34.9 per cent of IFAD loans under both the Regular Programme and SPA; the least developed countries, 21.2 per cent; and the low-income, food-deficit countries, 56.8 per cent.

Secretariat

At the end of 1990, IFAD's staff totalled 207, of whom 81 were in the Professional category and above and 126 were in the General Service category.

Income and expenditure

Total revenue under the IFAD Regular Programme for 1990 was \$120.9 million, consisting of \$89.2 million of investment income, including gains on the sale of investments of \$0.9 million, and \$31.7 million from interest and service charges on loans. Total operational and administrative expenses for the year amounted to \$39.4 million, compared with a budget, before contingency, of \$40.5 million. The excess of revenue over expenses for the year was \$80.9 million.

Total revenue under SPA for 1990 was \$14.2 million, consisting of \$13.9 million of investment income and \$0.3 million from interest and service charges on loans. Total expenses for the year amounted to \$2.5 million, compared with a budget, before contingency, of \$3.8 million. The excess of revenue over expenses for the year was \$11.7 million.

NOTE: For further information on IFAD activities in 1990, see IFAD Annual Report 1990, published by the Fund.

HEADQUARTERS AND OTHER LIAISON OFFICES

HEADQUARTERS

International Fund for Agricultural Development
Via del Serafico, 107
00142 Rome, Italy

Cable address: IFAD ROME
Telephone: (39) (6) 5043463

Fax: (39) (6) 5043463

E-mail: ifad@ifad.org

Internet: <http://www.uniec.org/ifad>

IFAD LIAISON OFFICES

1 United Nations Plaza, Room 1208
New York, NY 10017, United States

Telephone: (1) (212) 963-0546

Fax: (1) (212) 963-2797

1776 K Street, N.W., Suite 410
Washington, DC 20006, United States

Telephone: (1) (202) 331-9099

Fax: (1) (202) 331-9366

Chapter XVII

United Nations Industrial Development Organization (UNIDO)

The United Nations Industrial Development Organization (UNIDO) continued in 1990 to promote industrialization through technical assistance and other activities in support of sectoral, regional and global industrial operations, strategies and investment. During the year, UNIDO undertook special multidisciplinary programmes related to the Industrial Development Decade for Africa (IDDA), 1980-1990, which included assistance to the least developed countries, industrial co-operation among developing countries, integration of women in industrial development, and co-operation with industrial enterprises and non-governmental organizations. The UNIDO Industrial Development Board, the organization's 53-member policy-making body, held its sixth (28 May-1 June) and seventh (5-9 November) sessions at UNIDO headquarters in Vienna.

As at 31 December 1990, UNIDO membership stood at 151. During the year Liberia and Myanmar became members and the Federal Republic of Germany and the German Democratic Republic became a single State, as did the People's Democratic Republic of Yemen and the Yemen Arab Republic (see PART ONE, Chapter IV).

Industrial strategies and operations

In 1990, UNIDO implemented a total of 1,896 technical assistance projects with a value of \$159.6 million. Of that total, Africa (including the African Arab States) received 34.9 per cent; Asia and the Pacific, 31 per cent; the Arab States, 9.3 per cent; Latin America and the Caribbean, 7 per cent; and Europe, 3.3 per cent. Interregional and global projects accounted for 19.6 per cent. The level of overall project approvals totalled \$162.7 million, compared with \$171.5 million in 1989. The \$8.8 million decline was due in part to the fluctuation in size and composition of pledges to the Industrial Development Fund following a sudden change in the pledging pattern of some donors and in part to the inclusion of large unprecedented approvals under trust funds in 1989.

UNIDO industrial policy and perspectives activities during 1990 in support of technical co-operation included briefing and data inputs for programming missions and project formulation, extending policy advice for industrial review and planning, and improving data preparation and

statistical control in developing countries. Emphasis was placed on the environment, industrial rehabilitation and mobilization of financial resources.

Implementation of industrial operations

Technical co-operation expenditures for agro-industries amounted to \$16.9 million, which supported 152 projects. Some 54 per cent of the total implementation was financed by the United Nations Development Programme (UNDP). Activities related to agro-based industries focused on the production of value-added agro-based products, such as food and textiles, for local markets and on the improvement of quality standardization and controls for exports.

In the chemical industries, technical co-operation expenditures amounted to \$33.7 million for the implementation of 351 projects. Some 67 per cent of the total implementation was financed from UNDP resources. Particular attention was paid to ensuring that technical co-operation projects had a favourable impact on the environment, contributed to energy conservation and took into account other priority areas contained in the 1990-1995 medium-term plan. While some projects were primarily designed to reduce pollution and encourage recycling, others combined pollution reduction with saving energy.

As to metallurgical industries, technical co-operation expenditures amounted to \$9.3 million for 120 projects. Some 81 per cent of the total implementation was financed from UNDP resources. During the year, new programmes were elaborated and existing activities reoriented to changing requirements in the metallurgical industry in developing countries where heavy investments had been made in the 1960s and 1970s. The industries in those countries required rehabilitation, taking into account energy and environmental aspects as well as the need for product diversification and the application of new technologies. The thrust of UNIDO technical co-operation in the sector reflected new trends in the areas of spare parts production, computer applications, industrial mineral processing and testing, waste management and utilization, and recycling.

In the engineering industries sector, technical co-operation expenditures for 209 projects totalled \$20.2 million, of which 78 per cent was financed by UNDP resources. During the year, UNIDO focused on the development of multidisciplinary engineering activities. Main areas of technical co-operation continued to be the application of appropriate techniques to rural industrialization; integration of electro-mechanical and electronic aspects in subsectoral development; metal works and machine tools; transport equipment; equipment development in the energy sector; advancement of manufacturing value added through process technology and packaging techniques; repair and maintenance; and the introduction and application of advanced technologies.

Expenditures on technical co-operation for projects in industrial planning amounted to \$10.6 million, some 88 per cent of which was financed from UNDP resources. A total of 115 projects were under implementation in 1990. There was further concentration on approaches relating to the strategic management of restructuring and development of the industrial sector; enhancement of the productive performance of the industrial sector and subsectors; and decision support systems for planning and policy formulation.

In the area of institutional infrastructure, a total of 271 technical co-operation projects were implemented or under implementation, amounting to expenditures of \$19.4 million, of which some 83 per cent was financed from UNDP resources. The unprecedented level of technical co-operation delivery in 1990 reflected the growing demand from developing countries for UNIDO assistance through multidisciplinary programmes in: institutions and infrastructure for the promotion and development of small- and medium-scale industries; entrepreneurship development and privatization; rural industrial development; industrial research and development institutions and industrial information services; and standardization, quality control and metrology. Assistance was also provided to institutions promoting industrial development, including industrial sub-contracting, industrial associations and chambers of commerce and industry.

Expenditures for 98 technical co-operation projects in industrial management and rehabilitation totalled some \$7.9 million, of which 79 per cent was financed from UNDP resources. In 1990, particular attention was given to the development of integrated approaches to technical co-operation, which involved strengthening management and local consultancy capabilities, in-

troducing improved methodologies and carrying out diagnostic and restructuring operations.

A total of \$5.9 million was spent on feasibility studies in 1990. Some 63 per cent of the total was financed under UNDP resources and 120 projects were at various stages of implementation. During the year, the scope of activities related to feasibility and pre-feasibility studies widened, and that was reflected in increased co-operation with private enterprises, assistance provided for enterprise rehabilitation, co-operation with industrial development financing institutions, and the promotion of projects in the industrial services sector, including investment advisory services.

Expenditures for fellowships and other training components in all technical co-operation projects amounted to \$23.2 million, of which \$16.1 million was spent on fellowships and study tours and \$7.1 million on group training activities and meetings. Some 16 per cent of the total expenditures for 141 projects was financed from UNDP resources. During the year, priority was given to industrial training infrastructure and entrepreneurship development.

Industrial promotion

In 1990, UNIDO industrial promotion activities focused on industrial investment, the system of consultations and transfer of technology. UNIDO promoted 170 industrial investment projects during the year, with a total value of \$699 million. Investors' forums were held for the Preferential Trade Area for Eastern and Southern African States, the Economic Community of West African States, the Arab countries, Poland and Yugoslavia.

Industrial Development Decade for Africa (1980-1990)

In 1990, 32 projects amounting to \$4.66 million were approved under the technical co-operation component of the Industrial Development Decade for Africa (IDDA), 1980-1990, of which \$1.97 million was implemented. A major activity was the preparation of the programme for the second IDDA (1991-2000), including development of a framework and guidelines for action at the national and subregional levels. Prepared jointly with the Organization of African Unity and the Economic Commission for Africa, the document emphasized the basic principles and the twin objectives of the second IDDA: self-reliant and self-sustaining industrialization. (See also PART TWO, Chapter V.)

Industrial co-operation among developing countries

Development of programmes and projects for industrial co-operation among developing countries continued in 1990. Interregional, regional and subregional meetings and workshops addressed enterprise-to-enterprise co-operation (Cameroon, April), industrial joint ventures (Tunisia, October) and industrial utilization of medicinal plants (China, October). Eight operational projects promoted technical co-operation among developing countries (TCDC), and a new computerized data base was established for economic and technical co-operation among developing countries. UNIDO continued to intensify its efforts to recruit experts from developing countries for its technical co-operation projects. During 1990, 891 nationals from developing countries were recruited, representing 36 per cent of all experts and consultants on contract during the year. Efforts were also made to ensure that bidders' lists included companies from developing countries, resulting in an increase in orders for equipment placed with vendors and manufacturers in developing countries.

Secretariat

As at 31 December 1990, 1,392 staff members were serving at UNIDO headquarters. Of those, 458 were in the Professional and higher categories

and 934 in the General Service and related categories. During 1990, a total of 2,490 experts were appointed as project personnel. UNIDO was represented in the field by 39 UNIDO Country Directors (UCDs) in developing countries, who worked with UNDP Resident Representatives. At the end of the year, 29 UCDs were financed by UNDP, nine from the operational budget and one from voluntary contributions. They were assisted by 71 Junior Professional Officers paid for by 11 member Governments: Belgium, Denmark, Finland, France, Federal Republic of Germany, Italy, Japan, Netherlands, Norway, Sweden and Switzerland.

Budget

UNIDO expenditures totalled \$255.5 million in 1990, comprising \$159.6 million for technical co-operation programmes and \$95.9 million for headquarters expenditures. The UNIDO General Conference, in 1989, had approved a regular budget for the 1990-1991 biennium based on member States being assessed in both United States dollars and Austrian schillings (A); net appropriations amounting to \$23,895,100 plus A 1,718,425,770 (total equivalent of \$156,718,100) were approved.

NOTE: For further information on the activities of UNIDO, see Annual Report of UNIDO 1990, published by UNIDO.

HEADQUARTERS AND OTHER OFFICE

HEADQUARTERS

United Nations Industrial Development Organization
Vienna International Centre
P.O. Box 300
A- 1400 Vienna, Austria
Telephone: (43)(1)211-310
Fax: (43) (1) 232156
Telex: 135612
E-mail: unido-pinfo@unido.org
Internet: <http://www.unido.org>

LIAISON OFFICE

UNIDO Liaison Office
1 United Nations Plaza, Room DC1-1110
New York, NY 10017, United States
Telephone: (1) (212) 963-6882
Fax: (1) (212) 963-7904

Chapter XVIII

Interim Commission for the International Trade Organization (ICITO) and the General Agreement on Tariffs and Trade (GALT)

The United Nations Conference on Trade and Employment (Havana, Cuba, November 1947-March 1948) drew up a charter for an International Trade Organization (ITO) and established an Interim Commission for the International Trade Organization (ICITO). The members of the Conference's Preparatory Committee also negotiated tariffs among themselves and drew up the General Agreement on Tariffs and Trade (GATT). Since the charter was never accepted, ITO was not established. However, GATT-the only multilateral treaty that embodied reciprocal rights and obligations and laid down agreed rules for international trade-entered into force on 1 January 1948 with 23 contracting parties; ICITO provided the GATT secretariat.

By 31 December 1990, GATT membership had risen to 100 with the addition of Bolivia, Costa Rica, Tunisia and Venezuela during the year. In May, the GATT Council granted observer status to the USSR and established a working party to renegotiate the terms of accession of Poland in the light of that country's transition to a market economy.

Multilateral trade negotiations

Uruguay Round

The Uruguay Round of multilateral trade negotiations, which was launched in Punta del Este, Uruguay, in 1986 [YUN 1986, p.12101, was the eighth round of such negotiations held under GATT auspices. The Round was unprecedented both in breadth of coverage (15 negotiating areas) and participation (107 countries).

In accordance with a 1989 agreement, the Ministerial Meeting to conclude the Uruguay Round was held in Brussels, Belgium, from 3 to 7 December 1990. The Ministers had before them a "draft Final Act" containing all the texts under negotiation as well as commentaries on those areas in which no agreed basis for negotiation had been arrived at. Although rapid progress was made in many negotiating areas, such as services, textiles and clothing, and certain non-tariff measures (preshipment inspection and rules of

origin), negotiating positions remained rigid with regard to agriculture, making it impossible to conclude the Round as scheduled. Negotiations would therefore continue in 1991 in Geneva.

Trade Negotiations Committee

The most senior officiating body of the Uruguay Round was the Trade Negotiations Committee (TNC), which oversaw the Round as a whole, as well as the work of the other two principal officiating bodies-the Group of Negotiations on Goods (GNG) and the Group of Negotiations on Services (GNS). The Surveillance Body also reported to TNC.

Group of Negotiations on Goods. GNG continued in 1990 to oversee the work of 14 negotiating groups addressing tariffs; non-tariff measures; natural-resource-based products; textiles and clothing; agriculture; tropical products; the review of GATT articles; multinational trade negotiation agreements and arrangements; safeguards; subsidies and countervailing measures; trade-related aspects of intellectual property rights; trade-related investment measures; dispute settlement; and the functioning of the GATT system.

Group of Negotiations on Services. Work in GNS focused on negotiation of a framework agreement and the development of annexes to cope with the specific circumstances of individual services sectors. GNS focused on several objectives in 1990, including ways to address the increasing participation of developing countries in the services sector. In May, GNS established a series of working parties to consider the individual sectors of telecommunications, financial services, transport services, construction and engineering services, labour mobility and audiovisual services.

Surveillance Body. The Surveillance Body, which was established to maintain a standstill on new trade-restrictive measures and to orchestrate the progressive dismantling or "rollback" of existing illegal trade restrictions, received only one formal notification related to possible breaches of standstill in 1990, bringing to 25 the number

of standstill notifications received since the Uruguay Round began in 1986. During the same period, 35 instances of proposed legislation or other trade measures had been brought to the attention of the Surveillance Body under its "early warning system". With regard to the process of rollback, by the end of 1990, consultations had taken place on 15 of the 20 requests tabled by eight participants.

Implementation of the Tokyo Round agreements

GATT committees continued in 1990 to oversee the agreements concluded under the Tokyo Round of multilateral trade negotiations (1973-1979). That Round had secured a major package of tariff concessions, a series of new agreements on non-tariff measures and an improved legal framework for GATT. The GATT committees supervising those agreements dealt with tariffs, anti-dumping practices, subsidies and countervailing measures, government procurement, technical barriers to trade, customs valuation, import licensing, bovine meat, dairy products and civil aircraft.

Other GATT activities

Contracting Parties regular session

The forty-sixth annual session of the GATT Contracting Parties was held on 12 and 13 December 1990. They undertook their annual year-end review of the Council of Representatives, the Committee on Trade and Development and other GATT bodies.

Council of Representatives

The Council of Representatives, GATT's highest body between sessions of the Contracting Parties, continued in 1990 to carry out the day-to-day task of managing the multilateral trading system at the same time that new and improved rules were being negotiated in the Uruguay Round.

Trade policy review

During the year, the Council held nine special meetings in its first series of reviews of the trade policies and practices of GATT members under the Trade Policy Review Mechanism, established in April 1989. The Mechanism allowed the Contracting Parties to collectively assess and monitor on a regular basis all aspects of the trade policies and practices of each individual member, thereby enhancing transparency in the multilateral trading system. In 1990, the Council conducted reviews of Colombia and Sweden (5-7

June) and of Canada, Hong Kong, Japan and New Zealand (30 July-3 August).

Trade and development

The Committee on Trade and Development, one of GATT's principal standing committees, continued in 1990 to review, discuss and negotiate issues of trade interest to developing countries. The Committee convened two meetings in 1990 (June, October), at which it carried out reviews of the technical assistance provided by GATT to developing countries; developments in international trade and the Uruguay Round; implementation of the provisions of Part IV of the General Agreement and the "Enabling Clause", which provided for more favourable treatment of developing countries in various areas of trade policy; and the work of the Sub-Committee on the Trade of Least Developed Countries.

Conciliation and settlement of disputes

In 1990, GATT conciliation mechanisms successfully settled trade disputes with greater dispatch, due to the introduction in 1989 of a streamlined dispute-settlement system. During the year, a number of complaints were taken up by dispute resolution panels: a Japanese complaint regarding anti-dumping duties on products assembled in the European Community (EC); a complaint from Canada regarding countervailing duties imposed by the United States on fresh, chilled and frozen pork; a United States complaint about Thailand's restrictions on the importation of and internal taxes on cigarettes; complaints by Australia, New Zealand and the United States about restrictions placed by the Republic of Korea on imports of beef; EC and Australian complaints against United States restrictions on sugar importation; EC and Canadian complaints regarding United States customs user fees; United States complaints against Canadian import restrictions on ice cream and yoghurt and the import and sale of alcoholic drinks; a Brazilian complaint regarding United States import restrictions on some of its products; a United States complaint regarding Norwegian restrictions on imports of apples and pears; a Mexican complaint concerning United States restrictions on tuna imports; and a complaint against German restrictions on circulation of Austrian lorries.

Technical assistance

GATT provided assistance to developing countries in all areas of its work and in 1990 was implementing a reinforced programme to facilitate more effective participation by developing countries in the Uruguay Round. The GATT secreta-

riat participated in 14 national seminars in 1990, bringing the total number of national seminars organized in Africa, Asia and Latin America since the start of the Uruguay Round to 58. In addition, seven regional or subregional seminars and workshops were organized during the year.

Training programmes

Between 1955 and 1990, GATT trade policy courses were attended by a total of 1,195 officials from 114 countries and 10 regional organizations. The courses, held in English, French and Spanish, were organized in Geneva twice a year, with 24 fellowships granted for each course. In 1990, two courses were held-the sixty-ninth in Spanish and the seventieth in English.

International Trade Centre

The International Trade Centre (ITC), established by GATT in 1964 and jointly operated with the United Nations Conference on Trade and Development since 1968, continued to provide trade information and trade promotion advisory

services to developing countries. In 1990, ITC organized two trade promotion sessions and produced a number of market studies, trade promotion handbooks and training materials, and a quarterly magazine. The Centre's technical co-operation activities amounted to \$35.7 million during the year, with some 121 national, 59 regional and 113 interregional projects under implementation (see PART THREE, Chapter IV).

Financial arrangements

Member countries of GATT contributed to the budget in accordance with a scale assessed on the basis of each country's share in the total trade of the contracting parties and associated Governments. The budget for 1990 was 74,571,000 Swiss francs.

NOTE: For further information on GATT, see GATT Activities 1990: An Annual Review of the Work of the GATT, published by GATT.

GATT's successor organization-the World Trade Organization (WTO)-came into being on 1 January 1995, following the conclusion of the Uruguay Round.

WTO HEADQUARTERS

World Trade Organization
Centre William Rappard
Rue de Lausanne 154
CH- 1211 Geneva 21, Switzerland
Cable address: OMC/WTO Geneva
Telephone: (41) (22) 739-51-11
Fax: (41) (22) 739-54-58
Telex: 412 324 OMC/WTO CH
Internet: <http://www.wto.org>

Appendices

Appendix I

Roster of the United Nations

There were 159 Member States as at 31 December 1990.

MEMBER	DATE OF ADMISSION	MEMBER	DATE OF ADMISSION	MEMBER	DATE OF ADMISSION
Afghanistan	19 Nov. 1946	Gabon	20 Sep. 1960	Nigeria	7 Oct. 1960
Albania	14 Dec. 1955	Gambia	21 Sep. 1965	Norway	27 Nov. 1945
Algeria	8 Oct. 1962	Germany ⁴	18 Sep. 1973	Oman	7 Oct. 1971
Angola	1 Dec. 1976	Ghana	8 Mar. 1957	Pakistan	30 Sep. 1947
Antigua and Barbuda	11 Nov. 1981	Greece	25 Oct. 1945	Panama	13 Nov. 1945
Argentina	24 Oct. 1945	Grenada	17 Sep. 1974	Papua New Guinea	10 Oct. 1975
Australia	1 Nov. 1945	Guatemala	21 Nov. 1945	Paraguay	24 Oct. 1945
Austria	14 Dec. 1955	Guinea	12 Dec. 1958	Peru	31 Oct. 1945
Bahamas	18 Sep. 1973	Guinea-Bissau	17 Sep. 1974	Philippines	24 Oct. 1945
Bahrain	21 Sep. 1971	Guyana	20 Sep. 1966	Poland	24 Oct. 1945
Bangladesh	17 Sep. 1974	Haiti	24 Oct. 1945	Portugal	14 Dec. 1955
Barbados	9 Dec. 1966	Honduras	17 Dec. 1945	Qatar	21 Sep. 1971
Belgium	27 Dec. 1945	Hungary	14 Dec. 1955	Romania	14 Dec. 1955
Belize	25 Sep. 1981	Iceland	19 Nov. 1946	Rwanda	18 Sep. 1962
Benin	20 Sep. 1960	India	30 Oct. 1945	Saint Kitts and Nevis	23 Sep. 1983
Bhutan	21 Sep. 1971	Indonesia ⁵	28 Sep. 1950	Saint Lucia	18 Sep. 1979
Bolivia	14 Nov. 1945	Iran (Islamic Republic of)	24 Oct. 1945	Saint Vincent and the Grenadines	16 Sep. 1980
Botswana	17 Oct. 1966	Iraq	21 Dec. 1945	Samoa	15 Dec. 1976
Brazil	24 Oct. 1945	Ireland	14 Dec. 1955	Sao Tome and Principe	16 Sep. 1975
Brunei Darussalam	21 Sep. 1984	Israel	11 May 1949	Saudi Arabia	24 Oct. 1945
Bulgaria	14 Dec. 1955	Italy	14 Dec. 1955	Senegal	28 Sep. 1960
Burkina Faso	20 Sep. 1960	Jamaica	18 Sep. 1962	Seychelles	21 Sep. 1976
Burundi	18 Sep. 1962	Japan	18 Dec. 1956	Sierra Leone	27 Sep. 1961
Byelorussian Soviet Socialist Republic	24 Oct. 1945	Jordan	14 Dec. 1955	Singapore ⁶	21 Sep. 1965
Cambodia ¹	14 Dec. 1955	Kenya	16 Dec. 1963	Solomon Islands	19 Sep. 1978
Cameroon	20 Sep. 1960	Kuwait	14 May 1963	Somalia	20 Sep. 1960
Canada	9 Nov. 1945	Lao People's Democratic Republic	14 Dec. 1955	South Africa	7 Nov. 1945
Cape Verde	16 Sep. 1975	Lebanon	24 Oct. 1945	Spain	14 Dec. 1955
Central African Republic	20 Sep. 1960	Lesotho	17 Oct. 1966	Sri Lanka	14 Dec. 1955
Chad	20 Sep. 1960	Liberia	2 Nov. 1945	Sudan	12 Nov. 1956
Chile	24 Oct. 1945	Libyan Arab Jamahiriya	14 Dec. 1955	Suriname	4 Dec. 1975
China	24 Oct. 1945	Liechtenstein	18 Sep. 1990	Swaziland	24 Sep. 1968
Colombia	5 Nov. 1945	Luxembourg	24 Oct. 1945	Sweden	19 Nov. 1946
Comoros	12 Nov. 1975	Madagascar	20 Sep. 1960	Syrian Arab Republic ³	24 Oct. 1945
Congo	20 Sep. 1960	Malawi	1 Dec. 1964	Thailand	16 Dec. 1946
Costa Rica	2 Nov. 1945	Malaysia ⁶	17 Sep. 1957	Togo	20 Sep. 1960
Côte d'Ivoire	20 Sep. 1960	Maldives	21 Sep. 1965	Trinidad and Tobago	18 Sep. 1962
Cuba	24 Oct. 1945	Mali	28 Sep. 1960	Tunisia	12 Nov. 1956
Cyprus	20 Sep. 1960	Malta	1 Dec. 1964	Turkey	24 Oct. 1945
Czech and Slovak Federal Republic ²	24 Oct. 1945	Mauritania	27 Oct. 1961	Uganda	25 Oct. 1962
Denmark	24 Oct. 1945	Mauritius	24 Apr. 1968	Ukrainian Soviet Socialist Republic	24 Oct. 1945
Djibouti	20 Sep. 1977	Mexico	7 Nov. 1945	Union of Soviet Socialist Republics	24 Oct. 1945
Dominica	18 Dec. 1978	Mongolia	27 Oct. 1961	United Arab Emirates	9 Dec. 1971
Dominican Republic	24 Oct. 1945	Morocco	12 Nov. 1956	United Kingdom of Great Britain and Northern Ireland	24 Oct. 1945
Ecuador	21 Dec. 1945	Mozambique	16 Sep. 1975	United Republic of Tanzania ⁷	14 Dec. 1961
Egypt ³	24 Oct. 1945	Myanmar	19 Apr. 1948	United States of America	24 Oct. 1945
El Salvador	24 Oct. 1945	Namibia	23 Apr. 1990		
Equatorial Guinea	12 Nov. 1968	Nepal	14 Dec. 1955		
Ethiopia	13 Nov. 1945	Netherlands	10 Dec. 1945		
Fiji	13 Oct. 1970	New Zealand	24 Oct. 1945		
Finland	14 Dec. 1955	Nicaragua	24 Oct. 1945		
France	24 Oct. 1945	Niger	20 Sep. 1960		

MEMBER	DATE OF ADMISSION	MEMBER	DATE OF ADMISSION	MEMBER	DATE OF ADMISSION
Uruguay	18 Dec. 1945	Viet Nam	20 Sep. 1977	Zaire	20 Sep. 1960
Vanuatu	15 Sep. 1981	Yemen ⁸	30 Sep. 1947	Zambia	1 Dec. 1964
Venezuela	15 Nov. 1945	Yugoslavia	24 Oct. 1945	Zimbabwe	25 Aug. 1980

¹Formerly Democratic Kampuchea; name changed on 3 February 1990.

²Formerly Czechoslovakia; name changed on 20 April 1990.

³Egypt and Syria, both of which became Members of the United Nations on 24 October 1945, joined together following a plebiscite held in those countries on 21 February 1958—to form the United Arab Republic. On 13 October 1961, Syria, having resumed its status as an independent State, also resumed its separate membership in the United Nations; it changed its name to the Syrian Arab Republic on 14 September 1971. The United Arab Republic continued as a Member of the United Nations and reverted to the name of Egypt on 2 September 1971.

⁴Through accession of the German Democratic Republic to the Federal Republic of Germany on 3 October 1990, the two German States (both of which became United Nations Members on 18 September 1973) united to form one sovereign State. As from that date, the Federal Republic of Germany has acted in the United Nations under the designation Germany.

⁵On 20 January 1965, Indonesia informed the Secretary-General that it had decided to withdraw from the United Nations. By a telegram of 19 Sep-

tember 1966, it notified the Secretary-General of its decision to resume participation in the activities of the United Nations. On 28 September 1966, the General Assembly took note of that decision and the President invited the representatives of Indonesia to take their seats in the Assembly.

⁶On 16 September 1963, Sabah (North Borneo), Sarawak and Singapore joined with the Federation of Malaya (which became a United Nations Member on 17 September 1957) to form Malaysia. On 9 August 1965, Singapore became an independent State and on 21 September 1965 it became a Member of the United Nations.

⁷Tanganyika was admitted to the United Nations on 14 December 1961 and Zanzibar on 16 December 1963. Following ratification, on 26 April 1964, of the Articles of Union between Tanganyika and Zanzibar, the two States became represented as a single Member: the United Republic of Tanganyika and Zanzibar; it changed its name to the United Republic of Tanzania on 1 November 1964.

⁸Yemen was admitted to the United Nations on 30 September 1947 and Democratic Yemen on 14 December 1967. On 22 May 1990, the two countries merged and have since been represented as one Member.

Appendix II

Charter of the United Nations and Statute of the International Court of Justice

Charter of the United Nations

NOTE: The Charter of the United Nations was signed on 26 June 1945, in San Francisco, at the conclusion of the United Nations Conference on International Organization, and came into force on 24 October 1945. The Statute of the International Court of Justice is an integral part of the Charter.

Amendments to Articles 23, 27 and 61 of the Charter were adopted by the General Assembly on 17 December 1963 and came into force on 31 August 1965. A further amendment to Article 61 was adopted by the General Assembly on 20 December 1971 and came into force on 24 September 1973. An amendment to Article 109, adopted by the General Assembly on 20 December 1965, came into force on 12 June 1968.

The amendment to Article 23 enlarges the membership of the Security Council from 11 to 15. The amended Article 27 provides that decisions of the Security Council on procedural matters shall be made by an affirmative vote of nine members (formerly seven) and on all other matters by an affirmative vote of nine members (formerly seven), including the concurring votes of the five permanent members of the Security Council.

The amendment to Article 61, which entered into force on 31 August 1965, enlarged the membership of the Economic and Social Council from 18 to 27. The subsequent amendment to that Article, which entered into force on 24 September 1973, further increased the membership of the Council from 27 to 54.

The amendment to Article 109, which relates to the first paragraph of that Article, provides that a General Conference of Member States for the purpose of reviewing the Charter may be held at a date and place to be fixed by a two-thirds vote of the members of the General Assembly and by a vote of any nine members (formerly seven) of the Security Council. Paragraph 3 of Article 109, which deals with the consideration of a possible review conference during the tenth regular session of the General Assembly, has been retained in its original form in its reference to a "vote of any seven members of the Security Council", the paragraph having been acted upon in 1955 by the General Assembly, at its tenth regular session, and by the Security Council.

WE THE PEOPLES OF THE UNITED NATIONS DETERMINED

to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and to promote social progress and better standards of life in larger freedom,

AND FOR THESE ENDS

to practice tolerance and live together in peace with one another as good neighbours, and to unite our strength to maintain international peace and security, and to ensure, by the acceptance of principles and the institution of methods, that armed force shall not be used, save in the common interest, and to employ international machinery for the promotion of the economic and social advancement of all peoples,

HAVE RESOLVED TO COMBINE OUR EFFORTS TO ACCOMPLISH THESE AIMS

Accordingly, our respective Governments, through representatives assembled in the city of San Francisco, who have exhibited their full powers found to be in good and due form, have agreed to the present Charter of the United Nations and do hereby establish an international organization to be known as the United Nations.

Chapter I PURPOSES AND PRINCIPLES

Article 1

The Purposes of the United Nations are:

1. To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace;
2. To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace;
3. 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; and
4. To be a centre for harmonizing the actions of nations in the attainment of these common ends.

Article 2

The Organization and its Members, in pursuit of the Purposes stated in Article 1, shall act in accordance with the following Principles:

1. The Organization is based on the principle of the sovereign equality of all its Members.
2. All Members, in order to ensure to all of them the rights and benefits resulting from membership, shall fulfil in good faith the obligations assumed by them in accordance with the present Charter.

3. All Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered.

4. All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.

5. All Members shall give the United Nations every assistance in any action it takes in accordance with the present Charter, and shall refrain from giving assistance to any state against which the United Nations is taking preventive or enforcement action.

6. The Organization shall ensure that states which are not Members of the United Nations act in accordance with these Principles so far as may be necessary for the maintenance of international peace and security.

7. Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter; but this principle shall not prejudice the application of enforcement measures under Chapter VII.

Chapter II

MEMBERSHIP

Article 3

The original Members of the United Nations shall be the states which, having participated in the United Nations Conference on International Organization at San Francisco or having previously signed the Declaration by United Nations of 1 January 1942, sign the present Charter and ratify it in accordance with Article 110.

Article 4

1. Membership in the United Nations is open to all other peace-loving states which accept the obligations contained in the present Charter and, in the judgment of the Organization, are able and willing to carry out these obligations.

2. The admission of any such state to membership in the United Nations will be effected by a decision of the General Assembly upon the recommendation of the Security Council.

Article 5

A Member of the United Nations against which preventive or enforcement action has been taken by the Security Council may be suspended from the exercise of the rights and privileges of membership by the General Assembly upon the recommendation of the Security Council. The exercise of these rights and privileges may be restored by the Security Council.

Article 6

A Member of the United Nations which has persistently violated the Principles contained in the present Charter may be expelled from the Organization by the General Assembly upon the recommendation of the Security Council.

Chapter III

ORGANS

Article 7

1. There are established as the principal organs of the United Nations: a General Assembly, a Security Council, an Economic and Social Council, a Trusteeship Council, an International Court of Justice, and a Secretariat.

2. Such subsidiary organs as may be found necessary may be established in accordance with the present Charter.

Article 8

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.

Chapter IV

THE GENERAL ASSEMBLY

Composition

Article 9

1. The General Assembly shall consist of all the Members of the United Nations.

2. Each Member shall have not more than five representatives in the General Assembly.

Functions and Powers

Article 10

The General Assembly may discuss any questions or any matters within the scope of the present Charter or relating to the powers and functions of any organs provided for in the present Charter, and, except as provided in Article 12, may make recommendations to the Members of the United Nations or to the Security Council or both on any such questions or matters.

Article 11

1. The General Assembly may consider the general principles of cooperation in the maintenance of international peace and security, including the principles governing disarmament and the regulation of armaments, and may make recommendations with regard to such principles to the Members or to the Security Council or to both.

2. The General Assembly may discuss any questions relating to the maintenance of international peace and security brought before it by any Member of the United Nations, or by the Security Council, or by a state which is not a Member of the United Nations in accordance with Article 35, paragraph 2, and, except as provided in Article 12, may make recommendations with regard to any such questions to the state or states concerned or to the Security Council or to both. Any such question on which action is necessary shall be referred to the Security Council by the General Assembly either before or after discussion.

3. The General Assembly may call the attention of the Security Council to situations which are likely to endanger international peace and security.

4. The powers of the General Assembly set forth in this Article shall not limit the general scope of Article 10.

Article 12

1. While the Security Council is exercising in respect of any dispute or situation the functions assigned to it in the present Charter, the General Assembly shall not make any recommendation with regard to that dispute or situation unless the Security Council so requests.

2. The Secretary-General, with the consent of the Security Council, shall notify the General Assembly at each session of any matters relative to the maintenance of international peace and security which are being dealt with by the Security Council and shall similarly notify the General Assembly, or the Members of the United Nations if the General Assembly is not in session, immediately the Security Council ceases to deal with such matters.

Article 13

1. The General Assembly shall initiate studies and make recommendations for the purpose of:

- a. promoting international co-operation in the political field and encouraging the progressive development of international law and its codification;
- b. promoting international co-operation in the economic, social, cultural, educational and health fields, and assisting in the realization of human rights and fundamental freedoms for all without distinction as to race, sex, language or religion.

2. The further responsibilities, functions and powers of the General Assembly with respect to matters mentioned in paragraph 1 (b) above are set forth in Chapters IX and x.

Article 14

Subject to the provisions of Article 12, the General Assembly may recommend measures for the peaceful adjustment of any situation, regardless of origin, which it deems likely to impair the general welfare or friendly relations among nations, including situations resulting from a violation of the provisions of the present Charter setting forth the Purposes and Principles of the United Nations.

Article 15

1. The General Assembly shall receive and consider annual and special reports from the Security Council; these reports shall include an account of the measures that the Security Council has decided upon or taken to maintain international peace and security.

2. The General Assembly shall receive and consider reports from the other organs of the United Nations.

Article 16

The General Assembly shall perform such functions with respect to the international trusteeship system as are assigned to it under Chapters XII and XIII, including the approval of the trusteeship agreements for areas not designated as strategic.

Article 17

1. The General Assembly shall consider and approve the budget of the Organization.

2. The expenses of the Organization shall be borne by the Members as apportioned by the General Assembly.

3. The General Assembly shall consider and approve any financial and budgetary arrangements with specialized agencies referred to in Article 57 and shall examine the administrative budgets of such specialized agencies with a view to making recommendations to the agencies concerned.

Voting

Article 18

1. Each member of the General Assembly shall have one vote.

2. Decisions of the General Assembly on important questions shall be made by a two-thirds majority of the members present and voting. These questions shall include: recommendations with respect to the maintenance of international peace and security, the election of the non-permanent members of the Security Council, the election of the members of the Economic and Social Council, the election of members of the Trusteeship Council in accordance with paragraph 1 (c) of Article 86, the admission of new Members to the United Nations, the suspension of the rights and privileges of membership, the expulsion of Members, questions relating to the operation of the trusteeship system, and budgetary questions.

3. Decisions on other questions, including the determination of additional categories of questions to be decided by a two-thirds majority, shall be made by a majority of the members present and voting.

Article 19

A Member of the United Nations which is in arrears in the payment of its financial contributions to the Organization shall have no vote in the General Assembly if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years. The General Assembly may, nevertheless, permit such a Member to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the Member.

Procedure

Article 20

The General Assembly shall meet in regular annual sessions and in such special sessions as occasion may require. Special sessions shall be convoked by the Secretary-General at the request of the Security Council or of a majority of the Members of the United Nations.

Article 21

The General Assembly shall adopt its own rules of procedure. It shall elect its President for each session.

Article 22

The General Assembly may establish such subsidiary organs as it deems necessary for the performance of its functions.

Chapter V

THE SECURITY COUNCIL

Composition

Article 23¹

1. The Security Council shall consist of fifteen Members of the United Nations. The Republic of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America shall be permanent members of the Security Council. The General Assembly shall elect ten other Members of the United Nations to be non-permanent members of the Security Council, due regard being specially paid, in the first instance to the contribution of Members of the United Nations to the maintenance of international peace and security and to the other purposes of the Organization, and also to equitable geographical distribution.

2. The non-permanent members of the Security Council shall be elected for a term of two years. In the first election of the non-permanent members after the increase of the membership of the Security Council from eleven to fifteen, two of the four additional members shall be chosen for a term of one year. A retiring member shall not be eligible for immediate re-election.

3. Each member of the Security Council shall have one representative.

Functions and Powers

Article 24

1. In order to ensure prompt and effective action by the United Nations, its Members confer on the Security Council primary responsibility for the maintenance of international peace and security, and agree that in carrying out its duties under this responsibility the Security Council acts on their behalf.

2. In discharging these duties the Security Council shall act in accordance with the Purposes and Principles of the United Nations. The specific powers granted to the Security Council for the discharge of these duties are laid down in Chapters VI, VII, VIII and XII.

3. The Security Council shall submit annual and, when necessary, special reports to the General Assembly for its consideration.

Article 25

The Members of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the present Charter.

Article 26

In order to promote the establishment and maintenance of international peace and security with the least diversion for armaments of the world's human and economic resources, the Security Council shall be responsible for formulating, with the assistance of the Military Staff Committee referred to in Article

47, plans to be submitted to the Members of the United Nations for the establishment of a system for the regulation of armaments.

Voting

Article 27²

1. Each member of the Security Council shall have one vote.
2. Decisions of the Security Council on procedural matters shall be made by an affirmative vote of nine members.
3. Decisions of the Security Council on all other matters shall be made by an affirmative vote of nine members including the concurring votes of the permanent members; provided that, in decisions under Chapter VI, and under paragraph 3 of Article 52, a party to a dispute shall abstain from voting.

Procedure

Article 28

1. The Security Council shall be so organized as to be able to function continuously. Each member of the Security Council shall for this purpose be represented at all times at the seat of the Organization.
2. The Security Council shall hold periodic meetings at which each of its members may, if it so desires, be represented by a member of the government or by some other specially designated representative.
3. The Security Council may hold meetings at such places other than the seat of the Organization as in its judgment will best facilitate its work.

Article 29

The Security Council may establish such subsidiary organs as it deems necessary for the performance of its functions.

Article 30

The Security Council shall adopt its own rules of procedure, including the method of selecting its President.

Article 31

Any Member of the United Nations which is not a member of the Security Council may participate, without vote, in the discussion of any question brought before the Security Council whenever the latter considers that the interests of that Member are specially affected.

Article 32

Any Member of the United Nations which is not a member of the Security Council or any state which is not a Member of the United Nations, if it is a party to a dispute under consideration by the Security Council, shall be invited to participate, without vote, in the discussion relating to the dispute. The Security Council shall lay down such conditions as it deems just for the participation of a state which is not a Member of the United Nations.

Chapter VI

PACIFIC SETTLEMENT OF DISPUTES

Article 33

1. The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice.
2. The Security Council shall, when it deems necessary, call upon the parties to settle their dispute by such means.

Article 34

The Security Council may investigate any dispute, or any situation which might lead to international friction or give rise

to a dispute, in order to determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security.

Article 35

1. Any Member of the United Nations may bring any dispute, or any situation of the nature referred to in Article 34, to the attention of the Security Council or of the General Assembly.
2. A state which is not a Member of the United Nations may bring to the attention of the Security Council or of the General Assembly any dispute to which it is a party if it accepts in advance, for the purposes of the dispute, the obligations of pacific settlement provided in the present Charter.
3. The proceedings of the General Assembly in respect of matters brought to its attention under this Article will be subject to the provisions of Articles 11 and 12.

Article 36

1. The Security Council may, at any stage of a dispute of the nature referred to in Article 33 or of a situation of like nature, recommend appropriate procedures or methods of adjustment.
2. The Security Council should take into consideration any procedures for the settlement of the dispute which have already been adopted by the parties.
3. In making recommendations under this Article the Security Council should also take into consideration that legal disputes should as a general rule be referred by the parties to the International Court of Justice in accordance with the provisions of the Statute of the Court.

Article 37

1. Should the parties to a dispute of the nature referred to in Article 33 fail to settle it by the means indicated in that Article, they shall refer it to the Security Council.
2. If the Security Council deems that the continuance of the dispute is in fact likely to endanger the maintenance of international peace and security, it shall decide whether to take action under Article 36 or to recommend such terms of settlement as it may consider appropriate.

Article 38

Without prejudice to the provisions of Articles 33 to 37, the Security Council may, if all the parties to any dispute so request, make recommendations to the parties with a view to a pacific settlement of the dispute.

Chapter VII

ACTION WITH RESPECT TO THREATS TO THE PEACE, BREACHES OF THE PEACE, AND ACTS OF AGGRESSION

Article 39

The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security.

Article 40

In order to prevent an aggravation of the situation, the Security Council may, before making the recommendations or deciding upon the measures provided for in Article 39, call upon the parties concerned to comply with such provisional measures as it deems necessary or desirable. Such provisional measures shall be without prejudice to the rights, claims or position of the parties concerned. The Security Council shall duly take account of failure to comply with such provisional measures.

Article 41

The Security Council may decide what measures not involving the use of armed force are to be employed to give effect to

its decisions, and it may call upon the Members of the United Nations to apply such measures. These may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio and other means of communication, and the severance of diplomatic relations.

Article 42

Should the Security Council consider that measures provided for in Article 41 would be inadequate or have proved to be inadequate, it may take such action by air, sea or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockade, and other operations by air, sea, or land forces of Members of the United Nations.

Article 43

1. All Members of the United Nations, in order to contribute to the maintenance of international peace and security, undertake to make available to the Security Council, on its call and in accordance with a special agreement or agreements, armed forces, assistance and facilities, including rights of passage, necessary for the purpose of maintaining international peace and security.

2. Such agreement or agreements shall govern the numbers and types of forces, their degree of readiness and general location, and the nature of the facilities and assistance to be provided.

3. The agreement or agreements shall be negotiated as soon as possible on the initiative of the Security Council. They shall be concluded between the Security Council and Members or between the Security Council and groups of Members and shall be subject to ratification by the signatory states in accordance with their respective constitutional processes.

Article 44

When the Security Council has decided to use force it shall, before calling upon a Member not represented on it to provide armed forces in fulfilment of the obligations assumed under Article 43, invite that Member, if the Member so desires, to participate in the decisions of the Security Council concerning the employment of contingents of that Member's armed forces.

Article 45

In order to enable the United Nations to take urgent military measures, Members shall hold immediately available national air-force contingents for combined international enforcement action. The strength and degree of readiness of these contingents and plans for their combined action shall be determined, within the limits laid down in the special agreement or agreements referred to in Article 43, by the Security Council with the assistance of the Military Staff Committee.

Article 46

Plans for the application of armed force shall be made by the Security Council with the assistance of the Military Staff Committee.

Article 47

1. There shall be established a Military Staff Committee to advise and assist the Security Council on all questions relating to the Security Council's military requirements for the maintenance of international peace and security, the employment and command of forces placed at its disposal, the regulation of armaments, and possible disarmament.

2. The Military Staff Committee shall consist of the Chiefs of Staff of the permanent members of the Security Council or their representatives. Any Member of the United Nations not permanently represented on the Committee shall be invited by the Committee to be associated with it when the efficient discharge of the Committee's responsibilities requires the participation of that Member in its work.

3. The Military Staff Committee shall be responsible under the Security Council for the strategic direction of any armed forces placed at the disposal of the Security Council. Questions relating to the command of such forces shall be worked out subsequently.

4. The Military Staff Committee, with the authorization of the Security Council and after consultation with appropriate regional agencies, may establish regional sub-committees.

Article 48

1. The action required to carry out the decisions of the Security Council for the maintenance of international peace and security shall be taken by all the Members of the United Nations or by some of them, as the Security Council may determine.

2. Such decisions shall be carried out by the Members of the United Nations directly and through their action in the appropriate international agencies of which they are members.

Article 49

The Members of the United Nations shall join in affording mutual assistance in carrying out the measures decided upon by the Security Council.

Article 50

If preventive or enforcement measures against any state are taken by the Security Council, any other state, whether a Member of the United Nations or not, which finds itself confronted with special economic problems arising from the carrying out of those measures shall have the right to consult the Security Council with regard to a solution of those problems.

Article 51

Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defense shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.

Chapter VIII

REGIONAL ARRANGEMENTS

Article 52

1. Nothing in the present Charter precludes the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, provided that such arrangements or agencies and their activities are consistent with the Purposes and Principles of the United Nations.

2. The Members of the United Nations entering into such arrangements or constituting such agencies shall make every effort to achieve pacific settlement of local disputes through such regional arrangements or by such regional agencies before referring them to the Security Council.

3. The Security Council shall encourage the development of pacific settlement of local disputes through such regional arrangements or by such regional agencies either on the initiative of the states concerned or by reference from the Security Council.

4. This Article in no way impairs the application of Articles 34 and 35.

Article 53

1. The Security Council shall, where appropriate, utilize such regional arrangements or agencies for enforcement action under its authority. But no enforcement action shall be taken under regional arrangements or by regional agencies

without the authorization of the Security Council, with the exception of measures against any enemy state, as defined in paragraph 2 of this Article, provided for pursuant to Article 107 or in regional arrangements directed against renewal of aggressive policy on the part of any such state, until such time as the Organization may, on request of the Governments concerned, be charged with the responsibility for preventing further aggression by such a state.

2. The term enemy state as used in paragraph 1 of this Article applies to any state which during the Second World War has been an enemy of any signatory of the present Charter.

Article 54

The Security Council shall at all times be kept fully informed of activities undertaken or in contemplation under regional arrangements or by regional agencies for the maintenance of international peace and security.

Chapter IX

INTERNATIONAL ECONOMIC AND SOCIAL CO-OPERATION

Article 55

With a view to the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, the United Nations shall promote:

- a higher standards of living, full employment, and conditions of economic and social progress and development;
- b solutions of international economic, social, health, and related problems; and international cultural and educational co-operation; and
- c universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.

Article 56

All Members pledge themselves to take joint and separate action in cooperation with the Organization for the achievement of the purposes set forth in Article 55.

Article 57

1. The various specialized agencies, established by inter-governmental agreement and having wide international responsibilities, as defined in their basic instruments, in economic, social, cultural, educational, health, and related fields, shall be brought into relationship with the United Nations in accordance with the provisions of Article 63.

2. Such agencies thus brought into relationship with the United Nations are hereinafter referred to as specialized agencies.

Article 58

The Organization shall make recommendations for the co-ordination of the policies and activities of the specialized agencies.

Article 59

The Organization shall, where appropriate, initiate negotiations among the states concerned for the creation of any new specialized agencies required for the accomplishment of the purposes set forth in Article 55.

Article 60

Responsibility for the discharge of the functions of the Organization set forth in this Chapter shall be vested in the General Assembly and, under the authority of the General Assembly, in the Economic and Social Council, which shall have for this purpose the powers set forth in Chapter X.

Chapter X

THE ECONOMIC AND SOCIAL COUNCIL

Composition

Article 61³

1. The Economic and Social Council shall consist of fifty-four Members of the United Nations elected by the General Assembly.

2. Subject to the provisions of paragraph 3, eighteen members of the Economic and Social Council shall be elected each year for a term of three years. A retiring member shall be eligible for immediate re-election.

3. At the first election after the increase in the membership of the Economic and Social Council from twenty-seven to fifty-four members, in addition to the members elected in place of the nine members whose term of office expires at the end of that year, twenty-seven additional members shall be elected. Of these twenty-seven additional members, the term of office of nine members so elected shall expire at the end of one year, and of nine other members at the end of two years, in accordance with arrangements made by the General Assembly.

4. Each member of the Economic and Social Council shall have one representative.

Functions and Powers

Article 62

1. The Economic and Social Council may make or initiate studies and reports with respect to international economic, social, cultural, educational, health, and related matters and may make recommendations with respect to any such matters to the General Assembly, to the Members of the United Nations, and to the specialized agencies concerned.

2. It may make recommendations for the purpose of promoting respect for, and observance of, human rights and fundamental freedoms for all.

3. It may prepare draft conventions for submission to the General Assembly, with respect to matters falling within its competence.

4. It may call, in accordance with the rules prescribed by the United Nations, international conferences on matters falling within its competence.

Article 63

1. The Economic and Social Council may enter into agreements with any of the agencies referred to in Article 57, defining the terms on which the agency concerned shall be brought into relationship with the United Nations. Such agreements shall be subject to approval by the General Assembly.

2. It may co-ordinate the activities of the specialized agencies through consultation with and recommendations to such agencies and through recommendations to the General Assembly and to the Members of the United Nations.

Article 64

1. The Economic and Social Council may take appropriate steps to obtain regular reports from the specialized agencies. It may make arrangements with the Members of the United Nations and with the specialized agencies to obtain reports on the steps taken to give effect to its own recommendations and to recommendations on matters falling within its competence made by the General Assembly.

2. It may communicate its observations on these reports to the General Assembly.

Article 65

The Economic and Social Council may furnish information to the Security Council and shall assist the Security Council upon its request.

Article 66

1. The Economic and Social Council shall perform such functions as fall within its competence in connexion with the carrying out of the recommendations of the General Assembly.

2. It may, with the approval of the General Assembly, perform services at the request of Members of the United Nations and at the request of specialized agencies.

3. It shall perform such other functions as are specified elsewhere in the present Charter or as may be assigned to it by the General Assembly.

Voting

Article 67

1. Each member of the Economic and Social Council shall have one vote.

2. Decisions of the Economic and Social Council shall be made by a majority of the members present and voting.

Procedure

Article 68

The Economic and Social Council shall set up commissions in economic and social fields and for the promotion of human rights, and such other commissions as may be required for the performance of its functions.

Article 69

The Economic and Social Council shall invite any Member of the United Nations to participate, without vote, in its deliberations on any matter of particular concern to that Member.

Article 70

The Economic and Social Council may make arrangements for representatives of the specialized agencies to participate, without vote, in its deliberations and in those of the commissions established by it, and for its representatives to participate in the deliberations of the specialized agencies.

Article 71

The Economic and Social Council may make suitable arrangements for consultation with non-governmental organizations which are concerned with matters within its competence. Such arrangements may be made with international organizations and, where appropriate, with national organizations after consultation with the Member of the United Nations concerned.

Article 72

1. The Economic and Social Council shall adopt its own rules of procedure, including the method of selecting its President.

2. The Economic and Social Council shall meet as required in accordance with its rules, which shall include provision for the convening of meetings on the request of a majority of its members.

Chapter XI

DECLARATION REGARDING
NON-SELF-GOVERNING TERRITORIES

Article 73

Members of the United Nations which have or assume responsibilities for the administration of territories whose peoples have not yet attained a full measure of self-government recognize the principle that the interests of the inhabitants of these territories are paramount, and accept as a sacred trust the obligation to promote to the utmost, within the system of international peace and security established by the present Charter, the well-being of the inhabitants of these territories and, to this end:

- a. to ensure, with due respect for the culture of the peoples concerned, their political, economic, social, and educational advancement, their just treatment, and their protection against abuses;
 - b. to develop self-government, to take due account of the political aspirations of the peoples, and to assist them in the progressive development of their free political institutions, according to the particular circumstances of each territory and its peoples and their varying stages of advancement;
 - c. to further international peace and security;
 - d. to promote constructive measures of development, to encourage research, and to co-operate with one another and, when and where appropriate, with specialized international bodies with a view to the practical achievement of the social, economic, and scientific purposes set forth in this Article; and
- to transmit regularly to the Secretary-General for information purposes, subject to such limitation as security and constitutional considerations may require, statistical and other information of a technical nature relating to economic, social, and educational conditions in the territories for which they are respectively responsible other than those territories to which Chapters XII and XIII apply

Article 74

Members of the United Nations also agree that their policy in respect of the territories to which this Chapter applies, no less than in respect of their metropolitan areas, must be based on the general principle of good-neighbourliness, due account being taken of the interests and well-being of the rest of the world, in social, economic, and commercial matters.

Chapter XII

INTERNATIONAL TRUSTEESHIP SYSTEM

Article 75

The United Nations shall establish under its authority an international trusteeship system for the administration and supervision of such territories as may be placed thereunder by subsequent individual agreements. These territories are hereinafter referred to as trust territories.

Article 76

The basic objectives of the trusteeship system, in accordance with the Purposes of the United Nations laid down in Article 1 of the present Charter, shall be:

- a. to further international peace and security;
- b. to promote the political, economic, social, and educational advancement of the inhabitants of the trust territories, and their progressive development towards self-government or independence as may be appropriate to the particular circumstances of each territory and its peoples and the freely expressed wishes of the peoples concerned, and as may be provided by the terms of each trusteeship agreement;
- c. to encourage respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion, and to encourage recognition of the interdependence of the peoples of the world; and
- d. to ensure equal treatment in social, economic, and commercial matters for all Members of the United Nations and their nationals, and also equal treatment for the latter in the administration of justice, without prejudice to the attainment of the foregoing objectives and subject to the provisions of Article 80.

Article 77

1. The trusteeship system shall apply to such territories in the following categories as may be placed thereunder by means of trusteeship agreements:

- a. territories now held under mandate;
- b. territories which may be detached from enemy states as a result of the Second World War; and
- c. territories voluntarily placed under the system by states responsible for their administration.

2. It will be a matter for subsequent agreement as to which territories in the foregoing categories will be brought under the trusteeship system and upon what terms.

Article 78

The trusteeship system shall not apply to territories which have become Members of the United Nations, relationship among which shall be based on respect for the principle of sovereign equality.

Article 79

The terms of trusteeship for each territory to be placed under the trusteeship system, including any alteration or amendment, shall be agreed upon by the states directly concerned, including the mandatory power in the case of territories held under mandate by a Member of the United Nations, and shall be approved as provided for in Articles 83 and 85.

Article 80

1. Except as may be agreed upon in individual trusteeship agreements, made under Articles 77, 79 and 81, placing each territory under the trusteeship system, and until such agreements have been concluded, nothing in this Chapter shall be construed in or of itself to alter in any manner the rights whatsoever, of any states or any peoples or the terms of existing international instruments to which Members of the United Nations may respectively be parties.

2. Paragraph 1 of this Article shall not be interpreted as giving grounds for delay or postponement of the negotiation and conclusion of agreements for placing mandated and other territories under the trusteeship system as provided for in Article 77.

Article 81

The trusteeship agreement shall in each case include the terms under which the trust territory will be administered and designate the authority which will exercise the administration of the trust territory. Such authority, hereinafter called the administering authority, may be one or more states or the Organization itself.

Article 82

There may be designated, in any trusteeship agreement, a strategic area or areas which may include part or all of the trust territory to which the agreement applies, without prejudice to any special agreement or agreements made under Article 43.

Article 83

1. All functions of the United Nations relating to strategic areas, including the approval of the terms of the trusteeship agreements and of their alteration or amendment, shall be exercised by the Security Council.

2. The basic objectives set forth in Article 76 shall be applicable to the people of each strategic area.

3. The Security Council shall, subject to the provisions of the trusteeship agreements and without prejudice to security considerations, avail itself of the assistance of the Trusteeship Council to perform those functions of the United Nations under the trusteeship system relating to political, economic, social, and educational matters in the strategic areas.

Article 84

It shall be the duty of the administering authority to ensure that the trust territory shall play its part in the maintenance of international peace and security. To this end the administering authority may make use of volunteer forces, facilities, and assistance from the trust territory in carrying out the obligations

towards the Security Council undertaken in this regard by the administering authority, as well as for local defence and the maintenance of law and order within the trust territory.

Article 85

1. The functions of the United Nations with regard to trusteeship agreements for all areas not designated as strategic, including the approval of the terms of the trusteeship agreements and of their alteration or amendment, shall be exercised by the General Assembly.

2. The Trusteeship Council, operating under the authority of the General Assembly, shall assist the General Assembly in carrying out these functions.

Chapter XIII

THE TRUSTEESHIP COUNCIL

Composition

Article 86

1. The Trusteeship Council shall consist of the following Members of the United Nations:

- a. those Members administering trust territories;
- b. such of those Members mentioned by name in Article 23 as are not administering trust territories; and
- c. as many other Members elected for three-year terms by the General Assembly as may be necessary to ensure that the total number of members of the Trusteeship Council is equally divided between those Members of the United Nations which administer trust territories and those which do not.

2. Each member of the Trusteeship Council shall designate one specially qualified person to represent it therein.

Functions and Powers

Article 87

The General Assembly and, under its authority, the Trusteeship Council, in carrying out their functions, may:

- a. consider reports submitted by the administering authority;
- b. accept petitions and examine them in consultation with the administering authority;
- c. provide for periodic visits to the respective trust territories at times agreed upon with the administering authority; and
- d. take these and other actions in conformity with the terms of the trusteeship agreements.

Article 88

The Trusteeship Council shall formulate a questionnaire on the political, economic, social, and educational advancement of the inhabitants of each trust territory, and the administering authority for each trust territory within the competence of the General Assembly shall make an annual report to the General Assembly upon the basis of such questionnaire.

Voting

Article 89

1. Each member of the Trusteeship Council shall have one vote.
2. Decisions of the Trusteeship Council shall be made by a majority of the members present and voting.

Procedure

Article 90

1. The Trusteeship Council shall adopt its own rules of procedure, including the method of selecting its President.

2. The Trusteeship Council shall meet as required in accordance with its rules, which shall include provision for the convening of meetings on the request of a majority of its members.

Article 91

The Trusteeship Council shall, when appropriate, avail itself of the assistance of the Economic and Social Council and of the specialized agencies in regard to matters with which they are respectively concerned.

Chapter XIV

THE INTERNATIONAL COURT OF JUSTICE

Article 92

The International Court of Justice shall be the principal judicial organ of the United Nations. It shall function in accordance with the annexed Statute, which is based upon the Statute of the Permanent Court of International Justice and forms an integral part of the present Charter.

Article 93

1. All Members of the United Nations are ipso facto parties to the Statute of the International Court of Justice.

2. A state which is not a Member of the United Nations may become a party to the Statute of the International Court of Justice on conditions to be determined in each case by the General Assembly upon the recommendation of the Security Council.

Article 94

1. Each Member of the United Nations undertakes to comply with the decision of the International Court of Justice in any case to which it is a party.

2. If any party to a case fails to perform the obligations incumbent upon it under a judgment rendered by the Court, the other party may have recourse to the Security Council, which may, if it deems necessary, make recommendations or decide upon measures to be taken to give effect to the judgment.

Article 95

Nothing in the present Charter shall prevent Members of the United Nations from entrusting the solution of their differences to other tribunals by virtue of agreements already in existence or which may be concluded in the future.

Article 96

1. The General Assembly or the Security Council may request the International Court of Justice to give an advisory opinion on any legal question.

2. Other organs of the United Nations and specialized agencies, which may at any time be so authorized by the General Assembly, may also request advisory opinions of the Court on legal questions arising within the scope of their activities.

Chapter XV

THE SECRETARIAT

Article 97

The Secretariat shall comprise a Secretary-General and such staff as the Organization may require. The Secretary-General shall be appointed by the General Assembly upon the recommendation of the Security Council. He shall be the chief administrative officer of the Organization.

Article 98

The Secretary-General shall act in that capacity in all meetings of the General Assembly, of the Security Council, of the Economic and Social Council, and of the Trusteeship Council, and shall perform such other functions as are entrusted to him by these organs. The Secretary-General shall make an annual report to the General Assembly on the work of the Organization.

Article 99

The Secretary-General may bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security.

Article 100

1. In the performance of their duties the Secretary-General and the staff shall not seek or receive instructions from any government or from any other authority external to the organization. They shall refrain from any action which might reflect on their position as international officials responsible only to the Organization.

2. Each Member of the United Nations undertakes to respect the exclusively international character of the responsibilities of the Secretary-General and the staff and not to seek to influence them in the discharge of their responsibilities.

Article 101

1. The staff shall be appointed by the Secretary-General under regulations established by the General Assembly.

2. Appropriate staffs shall be permanently assigned to the Economic and Social Council, the Trusteeship Council, and, as required, to other organs of the United Nations. These staffs shall form a part of the Secretariat.

3. 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.

Chapter XVI

MISCELLANEOUS PROVISIONS

Article 102

1. Every treaty and every international agreement entered into by any Member of the United Nations after the present Charter comes into force shall as soon as possible be registered with the Secretariat and published by it.

2. No party to any such treaty or international agreement which has not been registered in accordance with the provisions of paragraph 1 of this Article may invoke that treaty or agreement before any organ of the United Nations.

Article 103

In the event of a conflict between the obligations of the Members of the United Nations under the present Charter and their obligations under any other international agreement, their obligations under the present Charter shall prevail.

Article 104

The Organization shall enjoy in the territory of each of its Members such legal capacity as may be necessary for the exercise of its functions and the fulfilment of its purposes.

Article 105

1. The Organization shall enjoy in the territory of each of its Members such privileges and immunities as are necessary for the fulfilment of its purposes.

2. Representatives of the Members of the United Nations and officials of the Organization shall similarly enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connexion with the Organization.

3. The General Assembly may make recommendations with a view to determining the details of the application of paragraphs 1 and 2 of this Article or may propose conventions to the Members of the United Nations for this purpose.

Chapter XVII

TRANSITIONAL SECURITY ARRANGEMENTS

Article 106

Pending the coming into force of such special agreements referred to in Article 43 as in the opinion of the Security Council enable it to begin the exercise of its responsibilities under Article 42, the parties to the Four-Nation Declaration, signed at Moscow, 30 October 1943, and France, shall, in accordance with the provisions of paragraph 5 of that Declaration, consult with one another and as occasion requires with other Members of the United Nations with a view to such joint action on behalf of the Organization as may be necessary for the purpose of maintaining international peace and security.

Article 107

Nothing in the present charter shall invalidate or preclude action, in relation to any state which during the Second World War has been an enemy of any signatory to the present Charter, taken or authorized as a result of that war by the Governments having responsibility for such action.

Chapter XVIII

AMENDMENTS

Article 108

Amendments to the present Charter shall come into force for all Members of the United Nations when they have been adopted by a vote of two thirds of the members of the General Assembly and ratified in accordance with their respective constitutional processes by two thirds of the Members of the United Nations, including all the permanent members of the Security Council.

Article 109⁴

1. A General Conference of the Members of the United Nations for the purpose of reviewing the present Charter may be held at a date and place to be fixed by a two-thirds vote of the members of the General Assembly and by a vote of any nine members of the Security Council. Each Member of the United Nations shall have one vote in the conference.

2. Any alteration of the present Charter recommended by a two-thirds vote of the conference shall take effect when ratified in accordance with their respective constitutional processes by two thirds of the Members of the United Na-

tions including all the permanent members of the Security Council.

3. If such a conference has not been held before the tenth annual session of the General Assembly following the coming into force of the present Charter, the proposal to call such a conference shall be placed on the agenda of that session of the General Assembly, and the conference shall be held if so decided by a majority vote of the members of the General Assembly and by a vote of any seven members of the Security Council.

Chapter XIX

RATIFICATION AND SIGNATURE

Article 110

1. The present Charter shall be ratified by the signatory states in accordance with their respective constitutional processes.

2. The ratifications shall be deposited with the Government of the United States of America, which shall notify all the signatory states of each deposit as well as the Secretary-General of the Organization when he has been appointed.

3. The present Charter shall come into force upon the deposit of ratifications by the Republic of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America, and by a majority of the other signatory states. A protocol of the ratifications deposited shall thereupon be drawn up by the Government of the United States of America which shall communicate copies thereof to all the signatory states.

4. The states signatory to the present Charter which ratify it after it has come into force will become original Members of the United Nations on the date of the deposit of their respective ratifications.

Article 111

The present Charter, of which the Chinese, French, Russian, English, and Spanish texts are equally authentic, shall remain deposited in the archives of the Government of the United States of America. Duly certified copies thereof shall be transmitted by that Government to the Governments of the other signatory states.

IN FAITH WHEREOF the representatives of the Governments of the United Nations have signed the present Charter.

DONE at the city of San Francisco the twenty-sixth day of June, one thousand nine hundred and forty-five.

[1] Amended text of Article 23, which came into force on 31 August 1965.

(The text of Article 23 before it was amended read as follows:

1. The Security Council shall consist of eleven Members of the United Nations. The Republic of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America shall be permanent members of the Security Council. The General Assembly shall elect six other Members of the United Nations to be non-permanent members of the Security Council, due regard being specially paid in the first instance to the contributions of Members of the United Nations to the maintenance of international peace and security and to the other purposes of the Organization, and also to equitable geographical distribution.

2. The non-permanent members of the Security Council shall be elected for a term of two years. In the first election of the non-permanent members, however, three shall be chosen for a term of one year. A retiring member shall not be eligible for immediate re-election.

3. Each member of the Security Council shall have one representative.)

[2] Amended text of Article 27, which came into force on 31 August 1965.

(The text of Article 27 before it was amended reads as follows:

1. Each member of the Security Council shall have one vote.

2. Decisions of the Security Council on procedural matters shall be made by an affirmative vote of seven members.

3. Decisions of the Security Council on all other matters shall be made by an affirmative vote of seven members including the concurring votes of the permanent members; provided that, in decisions under Chapter VI, and under paragraph 3 of Article 52, a party to a dispute shall abstain from voting.)

[3] Amended text of Article 61, which came into force on 24 September 1973.

(The text of Article 61 as previously amended on 31 August 1965 read as follows:

1. The Economic and Social Council shall consist of twenty-seven Members of the United Nations elected by the General Assembly.

2. Subject to the provisions of paragraph 3, nine members of the Economic and Social Council shall be elected each year for a term of three years. A retiring member shall be eligible for immediate re-election.

3. At the first election after the increase in the membership of the Economic and Social Council from eighteen to twenty-seven members, in addition to the members elected in place of the six members whose term of office expires at the end of that year, nine

additional members shall be elected. Of these nine additional members, the term of office of three members so elected shall expire at the end of one year, and of three other members at the end of two years, in accordance with arrangements made by the General Assembly.

4. Each member of the Economic and Social Council shall have one representative.)

[4] Amended text of Article 109, which came into force on 12 June 1968.

(The text of Article 109 before it was amended reads as follows:

1. A General Conference of the Members of the United Nations for the purpose of reviewing the present Charter may be held at a date and place to be fixed by a two-thirds vote of the members of the General Assembly and by a vote of any seven members of the Security Council. Each Member of the United Nations shall have one vote in the conference.

2. Any alteration of the present Charter recommended by a two-thirds vote of the conference shall take effect when ratified in accordance with their respective constitutional processes by two thirds of the Members of the United Nations including all the permanent members of the Security Council.

3. If such a conference has not been held before the tenth annual session of the General Assembly following the coming into force of the present Charter, the proposal to call such a conference shall be placed on the agenda of that session of the General Assembly, and the conference shall be held if so decided by a majority vote of the members of the General Assembly and by a vote of any seven members of the Security Council.)

Statute of the international Court of Justice

Article 1

The International Court of Justice established by the Charter of the United Nations as the principal judicial organ of the United Nations shall be constituted and shall function in accordance with the provisions of the present Statute.

Chapter I

ORGANIZATION OF THE COURT

Article 2

The Court shall be composed of a body of independent judges, elected regardless of their nationality from among persons of high moral character, who possess the qualifications required in their respective countries for appointment to the highest judicial offices, or are jurisconsults of recognized competence in international law.

Article 3

1. The Court shall consist of fifteen members, no two of whom may be nationals of the same state.

2. A person who for the purposes of membership in the Court could be regarded as a national of more than one state shall be deemed to be a national of the one in which he ordinarily exercises civil and political rights.

Article 4

1. The members of the Court shall be elected by the General Assembly and by the Security Council from a list of persons nominated by the national groups in the Permanent Court of Arbitration, in accordance with the following provisions.

2. In the case of Members of the United Nations not represented in the Permanent Court of Arbitration, candidates shall be nominated by national groups appointed for this purpose by their governments under the same conditions as those prescribed for members of the Permanent Court of Arbitration by Article 44 of the Convention of The Hague of 1907 for the pacific settlement of international disputes.

3. The conditions under which a state which is a party to the present Statute but is not a Member of the United Nations may participate in electing the members of the Court shall, in the absence of a special agreement, be laid down by the General Assembly upon recommendation of the Security Council.

Article 5

1. At least three months before the date of the election, the Secretary-General of the United Nations shall address a written request to the members of the Permanent Court of Arbitration belonging to the states which are parties to the present Statute, and to the members of the national groups appointed under Article 4, paragraph 2, inviting them to undertake, within a given

time, by national groups, the nomination of persons in a position to accept the duties of a member of the Court.

2. No group may nominate more than four persons, not more than two of whom shall be of their own nationality. In no case may the number of candidates nominated by a group be more than double the number of seats to be filled.

Article 6

Before making these nominations, each national group is recommended to consult its highest court of justice, its legal faculties and schools of law, and its national academies and national sections of international academies devoted to the study of law.

Article 7

1. The Secretary-General shall prepare a list in alphabetical order of all the persons thus nominated. Save as provided in Article 12, paragraph 2, these shall be the only persons eligible.

2. The Secretary-General shall submit this list to the General Assembly and to the Security Council.

Article 8

The General Assembly and the Security Council shall proceed independently of one another to elect the members of the court.

Article 9

At every election, the electors shall bear in mind not only that the persons to be elected should individually possess the qualifications required, but also that in the body as a whole the representation of the main forms of civilization and of the principal legal systems of the world should be assured.

Article 10

1. Those candidates who obtain an absolute majority of votes in the General Assembly and in the Security Council shall be considered as elected.

2. Any vote of the Security Council, whether for the election of judges or for the appointment of members of the conference envisaged in Article 12, shall be taken without any distinction between permanent and non-permanent members of the Security Council.

3. In the event of more than one national of the same state obtaining an absolute majority of the votes both of the General Assembly and of the Security Council, the eldest of these only shall be considered as elected.

Article 11

If, after the first meeting held for the purpose of the election, one or more seats remain to be filled, a second and, if necessary, a third meeting shall take place.

Article 12

1. If, after the third meeting, one or more seats still remain unfilled, a joint conference consisting of six members, three appointed by the General Assembly and three by the Security Council, may be formed at any time at the request of either the General Assembly or the Security Council, for the purpose of choosing by the vote of an absolute majority one name for each seat still vacant, to submit to the General Assembly and the Security Council for their respective acceptance.

2. If the joint conference is unanimously agreed upon any person who fulfils the required conditions, he may be included in its list, even though he was not included in the list of nominations referred to in Article 7.

3. If the joint conference is satisfied that it will not be successful in procuring an election, those members of the Court who have already been elected shall, within a period to be fixed by the Security Council, proceed to fill the vacant seats by selection from among those candidates who have obtained votes either in the General Assembly or in the Security Council.

4. In the event of an equality of votes among the judges, the eldest judge shall have a casting vote.

Article 13

1. The members of the Court shall be elected for nine years and may be re-elected; provided, however, that of the judges elected at the first election, the terms of five judges shall expire at the end of three years and the terms of five more judges shall expire at the end of six years.

2. The judges whose terms are to expire at the end of the above-mentioned initial periods of three and six years shall be chosen by lot to be drawn by the Secretary-General immediately after the first election has been completed.

3. The members of the Court shall continue to discharge their duties until their places have been filled. Though replaced, they shall finish any cases which they may have begun.

4. In the case of the resignation of a member of the Court, the resignation shall be addressed to the President of the Court for transmission to the Secretary-General. This last notification makes the place vacant.

Article 14

Vacancies shall be filled by the same method as that laid down for the first election, subject to the following provision: the Secretary-General shall, within one month of the occurrence of the vacancy, proceed to issue the invitations provided for in Article 5, and the date of the election shall be fixed by the Security Council.

Article 15

A member of the Court elected to replace a member whose term of office has not expired shall hold office for the remainder of his predecessor's term.

Article 16

1. No member of the Court may exercise any political or administrative function, or engage in any other occupation of a professional nature.

2. Any doubt on this point shall be settled by the decision of the Court.

Article 17

1. No member of the Court may act as agent, counsel, or advocate in any case.

2. No member may participate in the decision of any case in which he has previously taken part as agent, counsel, or advocate for one of the parties, or as a member of a national or international court, or of a commission of enquiry, or in any other capacity.

3. Any doubt on this point shall be settled by the decision of the Court.

Article 18

1. No member of the Court can be dismissed unless, in the unanimous opinion of the other members, he has ceased to fulfil the required conditions.

2. Formal notification thereof shall be made to the Secretary-General by the Registrar.

3. This notification makes the place vacant.

Article 19

The members of the Court, when engaged on the business of the Court, shall enjoy diplomatic privileges and immunities.

Article 20

Every member of the Court shall, before taking up his duties, make a solemn declaration in open court that he will exercise his powers impartially and conscientiously.

Article 21

1. The Court shall elect its President and Vice-President for three years; they may be re-elected.

2. The Court shall appoint its Registrar and may provide for the appointment of such other officers as may be necessary.

Article 22

1. The seat of the Court shall be established at The Hague. This, however, shall not prevent the Court from sitting and exercising its functions elsewhere whenever the Court considers it desirable.

2. The President and the Registrar shall reside at the seat of the Court.

Article 23

1. The Court shall remain permanently in session, except during the judicial vacations, the dates and duration of which shall be fixed by the Court.

2. Members of the Court are entitled to periodic leave, the dates and duration of which shall be fixed by the Court, having in mind the distance between The Hague and the home of each judge.

3. Members of the Court shall be bound, unless they are on leave or prevented from attending by illness or other serious reasons duly explained to the President, to hold themselves permanently at the disposal of the Court.

Article 24

1. If, for some special reason, a member of the Court considers that he should not take part in the decision of a particular case, he shall so inform the President.

2. If the President considers that for some special reason one of the members of the Court should not sit in a particular case, he shall give him notice accordingly.

3. If in any such case the member of the Court and the President disagree, the matter shall be settled by the decision of the court.

Article 25

1. The full Court shall sit except when it is expressly provided otherwise in the present Statute.

2. Subject to the condition that the number of judges available to constitute the Court is not thereby reduced below eleven, the Rules of the Court may provide for allowing one or more judges, according to circumstances and in rotation, to be dispensed from sitting.

3. A quorum of nine judges shall suffice to constitute the court.

Article 26

1. The Court may from time to time form one or more chambers, composed of three or more judges as the Court may determine, for dealing with particular categories of cases; for example, labour cases and cases relating to transit and communications.

2. The Court may at any time form a chamber for dealing with a particular case. The number of judges to constitute such a chamber shall be determined by the Court with the approval of the parties.

3. Cases shall be heard and determined by the chambers provided for in this Article if the parties so request.

Article 27

A judgment given by any of the chambers provided for in Articles 26 and 29 shall be considered as rendered by the Court.

Article 28

The chambers provided for in Articles 26 and 29 may, with the consent of the parties, sit and exercise their functions elsewhere than at The Hague.

Article 29

With a view to the speedy dispatch of business, the Court shall form annually a chamber composed of five judges which, at the request of the parties, may hear and determine cases by summary procedure. In addition, two judges shall be selected for the purpose of replacing judges who find it impossible to sit.

Article 30

1. The Court shall frame rules for carrying out its functions. In particular, it shall lay down rules of procedure.

2. The Rules of the Court may provide for assessors to sit with the Court or with any of its chambers, without the right to vote.

Article 31

1. Judges of the nationality of each of the parties shall retain their right to sit in the case before the Court.

2. If the Court includes upon the Bench a judge of the nationality of one of the parties, any other party may choose a person to sit as judge. Such person shall be chosen preferably from among those persons who have been nominated as candidates as provided in Articles 4 and 5.

3. If the Court includes upon the Bench no judge of the nationality of the parties, each of these parties may proceed to choose a judge as provided in paragraph 2 of this Article.

4. The provisions of this Article shall apply to the case of Articles 26 and 29. In such cases, the President shall request one or, if necessary, two of the members of the Court forming the chamber to give place to the members of the Court of the nationality of the parties concerned, and, failing such, or if they are unable to be present, to the judges specially chosen by the parties.

5. Should there be several parties in the same interest, they shall, for the purpose of the preceding provisions, be reckoned as one party only. Any doubt upon this point shall be settled by the decision of the Court.

6. Judges chosen as laid down in paragraphs 2, 3 and 4 of this Article shall fulfil the conditions required by Articles 2, 17 (paragraph 2), 20, and 24 of the present Statute. They shall take part in the decision on terms of complete equality with their colleagues.

Article 32

1. Each member of the Court shall receive an annual salary.

2. The President shall receive a special annual allowance.

3. The Vice-President shall receive a special allowance for every day on which he acts as President.

4. The judges chosen under Article 31, other than members of the Court, shall receive compensation for each day on which they exercise their functions.

5. These salaries, allowances, and compensation shall be fixed by the General Assembly. They may not be decreased during the term of office.

6. The salary of the Registrar shall be fixed by the General Assembly on the proposal of the Court.

7. Regulations made by the General Assembly shall fix the conditions under which retirement pensions may be given to members of the Court and to the Registrar, and the conditions

under which members of the Court and the Registrar shall have their travelling expenses refunded.

8. The above salaries, allowances, and compensation shall be free of all taxation.

Article 33

The expenses of the Court shall be borne by the United Nations in such a manner as shall be decided by the General Assembly.

Chapter II

COMPETENCE OF THE COURT

Article 34

1. Only states may be parties in cases before the Court.

2. The Court, subject to and in conformity with its Rules, may request of public international organizations information relevant to cases before it, and shall receive such information presented by such organizations on their own initiative.

3. Whenever the construction of the constituent instrument of a public international organization or of an international convention adopted thereunder is in question in a case before the Court, the Registrar shall so notify the public international organization concerned and shall communicate to it copies of all the written proceedings.

Article 35

1. The Court shall be open to the states parties to the present Statute.

2. The conditions under which the Court shall be open to other states shall, subject to the special provisions contained in treaties in force, be laid down by the Security Council, but in no case shall such conditions place the parties in a position of inequality before the Court.

3. When a state which is not a Member of the United Nations is a party to a case, the Court shall fix the amount which that party is to contribute towards the expenses of the Court. This provision shall not apply if such state is bearing a share of the expenses of the Court.

Article 36

1. The jurisdiction of the Court comprises all cases which the parties refer to it and all matters specially provided for in the Charter of the United Nations or in treaties and conventions in force.

2. The states parties to the present Statute may at any time declare that they recognize as compulsory *ipso facto* and without special agreement, in relation to any other state accepting the same obligation, the jurisdiction of the Court in all legal disputes concerning:

a. the interpretation of a treaty;

b. any question of international law;

c. the existence of any fact which, if established, would constitute a breach of an international obligation;

d. the nature or extent of the reparation to be made for the breach of an international obligation.

3. The declarations referred to above may be made unconditionally or on condition of reciprocity on the part of several or certain states, or for a certain time.

4. Such declarations shall be deposited with the Secretary-General of the United Nations, who shall transmit copies thereof to the parties to the Statute and to the Registrar of the Court.

5. Declarations made under Article 36 of the Statute of the Permanent Court of International Justice and which are still in force shall be deemed, as between the parties to the present Statute, to be acceptances of the compulsory jurisdiction of the International Court of Justice for the period which they still have to run and in accordance with their terms.

6. In the event of a dispute as to whether the Court has jurisdiction, the matter shall be settled by the decision of the Court.

Article 37

Whenever a treaty or convention in force provides for reference of a matter to a tribunal to have been instituted by the League of Nations, or to the Permanent Court of International Justice, the matter shall, as between the parties to the present Statute, be referred to the International Court of Justice.

Article 38

1. The Court, whose function is to decide in accordance with international law such disputes as are submitted to it, shall apply:

- a. international conventions, whether general or particular, establishing rules expressly recognized by the contracting states;
- b. international custom, as evidence of a general practice accepted as law;
- c. the general principles of law recognized by civilized nations;
- d. subject to the provisions of Article 59, judicial decisions and the teachings of the most highly qualified publicists of the various nations, as subsidiary means for the determination of rules of law.

2. This provision shall not prejudice the power of the Court to decide a case *ex aequo et bono*, if the parties agree thereto.

Chapter III PROCEDURE

Article 39

1. The official languages of the Court shall be French and English. If the parties agree that the case shall be conducted in French, the judgment shall be delivered in French. If the parties agree that the case shall be conducted in English, the judgment shall be delivered in English.

2. In the absence of an agreement as to which language shall be employed, each party may, in the pleadings, use the language which it prefers; the decision of the Court shall be given in French and English. In this case the Court shall at the same time determine which of the two texts shall be considered as authoritative.

3. The Court shall, at the request of any party, authorize a language other than French or English to be used by that party.

Article 40

1. Cases are brought before the Court, as the case may be, either by the notification of the special agreement or by a written application addressed to the Registrar. In either case the subject of the dispute and the parties shall be indicated.

2. The Registrar shall forthwith communicate the application to all concerned.

3. He shall also notify the Members of the United Nations through the Secretary-General, and also any other states entitled to appear before the Court.

Article 41

1. The Court shall have the power to indicate, if it considers that circumstances so require, any provisional measures which ought to be taken to preserve the respective rights of either party.

2. Pending the final decision, notice of the measures suggested shall forthwith be given to the parties and to the Security Council.

Article 42

1. The parties shall be represented by agents.

2. They may have the assistance of counsel or advocates before the Court.

3. The agents, counsel, and advocates of parties before the Court shall enjoy the privileges and immunities necessary to the independent exercise of their duties.

Article 43

1. The procedure shall consist of two parts: written and oral.

2. The written proceedings shall consist of the communication to the Court and to the parties of memorials, counter-memorials and, if necessary, replies; also all papers and documents in support.

3. These communications shall be made through the Registrar, in the order and within the time fixed by the Court.

4. A certified copy of every document produced by one party shall be communicated to the other party.

5. The oral proceedings shall consist of the hearing by the Court of witnesses, experts, agents, counsel, and advocates.

Article 44

1. For the service of all notices upon persons other than the agents, counsel, and advocates, the Court shall apply direct to the government of the state upon whose territory the notice has to be served.

2. The same provision shall apply whenever steps are to be taken to procure evidence on the spot.

Article 45

The hearing shall be under the control of the President or, if he is unable to preside, of the Vice-President; if neither is able to preside, the senior judge present shall preside.

Article 46

The hearing in Court shall be public, unless the Court shall decide otherwise, or unless the parties demand that the public be not admitted.

Article 47

1. Minutes shall be made at each hearing and signed by the Registrar and the President.

2. These minutes alone shall be authentic.

Article 48

The Court shall make orders for the conduct of the case, shall decide the form and time in which each party must conclude its arguments, and make all arrangements connected with the taking of evidence.

Article 49

The Court may, even before the hearing begins, call upon the agents to produce any document or to supply any explanations. Formal note shall be taken of any refusal.

Article 50

The Court may, at any time, entrust any individual, body, bureau, commission, or other organization that it may select, with the task of carrying out an enquiry or giving an expert opinion.

Article 51

During the hearing any relevant questions are to be put to the witnesses and experts under the conditions laid down by the Court in the rules of procedure referred to in Article 30.

Article 52

After the Court has received the proofs and evidence within the time specified for the purpose, it may refuse to accept any further oral or written evidence that one party may desire to present unless the other side consents.

Article 53

1. Whenever one of the parties does not appear before the Court, or fails to defend its case, the other party may call upon the Court to decide in favour of its claim.

2. The Court must, before doing so, satisfy itself, not only that it has jurisdiction in accordance with Articles 36 and 37, but also that the claim is well founded in fact and law.

Article 54

1. When, subject to the control of the Court, the agents, counsel, and advocates have completed their presentation of the case, the President shall declare the hearing closed.

2. The Court shall withdraw to consider the judgment.
3. The deliberations of the Court shall take place in private and remain secret.

Article 55

1. All questions shall be decided by a majority of the judges present.
2. In the event of an equality of votes, the President or the judge who acts in his place shall have a casting vote.

Article 56

1. The judgment shall state the reasons on which it is based.
2. It shall contain the names of the judges who have taken part in the decision.

Article 57

If the judgment does not represent in whole or in part the unanimous opinion of the judges, any judge shall be entitled to deliver a separate opinion.

Article 58

The judgment shall be signed by the President and by the Registrar. It shall be read in open court, due notice having been given to the agents.

Article 59

The decision of the Court has no binding force except between the parties and in respect of that particular case.

Article 60

The judgment is final and without appeal. In the event of dispute as to the meaning or scope of the judgment, the Court shall construe it upon the request of any party.

Article 61

1. An application for revision of a judgment may be made only when it is based upon the discovery of some fact of such a nature as to be a decisive factor, which fact was, when the judgment was given, unknown to the Court and also the party claiming revision, always provided that such ignorance was not due to negligence.
2. The proceedings for revision shall be opened by a judgment of the Court expressly recording the existence of the new fact, recognizing that it has such a character as to lay the case open to revision, and declaring the application admissible on this ground.
3. The Court may require previous compliance with the terms of the judgment before it admits proceedings in revision.
4. The application for revision must be made at latest within six months of the discovery of the new fact.
5. No application for revision may be made after the lapse of ten years from the date of the judgment.

Article 62

1. Should a state consider that it has an interest of a legal nature which may be affected by the decision in the case, it may submit a request to the Court to be permitted to intervene.
2. It shall be for the Court to decide upon this request.

Article 63

1. Whenever the construction of a convention to which states other than those concerned in the case are parties is in question, the Registrar shall notify all such states forthwith.
2. Every state so notified has the right to intervene in the proceedings; but if it uses this right, the construction given by the judgment will be equally binding upon it.

Article 64

Unless otherwise decided by the Court, each party shall bear its own costs.

Chapter IV

ADVISORY OPINIONS

Article 65

1. The Court may give an advisory opinion on any legal question at the request of whatever body may be authorized by or in accordance with the Charter of the United Nations to make such a request.
2. Questions upon which the advisory opinion of the Court is asked shall be laid before the Court by means of a written request containing an exact statement of the question upon which an opinion is required, and accompanied by all documents likely to throw light upon the question.

Article 66

1. The Registrar shall forthwith give notice of the request for an advisory opinion to all states entitled to appear before the Court.
2. The Registrar shall also, by means of a special and direct communication, notify any state entitled to appear before the Court or international organization considered by the Court, or, should it not be sitting, by the President, as likely to be able to furnish information on the question, that the Court will be prepared to receive, within a time limit to be fixed by the President, written statements, or to hear, at a public sitting to be held for the purpose, oral statements relating to the question.
3. Should any such state entitled to appear before the Court have failed to receive the special communication referred to in paragraph 2 of this Article, such state may express a desire to submit a written statement or to be heard; and the Court will decide.
4. States and organizations having presented written or oral statements or both shall be permitted to comment on the statements made by other states or organizations in the form, to the extent, and within the time limits which the Court, or, should it not be sitting, the President, shall decide in each particular case. Accordingly, the Registrar shall in due time communicate any such written statements to states and organizations having submitted similar statements.

Article 67

The Court shall deliver its advisory opinions in open court, notice having been given to the Secretary-General and to the representatives of Members of the United Nations, of other states and of international organizations immediately concerned.

Article 68

In the exercise of its advisory functions the Court shall further be guided by the provisions of the present Statute which apply in contentious cases to the extent to which it recognizes them to be applicable.

Chapter V

AMENDMENT

Article 69

Amendments to the present Statute shall be effected by the same procedure as is provided by the Charter of the United Nations for amendments to that Charter, subject however to any provisions which the General Assembly upon recommendation of the Security Council may adopt concerning the participation of states which are parties to the present Statute but are not Members of the United Nations.

Article 70

The Court shall have power to propose such amendments to the present Statute as it may deem necessary, through written communications to the Secretary-General, for consideration in conformity with the provisions of Article 69.

Appendix III

Structure of the United Nations

General Assembly

The General Assembly is composed of all the Members of the United Nations.

SESSIONS

Resumed forty-fourth session: 20 February- 17 September 1990.

Seventeenth special session: 20-23 February 1990.

Eighteenth special session: 23 April-1 May 1990.

Forty-fifth session:¹ 18 September-21 December 1990 (suspended).

OFFICERS

Resumed forty-fourth session and seventeenth and eighteenth special sessions

President: Joseph Nanven Garba (Nigeria).²

Vice-Presidents:³ Antigua and Barbuda, Bolivia, Brunei Darussalam, China, Congo, Costa Rica, France, Gambia, Iran, Iraq, Kuwait, Luxembourg, Morocco, Norway, Papua New Guinea, Poland, Sudan, USSR, United Kingdom, United States, Zimbabwe.

Forty-fifth session

President: Guido de Marco (Malta).⁴

Vice-Presidents:⁵ Brazil, Canada, China, Cyprus, Egypt, Fiji, France, Ghana, Honduras, Indonesia, Lebanon, Mauritius, Mozambique, Rwanda, Saint Lucia, Senegal, USSR, United Arab Emirates, United Kingdom, United States, Yugoslavia.

The Assembly has four types of committees: (1) Main Committees; (2) procedural committees; (3) standing committees; (4) subsidiary and ad hoc bodies. In addition, it convenes conferences to deal with specific subjects.

Main Committees

Seven Main Committees have been established as follows:

Political and Security Committee (disarmament and related international security questions) (First Committee)

Special Political Committee

Economic and Financial Committee (Second Committee)

Social, Humanitarian and Cultural Committee (Third Committee)

Trusteeship Committee (including Non-Self-Governing Territories) (Fourth Committee)

Administrative and Budgetary Committee (Fifth Committee)

Legal Committee (Sixth Committee)

The General Assembly may constitute other committees, on which all Members of the United Nations have the right to be represented.

OFFICERS OF THE MAIN COMMITTEES

Resumed forty-fourth session

Special political Committee⁶

Chairman: Guennadi Iossifovich Oudovenko (Ukrainian SSR).

Vice-Chairmen: Choo Siew Kioh (Malaysia), Charles S. Fleming (Saint Lucia).

Rapporteur: Nonet M. Dapul (Philippines).

Fifth Committee⁶

Chairman: Ahmad Fathi Al-Masri (Syrian Arab Republic).

Vice-Chairmen: Kwaku Duah Dankwa (Ghana), Ado Vaher (Canada).

Rapporteur: Etien Ninov (Bulgaria).

Seventeenth and eighteenth special sessions⁷

First Committee

Chairman: Adriana Pulido-Santana (Venezuela) (seventeenth), Andrés Aguilar (Venezuela) (eighteenth).

Special Political Committee

Chairman: Mykola Petrovich Makarevytch (Ukrainian SSR) (seventeenth), Guennadi Iossifovich Oudovenko (Ukrainian SSR) (eighteenth).

Second Committee

Chairman: Ahmed Ghezal (Tunisia).

Third Committee

Chairman: Paul Désiré Kaboré (Burkina Faso) (seventeenth), Gaëtan Rimwanguya Ouedraogo (Burkina Faso) (eighteenth).

Fourth Committee

Chairman: Robert F. Van Lierop (Vanuatu).

Fifth Committee

Chairman: Ahmad Fathi Al-Masri (Syrian Arab Republic).

Sixth Committee

Chairman: Philippe Kirsch (Canada) (seventeenth), Thomas Hajnoczi (Austria) (eighteenth).

Ad Hoc Committee of the Seventeenth Special Session

Chairman: Peter Hohenfellner (Austria).⁸

Vice-Chairmen: Koffi Adjoi (Togo), Ricardo Luna (Peru), Razali Ismail (Malaysia).

Rapporteur: Anatoliy Timofeyevich Oliynyk (Ukrainian SSR).

Ad Hoc Committee of the Eighteenth Special Session

Chairman: Constantine Zepos (Greece).⁹

Vice-Chairmen: Ahmed Ghezal (Tunisia), Eduard Kukan (Czechoslovakia), Wang Baoliu (China).

Rapporteur: Samuel R. Insanally (Guyana).

Forty-fifth session¹⁰

First Committee

Chairman: Jai Pratap Rana (Nepal).

Vice-Chairmen: Ronald S. Morris (Australia), Sergei Nikolae-vich Martynov (Byelorussian SSR).

Rapporteur: Latevi Modem Lawson-Betum (Togo).

Special Political Committee

Chairman: Perezi Karukubiro-Kamunanwire (Uganda).
 Vice-Chairmen: Reynaldo O. Arcilla (Philippines), Abelardo Posso Serrano (Ecuador).
 Rapporteur: Catherine von Heidenstam (Sweden).

Second Committee

Chairman: George Papadatos (Greece).
 Vice-Chairmen: Ahmed Amaziane (Morocco), Carlos Gianelli (Uruguay).
 Rapporteur: Ryszard Rysinski (Poland).

Third Committee

Chairman: Juan O. Somavia (Chile).
 Vice-Chairmen: Jane Coombs (New Zealand), Chipo Zindoga (Zimbabwe).
 Rapporteur: Mario de León (Philippines).

Fourth Committee

Chairman: Martin Adouki (Congo).
 Vice-Chairmen: José E. Acosta-Fragachan (Venezuela), Mohammad Saeed Al-Kindi (United Arab Emirates).
 Rapporteur: James Loudon Kember (New Zealand).

Fifth Committee

Chairman: Ernest Besley Maycock (Barbados).
 Vice-Chairmen: Sergiy V. Koulyk (Ukrainian SSR), Irmeli Mustonen (Finland).
 Rapporteur: Shamel E. Nasser (Egypt).

Sixth Committee

Chairman: Václav Mikulka (Czechoslovakia).
 Vice-Chairmen: Khabouji N'zaji Lukabu (Zaire), Jan-Jaap Van de Velde (Netherlands).
 Rapporteur: Saeid Mirzaee-Yengejeh (Iran).

Procedural committees

General Committee

The General Committee consists of the President of the General Assembly, as Chairman, the 21 Vice-Presidents and the Chairmen of the seven Main Committees.

Credentials Committee

The Credentials Committee consists of nine members appointed by the General Assembly on the proposal of the President.

Resumed forty-fourth session and seventeenth and eighteenth special sessions¹¹
 Antigua and Barbuda, Australia, China, Colombia, Malawi, Philippines, USSR, United States, Zaire.

Forty-fifth session¹²

Botswana, China, Côte d'Ivoire, Ireland, Jamaica, Nepal, Uruguay, USSR, United States.

Standing committees

The two standing committees consist of experts appointed in their individual capacity for three-year terms.

Advisory Committee on Administrative and Budgetary Questions

Members:

To serve until 31 December 1990: Bagbeni Adeito Nzengeya (Zaire); Even Fontaine Ortiz (Cuba); John Fox (United States); Tjaco T. van den Hout (Netherlands); Viktor A. Vislykh (USSR).

To serve until 31 December 1991: Ahmad Fathi Al-Masri (Syrian Arab Republic); Lawrence O. C. Agubuzu (Nigeria); C. S. M. Mselle, Chairman (United Republic of Tanzania); Jozsef Tar-

dos (Hungary); Christopher R. Thomas (Trinidad and Tobago).¹³

To serve until 31 December 1992: Carlos Casap (Bolivia); Yogesh Kumar Gupta (India); Tadanori Inomata (Japan); Ulrich Kalbitzer (Germany); Irmeir Mustonen (Finland); Yang Hushan (China).

On 21 December 1990 (dec. 45/305 B), the General Assembly appointed the following for a three-year term beginning on 1 January 1991 to fill the vacancies occurring on 31 December 1990: Leonid Efimovich Bidny (USSR), Even Fontaine Ortiz (Cuba), John Fox (United States), Richard Kinchen (United Kingdom), M'hand Ladjouzi (Algeria).

Committee on Contributions

Members:

To serve until 31 December 1990: Sayed Amjad Ali, Chairman (Pakistan); Ernesto Battisti (Italy); Alain Catta (France); Yuri Alexandrovich Chulkov (USSR); Carlos Moreira Garcia (Brazil); Wang Liansheng (China).

To serve until 31 December 1991: Kenshiro Akimoto (Japan); John Fox (United States); Ion Gorita (Romania); Elias M. C. Kazembe (Zambia); Vanu Gopala Menon (Singapore); Assen Iliev Zlatanov (Bulgaria).

To serve until 31 December 1992: Bagbeni Adeito Nzengeya (Zaire); Sergio Chapparo Ruiz (Chile); Peter Gregg (Australia); Atilio Norberto Molteni, Vice-Chairman (Argentina); Mohamed Mahmoud Ould El Ghaouth (Mauritania); Dimitri Rallis (Greece).

On 21 December 1990 (dec. 45/320), the General Assembly appointed the following for a three-year term beginning on 1 January 1991 to fill the vacancies occurring on 31 December 1990: Sayed Amjad Ali (Pakistan), Henrik Amneus (Sweden), Yuri Alexandrovich Chulkov (USSR), Jorge José Duhalt (Mexico), Ugo Sessi (Italy), Wang Liansheng (China).

Subsidiary and ad hoc bodies

The following is a list of subsidiary and ad hoc bodies functioning in 1990, including the number of members, dates of meetings/sessions in 1990, document numbers of 1990 reports (which generally provide specific information on membership), and relevant decision numbers pertaining to elections. (For other related bodies, see p. 1149.)

Ad Hoc Committee of the Whole for the Preparation of the International Development Strategy for the Fourth United Nations Development Decade

Sessions: Third, New York, 15 January, 19-23 March; fourth, New York, 4 and 6 June, 17-26 September

Chairman: Gamani Corea (Sri Lanka)

Report: A/45/41

Ad Hoc Committee of the Whole of the General Assembly on the Review and Appraisal of the United Nations Programme of Action for African Economic Recovery and Development (1986-1990)
 Establishment: GA res. 45/178 A (did not meet until 1991)

Ad Hoc Committee on the Indian Ocean

Meetings: New York, 16-21 April, 2-13 July

Chairman: Daya Perera (Sri Lanka)

Membership: 45

Report: A/45/29

Advisory Committee on the United Nations Educational and Training Programme for Southern Africa

Chairman: Tom Eric Vraalsen (Norway)

Membership: 13

Report: A/45/553

Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law

Session: Twenty-fifth, New York, 11 December

Chairman: Edward Obeng Kufuor (Ghana)

Membership: 13

Report: A/46/610 & Corr.1

Board of Auditors

Membership: 3

Decision: GA 45/321

Committee for the United Nations Population Award

Chairman: Jorge Montaña (Mexico)

Membership: 10 (plus 5 honorary members, the Secretary-General and the UNFPA Executive Director)

Report: A/45/278 & Corr.1

Committee of Trustees of the United Nations Trust Fund for South Africa

Chairman: Jan K. Eliasson (Sweden)

Membership: 5

Report: A/45/550

Committee on Applications for Review of Administrative Tribunal Judgements

Sessions: Thirty-fourth, New York, 5 and 7 February; thirty-fifth, New York, 5 and 7 September

Membership: 29 (based on composition of General Committee)

Committee on Conferences

Sessions: New York, 9-12 February (organisational), 20-29 August (substantive)

Chairman: Jaime Bazan (Chile)

Membership: 21

Report: A/45/32

Decisions: GA 45/314 A & B

Committee on Information

Session: Twelfth, New York, 5 April-2 May

Chairman: Orobola Fasehun (Nigeria)

Membership: 74 (78 from 11 December)

Report: A/45/21

Decisions: GA 45/316 A & B

Committee on Relations with the Host Country

Meetings: New York, 31 January, 30 April, 18 June, 10 October, 14 November

Chairman: Constantine Moushoutas (Cyprus)

Membership: 15

Report: A/45/26

Committee on the Development and Utilization of New and Renewable Sources of Energy

Session: Fifth, New York, 26 March-4 April

Chairman: Sean Fitzgerald (Ireland)

Membership: Open to all States

Report: A/45/36

Committee on the Exercise of the Inalienable Rights of the Palestinian People

Meetings: Throughout the year

Chairman: Absa Claude Diallo (Senegal)

Membership: 23

Report: A/45/35

Decision: GA 45/313

Committee on the Peaceful Uses of Outer Space

Session: Thirty-third, New York, 4-14 June

Chairman: Peter Jankowitsch (Austria)

Membership: 53

Report: A/45/20

Decision: GA 45/315

LEGAL SUB-COMMITTEE

Session: Twenty-ninth, Geneva, 2-20 April

Chairman: Václav Mikulka (Czechoslovakia)

Report: A/AC. 105/457 & Corr.1

SCIENTIFIC AND TECHNICAL SUB-COMMITTEE

Session: Twenty-seventh, New York, 26 February-9 March

Chairman: John H. Carver (Australia)

Report: A/AC. 105/456

Disarmament Commission

Sessions: New York, 7-29 May (substantive); New York, 4, 19 and 28 December (organizational)

Chairman: Nana Sutresna (Indonesia)

Membership: All UN Members

Report: A/45/42

High-level Committee on the Review of Technical Co-operation among Developing Countries

Session: Did not meet in 1990 (biennial)

Membership: All States participating in UNDP

Intergovernmental Committee on Science and Technology for Development

Session: Did not meet in 1990

Membership: Open to all States

ADVISORY COMMITTEE ON SCIENCE AND TECHNOLOGY FOR DEVELOPMENT

Session: Tenth, Zhuhai, China, 2-10 April

Membership: 28

Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa

Meetings: Throughout the year

Chairman: Anthony B. Nyakyi (United Republic of Tanzania)

Membership: 11

Report: A/45/43

Intergovernmental Negotiating Committee for a Framework Convention on Climate Change

Session: Did not meet until 1991

Membership: Open to all UN Members or members of specialized agencies

International Civil Service Commission

Sessions: Thirty-first, New York, 5-23 March; thirty-second, Geneva, 9 July-3 August: special session, New York, 5-9 November

Chairman: Richard M. Akwei (Ghana)

Membership: 15

Report: A/45/30 & Add. 1

Decision: GA 45/324

ADVISORY COMMITTEE ON POST ADJUSTMENT QUESTIONS

Session: Fifteenth, Vienna, 2-8 May

Chairman: Carlos S. Vegega (Argentina)

Membership: 6

International Law Commission

Session: Forty-second, Geneva, 1 May-20 July

Chairman: Jiuyong Shi (China)

Membership: 34

Report: A/45/10

Investments Committee

Meetings: New York, 26 February, 13 September, 19 November; London, 25 June

Chairman: Braj Kumar Nehru (India)

Membership: 9

Decision: GA 45/322

Joint Advisory Group on the International
Trade Centre UNCTAD/GATT

Session: Twenty-third, Geneva, 23-27 April
Chairman: K. E. Nouama (Côte d'Ivoire)
Membership: Open to all States members of UNCTAD and all
contracting parties to GATT
Report: ITC/AG/XXIII/122

Joint Inspection Unit

Chairman: Kabongo Tunsala (Zaire)
Membership: 11
Report: A/45/34
Decision: GA 44/315 B

Office of the United Nations High Commissioner
for Refugees (UNHCR)

EXECUTIVE COMMITTEE OF THE HIGH
COMMISSIONER'S PROGRAMME

Session: Forty-first, Geneva, 1-5 October
Chairman: M. Emeka Ayo Azikiwe (Nigeria)
Membership: 44
Report: A/45/12/Add.1
Decision: GA 45/319

High Commissioner Thorvald Stoltenberg

Panel of External Auditors

Membership: Members of the UN Board of Auditors and the
appointed external auditors of the specialized agencies and
IAEA

Preparatory Committee for the Eighteenth Special Session

Sessions: Second, New York, 26 February -2 March; third, New
York, 16-20 April
Chairman: Constantine Zepos (Greece)
Membership: Open to all UN Members
Report: A/S- 18/7

Preparatory Committee for the United Nations Conference
on Environment and Development

Session: First, Nairobi, Kenya, 6-31 August
Chairman Tommy Koh (Singapore)
Membership: Open to all States Members of the United Nations
or members of the specialized agencies
Report: A/45/46

Preparatory Committee for the World Conference on Human Rights

Meeting: Did not meet until 1991
Membership: Open to all States Members of the United Nations
or members of the specialized agencies

Preparatory Committee of the Whole for the Seventeenth
Special Session of the General Assembly

Session: Second, New York, 12-14 February
Chairman: Peter Hohenfellner (Austria)
Report: A/S -17/4

Special Committee against Apartheid

Meetings: Throughout the year
Chairman: Ibrahim A. Gambari (Nigeria)
Membership: 19
Report: A/45/22

SUB-COMMITTEE ON DEVELOPMENTS IN SOUTH AFRICA

Chairman: Zimbabwe
Membership: 9

SUB-COMMITTEE ON THE IMPLEMENTATION OF
UNITED NATIONS RESOLUTIONS ON SOUTH AFRICA

Chairman: Ghana
Membership: 9

Special Committee on Peace-keeping Operations

Meetings: New York, 7-10 May, 29 June
Chairman: Ibrahim A. Gambari (Nigeria)
Membership: 34
Report: A/45/330
Decision: GA 45/326

Special Committee on the Charter of the United Nations and on
the Strengthening of the Role of the Organization

Meetings: New York, 12 February -2 March
Chairman: Andreas Mavrommatis (Cyprus)
Membership: 47
Report: A/45/33
Decision: GA 45/311

Special Committee on the Situation with regard to the
Implementation of the Declaration on the Granting of
Independence to Colonial Countries and Peoples

Session: New York, 22 January, 1-20 August
Chairman: Tesfaye Tadesse (Ethiopia)
Membership: 24 (25 from 4 December)
Report: A/45/23
Decision: GA 45/312

SUB-COMMITTEE ON PETITIONS,
INFORMATION AND ASSISTANCE

Meetings: New York, 23 March -29 June
Chairman: Alexander Slabý (Czechoslovakia)
Membership: 13

SUB-COMMITTEE ON SMALL TERRITORIES

Meetings: New York, 8 February -15 June
Chairman: Ghazi Jomaa (Tunisia)
Membership: 19

Special Committee to Investigate Israeli Practices
Affecting the Human Rights of the Palestinian People
and Other Arabs of the Occupied Territories

Meetings: Geneva, 8-10 January, 21-22 May, 10-13 September;
Damascus, Syrian Arab Republic, 24-26 May; Amman, Jordan,
27-31 May; Cairo, Egypt, 2-4 June
Chairman: Daya R. Perera (Sri Lanka)
Membership: 3
Report: A/45/576

United Nations Administrative Tribunal

Meetings: Geneva, 23 April -25 May; New York, 8 October -9 November
President: Roger Pinto (France)
Membership: 7
Report: A/INF/45/7
Decision: GA 45/323

United Nations Capital Development Fund (UNCDF)

EXECUTIVE BOARD

The UNDP Governing Council acts as the Executive Board of
the Fund

Managing Director: William H. Draper III (UNDP Administrator)

United Nations Commission on International
Trade Law (UNCITRAL)

Session: Twenty-third, New York, 25 June -6 July
Chairman: Michael Joachim Bonell (Italy)
Membership: 36
Report: A/45/17

United Nations Conciliation Commission for Palestine

Membership: 3
Report: A/45/382

United Nations Conference on Trade and Development (UNCTAD)

TRADE AND DEVELOPMENT BOARD

Sessions: Thirty-sixth (second part), Geneva, 12-23 March; sixteenth special session, Geneva, 8, 9 and 16 March; thirty-seventh (first part), Geneva, 1-12 and 17 October

President: Oscar R. de Rojas (Venezuela) (thirty-sixth and sixteenth special), Jean-David Levitte (France) (thirty-seventh)

Membership: Open to all States members of UNCTAD (130 in 1990)

Report: A/45/15

Secretary-General of UNCTAD: Kenneth K. S. Dadzie (Ghana)

SUBSIDIARY ORGANS OF THE
TRADE AND DEVELOPMENT BOARD

COMMITTEE ON COMMODITIES

Session: Fourteenth, Geneva, 12-20 November

Chairman Ahmed Abdel-Wahab Gubartalla (Sudan)

Membership: 106

Report: TD/B/1281

COMMITTEE ON ECONOMIC CO-OPERATION
AMONG DEVELOPING COUNTRIES

Meeting: Did not meet in 1990

Membership: 109

COMMITTEE ON INVISIBLES
AND FINANCING RELATED TO TRADE

Session: Thirteenth, Geneva, 5-9 February, 30 April — 8 May

Chairman: A. Kaminchia (Kenya)

Membership: 102

Reports: TD/B/1249, TD/B/1262

COMMITTEE ON MANUFACTURES

Meeting: Did not meet in 1990

Membership: 100

COMMITTEE ON SHIPPING

Session: Fourteenth, Geneva, 21-29 June

Chairman: Leif Asbjorn Nygaard (Norway)

Membership: 102

Report: TD/B/1264

COMMITTEE ON TRANSFER OF TECHNOLOGY

Meeting: Did not meet in 1990

Membership: 98

SPECIAL COMMITTEE ON PREFERENCES

Session: Seventeenth, Geneva, 14-22 May

Chairman: G. M. Chipare (Zimbabwe)

Membership: Open to all UNCTAD members

Report: TD/B/1263

United Nations Council for Namibia¹⁴

Session: Special session, Windhoek, Namibia, 9-11 April

President: Peter D. Zuze (Zambia)

Membership: 31

United Nations Development Fund for Women (UNIFEM)

CONSULTATIVE COMMITTEE

Sessions: Twenty-seventh, New York, 24-26 January; twenty-eighth, New York, 20-24 August

Membership: 5

Decision: GA 45/318

Director of UNIFEM: Sharon Capeling-Alakija

United Nations Environment Programme (UNEP)

GOVERNING COUNCIL

Session: Second special session, Nairobi, Kenya, 1-3 August

President: I. N. Topkov (Bulgaria)

Membership: 58

Report: A/45/25

Decision: GA 45/317

Executive Director of UNEP: Mostafa Kamal Tolba

United Nations Institute for Disarmament Research (UNIDIR)

BOARD OF TRUSTEES

Membership: 23 in 1990

Reports: A/45/392, A/45/634

Director of UNIDIR: Jayantha Dhanapala

United Nations Institute for Training and Research (UNITAR)

BOARD OF TRUSTEES

Session: Twenty-eighth, New York, 16-20 April

Chairman: Andrés Aguilar (Venezuela)

Membership: 17 members, 4 ex-officio members (in 1990)

Report: A/45/14

Executive Director of UNITAR: Michel Doo Kingué

United Nations Joint Staff Pension Board

Sessions: Thirty-ninth (special), Rome, Italy, 21-23 February; fortieth, London, 20-29 June; forty-first (special), Geneva, 29-31 August

Chairman: E. Zador (Hungary) (UNIDO)

Membership: 33

Report: A/45/9

United Nations Relief and Works Agency for Palestine
Refugees in the Near East (UNRWA)

ADVISORY COMMISSION OF UNRWA

Meeting: Vienna, 30 August

Chairman: Georges Vilain XIII (Belgium)

Membership: 10

Report: A/45/13

WORKING GROUP ON THE FINANCING OF UNRWA

Meetings: 14 September, 11 October

Chairman: Mustafa Aksin (Turkey)

Membership: 9

Report: A/45/645

Commissioner-General of UNRWA: Giorgio Giacomelli

United Nations Scientific Committee on
the Effects of Atomic Radiation

Session: Thirty-ninth, Vienna, 14-18 May

Chairman: K. H. Lokan (Australia)

Membership: 21

Report: A/45/319

United Nations Staff Pension Committee

Membership: 12 members, 8 alternates

Decision: GA 45/325 A

United Nations University

COUNCIL OF THE UNITED NATIONS UNIVERSITY

Sessions: Thirty-fifth, Maastricht, Netherlands, 25-29 June; thirty-sixth, Tokyo, Japan, 10-14 December

Chairman: Mihaly Simai (Hungary)

Membership: 24 (plus 3 ex-officio members and the UNU Rector)

Report: E/1991/15

Rector of the University: Heitor Gurgulino de Souza

United Nations Voluntary Fund for Indigenous Populations

BOARD OF TRUSTEES

Session: Third, Geneva, April

Chairman: Augusto Willemsen-Díaz (Guatemala)

Membership: 5

Report: A/45/698 & Corr.1

United Nations Voluntary Fund for Victims of Torture

BOARD OF TRUSTEES

Session: Ninth, Geneva, 11-15 June

Chairman: Jaap Walkate (Netherlands)

Membership: 5

Report: A/45/633

World Food Council

Session: Sixteenth, Bangkok, Thailand, 21-24 May

President: Youssef Amin Wally (Egypt)

Membership: 36

Report: A/45/19

Decisions: GA 45/309 A & B

Executive Director; Gerald Ion Trant

Conferences

Eighth United Nations Congress on the Prevention
of Crime and the Treatment of Offenders

Session: Havana, Cuba, 27 August -7 September

President: Juan Escalona Reguera (Cuba)

Attendance: 127 States, plus UN offices, organs and specialized
agencies, a national liberation movement, intergovernmen-
tal organizations and NGOs

Report: A/CONF.144/28/Rev.1

Second United Nations Conference on the
Least Developed Countries

Session: Paris, 3-14 September

President: Roland Dumas (France)

Attendance: 149 States, plus UN offices, bodies and specialized
agencies, a national liberation movement, intergovernmen-
tal organizations and NGOs

Report: A/CONF.147/18

Security Council

The Security Council consists of 15 Member States of the
United Nations, in accordance with the provisions of Article 23
of the United Nations Charter as amended in 1965.

MEMBERS

Permanent members: China, France, USSR, United Kingdom,
United States.

Non-permanent members: Canada, Colombia, Côte d'Ivoire,
Cuba, Ethiopia, Finland, Malaysia, Romania, Yemen, Zaire.

On 1 November 1990 (dec. 45/306), the General Assembly
elected Austria, Belgium, Ecuador, India and Zimbabwe for a
two-year term beginning on 1 January 1991, to replace Canada,
Colombia, Ethiopia, Finland and Malaysia whose terms of of-
fice were to expire on 31 December 1990.

PRESIDENTS

The presidency of the Council rotates monthly, according to
the English alphabetical listing of its member States. The fol-
lowing served as Presidents during 1990:

Month	Member	Representative
January	Côte d'Ivoire	Amara Essy
February	Cuba	Ricardo Alarcón de Quesada
March	Democratic Yemen	Abdalla Saleh Al-Ashtal
April	Ethiopia	Tesfaye Tadesse
May	Finland	Klaus Törnudd
June	France	Pierre-Louis Blanc
July	Malaysia	Razali Ismail
August	Romania	Aurel Dragos Munteanu
September	USSR	Eduard A. Schevardnadze Yuliy M. Vorontsov
October	United Kingdom	Sir David Hannay
November	United States	James A. Baker III Thomas R. Pickering
December	Yemen	Abdalla Saleh Al-Ashtal

Military Staff Committee

The Military Staff Committee consists of the chiefs of staff of
the permanent members of the Security Council or their repre-
sentatives. It meets fortnightly.

Standing committees

Each of the three standing committees of the Security Coun-
cil is composed of representatives of all Council members:

Committee of Experts (to examine the provisional rules of pro-
cedure of the Council and any other matters entrusted to it by
the Council)

Committee on the Admission of New Members

Committee on Council Meetings Away from Headquarters

Peace-keeping operations and special missions

United Nations Truce Supervision Organization (UNTSO)

Chief of Staff: Lieutenant-General Martin Vadset (until Octo-
ber), Major-General Hans Christensen (from October)

United Nations Military Observer Group
in India and Pakistan (UNMOGIP)

Chief Military Observer: Brigadier-General Jeremiah Enright

United Nations Peace-keeping Force in Cyprus (UNFICYP)

Special Representative of the Secretary-General: Oscar Héctor
Camilión

Force Commander: Major-General Clive Milner

United Nations Disengagement Observer Force (UNDOF)

Force Commander: Major-General Adolf Radauer

United Nations Interim Force in Lebanon (UNIFIL)

Force Commander: Major-General Lars-Eric Wahlgren

United Nations Good Offices Mission in,
Afghanistan and Pakistan (UNGOMAP)¹⁵

Representative of the Secretary-General on the Settlement of
the Situation Relating to Afghanistan: Diego Cordovez (until
January)

Personal Representative of the Secretary-General in Afghani-
stan and Pakistan: Benon Vahe Sevan

Deputy Representative: Colonel Heikki Happonen

United Nations Iran-Iraq Military Observer Group (UNIIMOG)

Personal Representative of the Secretary-General: Jan K. Eliasson

Chief Military Observer: Major-General Slavko Jovic (until No-
vember), Brigadier-General S. Anam Khan (from November)
(Acting)

United Nations Angola Verification Mission (UNAVEM)

Chief Military Observer: Brigadier-General Péricles Ferreira
Gomes

United Nations Transition Assistance Group (UNTAG)¹⁶

Special Representative of the Secretary-General: Martti Ahti-
saari

Force Commander: Lieutenant-General Dewan Prem Chand

United Nations Observer Group in Central America (ONUCA)

Chief Military Observer: Major-General Agustín Quesada
Gómez (until December), Brigadier-General Lewis MacKen-
zie (from December) (Acting)

Economic and Social Council

The Economic and Social Council consists of 54 Member States
of the United Nations, elected by the General Assembly, each
for a three-year term, in accordance with the provisions of Ar-
ticle 61 of the United Nations Charter as amended in 1965 and
1973.

MEMBERS

To serve until 31 December 1990: Colombia, Cuba, France, Ger-
many, Federal Republic of, Ghana, Greece, Guinea, India, Ire-
land, Japan, Lesotho, Liberia, Libyan Arab Jamahiriya, Portu-
gal, Saudi Arabia, Trinidad and Tobago, Venezuela,
Yugoslavia.

To serve until 31 December 1991: Bahamas, Brazil, Cameroon,
Czechoslovakia, Indonesia, Iraq, Italy, Jordan, Kenya, Nether-
lands, New Zealand, Nicaragua, Niger, Thailand, Tunisia,
Ukrainian SSR, United States, Zambia.

To serve until 31 December 1992: Algeria, Bahrain, Bulgaria,
Burkina Faso, Canada, China, Ecuador, Finland, German
Democratic Republic, Iran, Jamaica, Mexico, Pakistan,
Rwanda, Sweden, USSR, United Kingdom, Zaire.

On 16 and 21 November 1990 (dec. 45/308 A), the General As-
sembly elected the following for a three-year term beginning
on 1 January 1991 to fill the vacancies occurring on 31 Decem-
ber 1990: Argentina, Austria, Botswana, Chile, France, Ger-
many, Guinea, Japan, Malaysia, Morocco, Peru, Somalia,
Spain, Syrian Arab Republic, Togo, Trinidad and Tobago, Tur-
key, Yugoslavia.

On 16 November (dec. 45/308 B), the Assembly elected Ro-
mania for a term until 31 December 1992 to fill the vacancy
brought about by the accession of the German Democratic Re-
public to the Federal Republic of Germany.

SESSIONS

Organizational session for 1990: New York, 17 January and 6-9
February.

First regular session of 1990: New York, 1-25 May.

Second regular session of 1990: Geneva, 4-27 July.

Resumed second regular session of 1990: New York, 9 Novem-
ber.

OFFICERS

President: Chinmaya Rajaninath Gharekhan (India).

Vice-Presidents: John O. Burke (Ireland), Hocine Djoudi (Alge-
ria), Jorge Montaña (Mexico), Guennadi I. Oudovenko
(Ukrainian SSR).

Subsidiary and other related organs

SUBSIDIARY ORGANS

In addition to three regular sessional committees, the Eco-
nomic and Social Council may, at each session, set up other

committees or working groups, of the whole or of limited mem-
bership, and refer to them any items on the agenda for study
and report.

Other subsidiary organs reporting to the Council consist of
functional commissions, regional commissions, standing com-
mittees, expert bodies and ad hoc bodies.

The inter-agency Administrative Committee on Co-
ordination also reports to the Council.

Sessional bodies

SESSIONAL COMMITTEES

Each of the sessional committees of the Economic and Social
Council consists of the 54 members of the Council.

First (Economic) Committee. Chairman: Hocine Djoudi (Alge-
ria). Vice-Chairmen: George Papadatos (Greece), A. Missouri
Sherman-Peter (Bahamas).

Second (Social) Committee. Chairman: Guennadi I. Oudovenko
(Ukrainian SSR). Vice-Chairmen: Lukabu Khabouji N'Zaji (Za-
ire), Peter van Wulfften Palthe (Netherlands).

Third (Programme and Co-ordination) Committee. Chairman:
Jorge Montaña (Mexico). Vice-Chairmen: Oldrich Hra-
chovina (Czechoslovakia), Adian Silalahi (Indonesia).

Functional commissions

Commission for Social Development

Session: Did not meet in 1990 (biennial)

Membership: 32

Decision: ESC 1990/212

Commission on Human Rights

Session: Forty-sixth, Geneva, 29 January -9 March

Chairman: Purificación V. Quisumbing (Philippines)

Membership: 43

Report: E/1990/22

Decision: ESC 1990/212

SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES

Session: Forty-second, Geneva, 6-31 August

Chairman: Danilo Türk (Yugoslavia)

Membership: 26

Report: E/CN.4/1991/2

Commission on Narcotic Drugs

Session: Eleventh special, Vienna, 29 January -2 February

Chairman: E. A. Babayan (USSR)

Membership: 40

Report: E/1990/24

Commission on the Status of Women

Session: Thirty-fourth, Vienna, 26 February -9 March
 Chairman: Helga Hoerz (German Democratic Republic)
 Membership: 45
 Report: E/1990/25
 Decisions: ESC 1990/207, 1990/212, 1990/291

Population Commission

Session: Did not meet in 1990 (biennial)
 Membership: 27
 Decision: ESC 1990/212

Statistical Commission

Session: Did not meet in 1990 (biennial)
 Membership: 24

Regional commissions

Economic and Social Commission for Asia and the Pacific (ESCAP)

Session: Forty-sixth, Bangkok, Thailand, 4-13 June
 Chairman: Berenado Vunibobo (Fiji)
 Membership: 38
 Report: E/1990/40

Economic and Social Commission for Western Asia (ESCWA)

Session: Did not meet in 1990
 Membership: 13 (since the merger of Democratic Yemen and Yemen on 22 May)

Economic Commission for Africa (ECA)

Session: Twenty-fifth (sixteenth meeting of Conference of Ministers), Tripoli, Libyan Arab Jamahiriya, 15-19 May
 Chairman: Mohamed Lufi Farhat (Libyan Arab Jamahiriya)
 Membership: 51
 Report: E/1990/42

Economic Commission for Europe (ECE)

Session: Forty-fifth, Geneva, 18-27 April and 14 December
 Chairman: Bogumil Sujka (Poland)
 Membership: 34
 Report: E/1990/41 & Add.1

Economic Commission for Latin America and the Caribbean (ECLAC)

Session: Twenty-third, Caracas, Venezuela, 3-11 May
 Chairman: Miguel Rodriguez Mendoza (Venezuela)
 Membership: 41 members, 6 associate members
 Report: E/1990/43
 Decision: ESC 1990/277

Standing committees

Commission on Human Settlements

Session: Did not meet in 1990 (biennial)
 Membership: 58
 Decisions: ESC 1990/212, 1990/291

Commission on Transnational Corporations

Sessions: Sixteenth, New York, 2-11 April; special session, New York, 24 May
 Chairman: Marek Kulczycki (Poland)
 Membership: 48
 Reports: E/1990/26, E/1990/91
 Decisions: ESC 1990/207, 1990/212, 1990/291

Committee for Programme and Co-ordination

Sessions: Organizational, New York, 2 April; thirtieth, New York, 7 May -11 June (first part), 17-22 September (second part)
 Chairman: Andrzej Abraszewski (Poland)
 Membership: 34
 Report: A/45/16
 Decisions: ESC 1990/212, 1990/291, GA 45/310

Committee on Natural Resources

Session: Did not meet in 1990 (biennial)
 Membership: 54
 Decisions: ESC 1990/212, 1990/291

Committee on Non-Governmental Organizations

Session: Did not meet in 1990 (biennial)
 Membership: 19
 Decision: ESC 1990/212

Expert bodies

Ad Hoc Group of Experts on International Co-operation in Tax Matters

Session: Did not meet in 1990 (biennial)
 Membership: 25

Committee for Development Planning

Session: Twenty-sixth, New York, 30 April -4 May
 Chairman: Abdlatif Y. Al-Hamad (Kuwait)
 Membership: 24
 Report: E/1990/27
 Decision: ESC 1990/207

Committee of Experts on the Transport of Dangerous Goods

Session: Sixteenth, Geneva, 3-12 December
 Chairman: L. Grainger (United Kingdom)
 Membership: 14
 Report: ST/SG/AC.10/17

Committee on Crime Prevention and Control

Session: Eleventh, Vienna, 5-16 February
 Chairman: Dusan Cotic (Yugoslavia)
 Membership: 27
 Report: E/1990/31
 Decision: ESC 1990/212

Committee on Economic, Social and Cultural Rights

Sessions: Fourth, Geneva, 15 January -2 February; fifth, Geneva, 26 November -14 December
 Chairman: Ibrahim Ali Badawi El Sheikh (Egypt) (fourth session), Valeri I. Kouznetsov (USSR) (fifth session)
 Membership: 18
 Reports: E/1990/23, E/1991/23
 Decision: ESC 1990/212

Intergovernmental Working Group of Experts on International Standards of Accounting and Reporting

Session: Eighth, New York, 13-23 March
 Chairman: Asta Tjölens (Norway)
 Membership: 34
 Report: E/C.10/1990/7
 Decisions: ESC 1990/207, 1990/212, 1990/283

United Nations Group of Experts on Geographical Names

Session: Did not meet in 1990

Administrative Committee on Co-ordination

Sessions: Vienna, 2-4 May; New York, 22-23 October
 Chairman: The Secretary-General
 Membership: Organizations of the UN system
 Report: E/1991/42

Other related bodies

International Research and Training Institute for the Advancement of Women (INSTRAW)

BOARD OF TRUSTEES

Session: Tenth, Santo Domingo, Dominican Republic, 12-16 February
 President: Tawheeda Osman Hadra (Sudan)

Membership: 11
Report: E/1990/34
Decision: ESC 1990/212

Director of INSTRAW: Dunja Pastizzi-Ferencic

United Nations Children's Fund (UNICEF)

EXECUTIVE BOARD

Sessions: Regular annual, New York, 16-27 April; organizational, New York, June; special, New York, 6-7 September
Chairman: Margarita Dieguez (Mexico) (regular session), Lisbet Palme (Sweden) (special session)
Membership: 41
Reports: E/1990/28, E/ICEF/1990/14, E/ICEF/1990/17
Decisions: ESC 1990/212, 1990/291

Executive Director of UNICEF: James P. Grant

United Nations Development Programme (UNDP)

GOVERNING COUNCIL

Sessions: Organizational meeting and special session, New York, 20-23 February; thirty-seventh. Geneva, 28 May -23 June
President: Ion Popescu (Romania)

Membership: 48
Report: E/1990/29
Decision: ESC 1990/212

Administrator of UNDP: William H. Draper III

United Nations Research Institute for
Social Development (UNRISD)

BOARD OF DIRECTORS

Chairman: Keith Griffin (United Kingdom)
Membership: 10 nominated by Commission for Social Development (plus 8 others)

Director of UNRISD: Dharam Ghai

World Food Programme (WFP)

COMMITTEE ON FOOD AID POLICIES AND PROGRAMMES

Sessions: Twenty-ninth, Rome, 4-7 June; thirtieth, Rome, 3-7 and 14 December
Chairman: D. D. C. Don Nanjira (Kenya)
Membership: 30
Reports: WFP/CFA: 29/13, WFP/CFA: 30/7

Executive Director of WFP: James Charles Ingram

Trusteeship Council

Article 86 of the United Nations Charter lays down that the Trusteeship Council shall consist of the following:

Members of the United Nations administering Trust Territories; Permanent members of the Security Council which do not administer Trust Territories;
As many other members elected for a three-year term by the General Assembly as will ensure that the membership of the Council is equally divided between United Nations Members which administer Trust Territories and those which do not.¹⁷

MEMBERS

Member administering a Trust Territory: United States.
Non-administering members: China, France, USSR, United Kingdom.

SESSIONS

Twentieth special session: New York, 8 January 1990.

Fifty-seventh session: New York, 21 May-1 June and 28 November 1990.

OFFICERS

President: Thomas L. Richardson (United Kingdom) (twentieth special session), Anne Gazeau-Secret (France) (fifty-seventh session).
Vice-President: Ann Gazeau-Secret (France) (twentieth special session), Thomas L. Richardson (United Kingdom) (fifty-seventh session).

United Nations Visiting Mission to Observe the Plebiscite in Palau, Trust Territory of the Pacific Islands. February 1990

Members: Louis Amigues, Chairman (France); Lu Yongshou (China); Samuel Pulpup (Papua New Guinea); Isikia Rabici Savua (Fiji); J. Stephen Smith, Vice-Chairman (United Kingdom).

International Court of Justice

Judges of the Court

The International Court of Justice consists of 15 Judges elected for nine-Year terms by the General Assembly and the Security Council.

The following were the Judges of the Court serving in 1990, listed in the order of precedence:

Judge	Country of nationality	End of term ¹⁸
Jose Maria Ruda, President	Argentina	1991
Kéba Mbaye, Vice-President	Senegal	1991
Manfred Lachs	Poland	1994
Taslim Olawale Elias	Nigeria	1994
Shigeru Oda	Japan	1994

Judge	Country of nationality	End of term ¹⁸
Roberto Ago	Italy	1997
Stephen M. Schwebel	United States	1997
Sir Robert Y. Jennings	United Kingdom	1991
Mohammed Bedjaoui	Algeria	1997
Ni Zhengyu	China	1994
Jens Evensen	Norway	1994
Nikolai K. Tarassov	USSR	1997
Gilbert Guillaume	France	1991
Mohamed Shahabuddeen	Guyana	1997
Raghunandan Swarup Pathak	India	1991

On 15 November, the General Assembly (dec. 45/307) and the Security Council elected the following for a nine-year term beginning on 6 February 1991 to fill the vacancies occurring on 5 February: Gilbert Guillaume (France). Sir Robert Y. Jennings (United Kingdom), Andrés Aguilar Mawdsley (Venezuela). Raymond Ranjeva (Madagascar), Christopher G. Weeramantry (Sri Lanka).

Registrar: Eduardo Valencia-Ospina.
Deputy Registrar: Bernard Noble.

Chamber formed in the case concerning the Land, Island and Maritime Frontier Dispute (El Salvador/Honduras)

Members: Josh Sette-Camara (President), Shigeru Oda, Sir Robert Y. Jennings.

Ad hoc members: Nicolas Valticos, Santiago Torres Bernárdez.

Chamber of Summary Procedure
(as constituted by the Court on 6 February 1990)

Members: Jose Maria Ruda (ex-officio), Kéba Mbaye (ex-officio), Sir Robert Y. Jennings, Ni Zhengyu, Jens Evensen.
Substitute members: Gilbert Guillaume, Mohamed Shahabuddeen.

Parties to the Court's Statute

All Members of the United Nations are ipso facto parties to the Statute of the International Court of Justice. Also parties to it in 1990 were the following non-members: Liechtenstein (until 17 September 1990), Nauru, San Marino, Switzerland.

States accepting the compulsory jurisdiction of the Court

Declarations made by the following States, a number with reservations, accepting the Court's compulsory jurisdiction (or made under the Statute of the Permanent Court of International Justice and deemed to be an acceptance of the jurisdiction of the International Court) were in force at the end of 1990:

Australia, Austria, Barbados, Belgium, Botswana, Cambodia, Canada, Colombia, Costa Rica, Cyprus, Denmark, Dominican Republic, Egypt, El Salvador, Finland, Gambia, Guinea-Bissau,

Haiti, Honduras, India, Japan, Kenya, Liberia, Liechtenstein, Luxembourg, Malawi, Malta, Mauritius, Mexico, Nauru, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Panama, Philippines, Poland,¹⁹ Portugal, Senegal, Somalia, Spain,¹⁹ Sudan, Suriname, Swaziland, Sweden, Switzerland, Togo, Uganda, United Kingdom, Uruguay, Zaire.

United Nations organs and specialized and related agencies authorized to request advisory opinions from the Court

Authorized by the United Nations Charter to request opinions on any legal question: General Assembly, Security Council.
Authorized by the General Assembly in accordance with the Charter to request opinions on legal questions arising within the scope of their activities: Economic and Social Council, Trusteeship Council, Interim Committee of the General Assembly, Committee on Applications for Review of Administrative Tribunal Judgements, ILO, FAO, UNESCO, ICAO, WHO, World Bank, IFC, IDA, IMF, ITU, WMO, IMO, WIPO, IFAD, UNIDO, IAEA.

Committee of the court

BUDGETARY AND ADMINISTRATIVE COMMITTEE

Members: Jose Maria Ruda (ex-officio), Kéba Mbaye (ex-officio), Taslim Olawale Elias, Stephen M. Schwebel, Mohammed Bedjaoui, Nikolai K. Tarassov, Gilbert Guillaume.

COMMITTEE ON RELATIONS

Members: Mohammed Bedjaoui, Ni Zhengyu, Jens Evensen.

LIBRARY COMMITTEE

Members: Shigeru Oda, Sir Robert Y. Jennings, Ni Zhengyu.

RULES COMMITTEE

Members: Manfred Lachs, Kéba Mbaye, Shigeru Oda, Roberto Ago, Sir Robert Y. Jennings, Ni Zhengyu, Nikolai K. Tarassov, Mohamed Shahabuddeen.

Other United Nations-related bodies

The following bodies are not subsidiary to any principal organ of the United Nations but were established by an international treaty instrument or arrangement sponsored by the United Nations and are thus related to the Organization and its work. These bodies, often referred to as "treaty organs", are serviced by the United Nations Secretariat and may be financed in part or wholly from the Organization's regular budget, as authorized by the General Assembly, to which most of them report annually.

Commission against Apartheid in Sports

Session: Second, New York, 27-29 August
Chairman: James Victor Gbeho (Ghana)
Membership: 15
Report: A/45/45

Committee against Torture

Sessions: Fourth, Geneva, 23 April-4 May; fifth, Geneva, 12-23 November
Chairman: Joseph Voyame (Switzerland)
Membership: 10
Reports: A/45/44 & Corr.1, A/46/46

Committee on the Elimination of Discrimination against Women

Session: Ninth, New York, 22 January-2 February
Chairman: Elizabeth Evatt (Australia)

Membership: 23

Report: A/45/38

Committee on the Elimination of Racial Discrimination

Session: Thirty-eighth, Geneva, 6-24 August
Chairman: Agha Shahi (Pakistan)

Membership: 18

Report: A/45/18

Conference on Disarmament

Meetings: Geneva, 6 February-24 April, 12 June-24 August
President: Netherlands, Nigeria, Pakistan, Peru, Poland, Romania (successively)

Membership: 40 (39 after the accession of the German Democratic Republic to the Federal Republic of Germany on 3 October)

Report: A/45/27

Human Flights Committee

Sessions: Thirty-eighth, New York, 19 March-6 April; thirty-ninth, Geneva, 9-27 July; fortieth, Geneva, 22 October-9 November

Chairman: Rajsoomer Lallah (Mauritius)

Membership: 18

Reports: A/45/40, vol. I, A/46/40

International Narcotics Control Board (INCB)

Sessions: Forty-seventh, Vienna, 21 May-1 June; forty-eighth, Vienna, 8-25 October
 President: Betty C. Gough (United States)
 Membership: 13
 Report: E/INCB/1990/1 (Sales No. E.90.XI.3)

Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea

Sessions: Eighth, Kingston, Jamaica, 5-30 March; summer meeting, New York, 13-31 August
 Chairman: José Luis Jesus (Cape Verde)
 Membership: 159
 Report: A/45/721

Principal members of the United Nations Secretariat

(as at 31 December 1990)

Secretariat

The Secretary-General: Javier Pérez de Cuéllar

Executive Office of the Secretary-General

Under-Secretary-General, Chef de Cabinet: Virendra Dayal
 Assistant Secretary-General, Executive Assistant to the Secretary-General: Alvaro de Soto
 Assistant Secretary-General, Chief of Protocol: Aly I. Taymour

Office of the Director-General for Development and International Economic Co-operation

Director-General: Antoine Blanca
 Assistant Secretary-General: Enrique ter Horst

Office of the Under-Secretary-General for Special Political Affairs

Under-Secretary-General: Marrack I. Goulding

Office of the Under-Secretary-General for Political and General Assembly Affairs and Secretariat Services

Under-Secretary-General: Ronald I. Spiers

Office for Research and the Collection of Information

Assistant Secretary-General: James O. C. Jonah

Office of Legal Affairs

Under-Secretary-General, the Legal Counsel: Carl-August Fleischhauer

Office for Ocean Affairs and the Law of the Sea

Under-Secretary-General, Special Representative of the Secretary-General: Satya N. Nandan

Department of Political and Security Council Affairs

Under-Secretary-General: Vasily S. Safronchuk
 Assistant Secretary-General, Centre against Apartheid: Sotirios Mousouris

Office for Special Political Questions, Regional Co-operation, Decolonization and Trusteeship

Under-Secretary-General, Co-ordinator, Special Economic Assistance Programmes: Abdulrahim Abby Farah

Department for Disarmament Affairs

Under-Secretary-General: Yasushi Akashi

Department of International Economic and Social Affairs

Under-Secretary-General: Rafeuddin Ahmed
 Assistant Secretary-General for Development Research and Policy Analysis: P. Göran Ohlin

Department of Technical Co-operation for Development

Under-Secretary-General: Xie Qimei

Centre for Science and Technology for Development

Assistant Secretary-General, Executive Director: Sergio C. Trindade

United Nations Centre on Transnational Corporations

Assistant Secretary-General, Executive Director: Peter Hansen

Economic and Social Commission for Asia and the Pacific

Under-Secretary-General, Executive Secretary: Shah A. M. S. Kibria

Economic and Social Commission for Western Asia

Under-Secretary-General, Executive Secretary: Tayseer Abdel Jaber

Economic Commission for Africa

Under-Secretary-General, Executive Secretary: Adebayo Adedeji

Economic Commission for Europe

Under-Secretary-General, Executive Secretary: Gerald Hinteregger

Economic Commission for Latin America and the Caribbean

Under-Secretary-General, Executive Secretary: Gert Rosenthal

United Nations Centre for Human Settlements

Under-Secretary-General, Executive Director: Arcot Ramachandran
 Assistant Secretary-General, Deputy Administrator, United Nations Habitat and Human Settlements Foundation: Sumihiro Kuyama

Department of Administration and Management

Under-Secretary-General: Martti Ahtisaari

OFFICE OF PROGRAMME PLANNING, BUDGET AND FINANCE

Assistant Secretary-General, Controller: Kofi A. Annan

OFFICE OF HUMAN RESOURCES MANAGEMENT

Assistant Secretary-General: Abdou Ciss

OFFICE OF GENERAL SERVICES

Assistant Secretary-General: J. Richard Foran

Department of Conference Services

Under-Secretary-General for Conference Services and Special Assignments: Eugeniusz Wyzner

Department of Public Information

Under-Secretary-General: Thérèse Paquet-Sévigny

United Nations Office at Geneva

Under-Secretary-General, Director-General of the United Nations Office at Geneva: Jan Martenson
 Assistant Secretary-General, Persona/ Representative of the Secretary-General, Secretary-General of the Conference on Disarmament: Miljan Komatina

Centre for Human Rights

Under-Secretary-General: Jan Martenson

United Nations Office at Vienna
Under-Secretary-General, Director-General of the United Nations Office at Vienna: Margaret Joan Anstee

Centre for Social Development and Humanitarian Affairs
Under-Secretary-General, Head: Margaret Joan Anstee

International Court of Justice Registry
Assistant Secretary-General, Registrar: Eduardo Valencia-Ospina

Secretariats of subsidiary organs,
special representatives and other related bodies

International Trade Centre UNCTAD/GATT
Assistant Secretary-General, Executive Director: Göran M. Engblom

Office of the Co-ordinator for United Nations Humanitarian and Economic Assistance Programmes relating to Afghanistan
Under-Secretary-General, Co-ordinator: Sadrudin Aga Khan

Office of the Personal Representative of the Secretary-General in Afghanistan and Pakistan
Assistant Secretary-General, Personal Representative of the Secretary-General: Benon Vahe Sevan

Office of the Special Representative of the Secretary-General for Humanitarian Affairs in South-East Asia
Under-Secretary-General, Special Representative of the Secretary-General: Rafeeuddin Ahmed

Office of the Special Representative of the Secretary-General for the Promotion of the United Nations Decade of Disabled Persons
Assistant Secretary-General, Special Representative of the Secretary-General: Hans Hoegh

Office of the Special Representative of the Secretary-General for Western Sahara
Under-Secretary-General, Special Representative of the Secretary-General: Johannes J. Manz

Office of the United Nations Disaster Relief Co-ordinator
Under-Secretary-General, Disaster Relief Co-ordinator: M'Hamed Essaafi

Office of the United Nations High Commissioner for Refugees
Under-Secretary-General, High Commissioner: Vacant
Assistant Secretary-General, Deputy High Commissioner: Martin Douglas Stafford

United Nations Angola Verification Mission
Chief Military Observer: Brigadier-General Péricles Ferreira Gomes

United Nations Assistance for the Reconstruction and Development of Lebanon
Special Representative for the Reconstruction and Development of Lebanon: Ragnar Gudmundsson

United Nations Children's Fund
Under-Secretary-General, Executive Director: James P. Grant
Assistant Secretary-General, Deputy Executive Director, Programmes: Richard Jolly
Assistant Secretary-General, Deputy Executive Director, Operations: Karin Lokhaug
Assistant Secretary-General, Deputy Executive Director, External Relations: Marco Vianello-Chiodo

United Nations Conference on Environment and Development
Under-Secretary-General, Secretary-General of the Conference: Maurice F. Strong

Assistant Secretary-General, Deputy Secretary-General of the Conference: Nitin Desai

United Nations Conference on Trade and Development
Under-Secretary-General, Secretary-General of the Conference: Kenneth K. S. Dadzie
Assistant Secretary-General, Deputy Secretary-General of the Conference: Yves Berthelot

United Nations Development Programme
Administrator: William H. Draper III
Associate Administrator: Luis Maria Gomez
Assistant Administrator and Director, Bureau for Finance and Administration: Toshiyuki Niwa
Assistant Administrator and Director, Bureau for Resources and Special Activities: Aldo Ajello
Assistant Administrator and Director, Bureau for Programme Policy and Evaluation: Gustav Edgren
Assistant Administrator and Director, Office for Project Services: Bernt Bernander
Executive Director, United Nations Population Fund: Dr. Nafis I. Sadik
Deputy Executive Director, United Nations Population Fund, Policy and Administration: Katsuhide Kitatani
Deputy Executive Director, United Nations Population Fund, Programme: Joseph Van Arendonk
Assistant Administrator and Regional Director, Regional Bureau for Africa: Pierre-Claver Damiba
Assistant Administrator and Regional Director, Regional Bureau for Arab States and Europe: Mohamed Nour
Assistant Administrator and Regional Director, Regional Bureau for Asia and the Pacific: Krishnan Singh
Assistant Administrator and Regional Director, Regional Bureau for Latin America and the Caribbean: Augusto Ramirez-Ocampo

United Nations Disengagement Observer Force
Assistant Secretary-General, Force Commander: Major-General Adolf Radauer

United Nations Environment Programme
Under-Secretary-General, Executive Director: Mostafa Kamal Tolba
Assistant Secretary-General, Deputy Executive Director: William H. Mansfield III
Assistant Secretary-General, Assistant Executive Director, Office of the Environment Programme: Sveneld Evtsev

United Nations Fund for Drug Abuse Control
Assistant Secretary-General, Executive Director: Giuseppe di Gennaro

United Nations Institute for Training and Research
Under-Secretary-General, Executive Director: Michel Doo Kingué

United Nations Interim Force in Lebanon
Assistant Secretary-General, Force Commander: Major-General Lars-Eric Wahlgren

United Nations Iran-Iraq Military Observer Group
Assistant Secretary-General, Chief Military Observer: Brigadier-General S. Anam Khan (Acting)

United Nations Military Observer Group in India and Pakistan
Chief Military Observer: Brigadier-General Jeremiah Enright

United Nations Observer Group in Central America
Chief Military Observer: Brigadier-General Lewis MacKenzie (Acting)

United Nations Peacekeeping Force in Cyprus
Under-Secretary-General, Special Representative of the
Secretary-General: Oscar Hector Camilión
Assistant Secretary-General, Force Commander: Major-General
Clive Milner

United Nations Relief and Works Agency for Palestine
Refugees in the Near East
Under-Secretary-General, Commissioner-General: Giorgio
Giacomelli
Assistant Secretary-General, Deputy Commissioner-General:
William Eagleton

United Nations Truce Supervision Organization
Assistant Secretary-General, Chief of Staff: Major-General
Hans Christensen

United Nations University
Under-Secretary-General, Rector: Heitor Gurgulino de Souza
Assistant Secretary-General, Director, World Institute for De-
velopment Economics Research: Lalith R. U. Jayawardena

World Food Council
Assistant Secretary-General, Executive Director: Gerald Ion
Trant

On 31 December 1990, the total number of staff of the United Nations holding permanent, probationary and fixed-term appointments with service or expected service of a year or more was 13,896. Of those, 4,869 were in the Professional and higher categories and 9,027 were in the General Service, Manual

Worker and Field Service categories. Of the same total, 12,436 were regular staff serving at Headquarters or other established offices and 1,460 were assigned as project personnel. In addition, UNRWA had some 18,216 local area staff, including temporary assistance.

¹The forty-fifth session of the General Assembly resumed in 1991 from 29 April to 16 September.

²On 20 February (dec. S-17/12) and 23 April (dec. S-18/12), the Assembly elected the President of the forty-fourth session to serve in the same capacity at the seventeenth and eighteenth special sessions, respectively.

³On 20 February (dec. S-17/14) and 23 April (dec. S-18/14), the Assembly decided that the Vice-Presidents of the forty-fourth session would serve in the same capacity at the seventeenth and eighteenth special sessions, respectively.

⁴Elected on 18 September 1990 (dec. 45/302).

⁵Elected on 18 September 1990 (dec. 45/304).

⁶The only Main Committees to meet at the resumed session.

⁷On 20 February (dec. S-17/13) and 23 April (dec. S-18/13), the Assembly decided that the Chairmen of the Main Committees of the forty-fourth session would serve in the same capacity at the seventeenth and eighteenth special sessions, respectively, on the understanding that the Chairmen of the First, Special Political (at the seventeenth) [Third (at the eighteenth)] and Sixth Committees would be replaced by another member of the same delegation or by a member of a delegation from the same regional group.

⁸Elected by the Assembly on 20 February 1990 (dec. S-17/15); other officers elected by the Ad Hoc Committee.

⁹Elected by the Assembly on 23 April 1990 (dec. S-18/15); other officers elected by the Ad Hoc Committee.

¹⁰Chairmen elected by the Main Committees; announced by the Assembly President on 18 September 1990 (dec. 45/303).

¹¹On 20 February (dec. S-17/11) and 23 April (dec. S-18/11), the Assembly decided that the Credentials Committee for the seventeenth and eighteenth special sessions, respectively, would have the same composition as that for the forty-fourth session.

¹²Appointed on 18 September 1990 (dec. 45/301).

¹³Resigned in 1990; Louis A. Wiltshire [Trinidad and Tobago] was appointed by the General Assembly on 5 October (dec. 45/305A) to fill the resultant vacancy.

¹⁴Dissolved on 11 September 1990 (GA res. 44/243 A).

¹⁵The mandate of UNGOMAP ended on 15 March 1990.

¹⁶The mandate of UNTAG ended on 21 March 1990.

¹⁷During 1990, only one Member of the United Nations was an administering member of the Trusteeship Council, while four permanent members of the Security Council continued as non-administering members.

¹⁸Term expires on 5 February of the year indicated.

¹⁹Filed declaration of acceptance on 25 September and 29 October 1990, respectively.

Appendix IV

Agendas of United Nations principal organs in 1990

This appendix lists the items on the agendas of the General Assembly, the Security Council, the Economic and Social Council and the Trusteeship Council during 1990. For the subject-matter of an item is not apparent from its title, the subject is identified in square brackets; this is not part of the title.

Agenda item titles have been shortened by omitting mention of reports, if any, following the subject of the item. Where the subject-matter of an item is not apparent from its title, the subject is identified in square brackets; this is not part of the title.

headed "Allocation" indicates the assignment of each item to plenary meetings or committees.

General Assembly

Agenda items considered at the resumed forty-fourth session
(20 February, 12 and 26 March, 2 April, 17 May, 28 June,
20 July and 11-14 and 17 September 1990)

Item No.	Title	Allocation
2.	Minute of silent prayer or meditation.	Plenary
8.	Adoption of the agenda and organization of work.	Plenary
17.	Appointments to fill vacancies in subsidiary organs and other appointments:	
	(h) Appointment of members of the Joint Inspection Unit.	Plenary
18.	Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.	Plenary
28.	Policies of apartheid of the Government of South Africa.	Plenary, SPC ¹
34.	The situation in Central America: threats to international peace and security and peace initiatives.	Plenary
36.	Question of Namibia.	Plenary
39.	Question of Palestine.	Plenary
46.	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.	Plenary ²
47.	Question of Cyprus.	
48.	Consequences of the prolongation of the armed conflict between Iran and Iraq.	Plenary
82.	Development and international economic co-operation:	
	(f) Environment.	3
83.	Preparations for the special session of the General Assembly in 1990.	3
88.	Special economic and disaster relief assistance:	
	(a) Special programmes of economic assistance.	3
114.	Enhancing the effectiveness of the principle of periodic and genuine elections.	4
123.	Proposed programme budget for the biennium 1990-1991.	5th
128.	Pattern of conferences.	5
129.	Scale of assessments for the apportionment of the expenses of the United Nations.	5

Agenda of the seventeenth special session
(20-23 February 1990)

Item No.	Title	Allocation
1.	Opening of the session by the Chairman of the delegation of Nigeria.	Plenary
2.	Minute of silent prayer or meditation.	Plenary
3.	Credentials of representatives to the seventeenth special session of the General Assembly:	
	(a) Appointment of the members of the Credentials Committee;	Plenary
	(b) Report of the Credentials Committee.	Plenary
4.	Election of the President of the General Assembly.	Plenary

Item NO.	Title	Allocation
5.	Report of the Preparatory Committee of the Whole for the Seventeenth Special Session.	Plenary
6.	Organization of the session.	Plenary
7.	Adoption of the agenda.	Plenary
8.	General debate.	Plenary
9.	Aspects relating to the production, supply, demand, trafficking and distribution of narcotic drugs and psychotropic substances.	Plenary
10.	International legal framework:	
(a)	Single Convention on Narcotic Drugs of 1961, as amended by the 1972 Protocol Amending the Single Convention on Narcotic Drugs of 1961;	Plenary
(b)	Convention on Psychotropic Substances of 1971;	Plenary
(c)	United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances adopted in 1988;	Plenary
(d)	New agreements.	Plenary
11.	Bilateral and regional legal arrangements involving States and international organizations.	Plenary
12.	International co-operation and institutional framework:	
(a)	Within the United Nations system:	Plenary
(i)	General Assembly resolutions 44/141 of 15 December 1989, entitled "Global programme of action against illicit narcotic drugs", 44/142 of 15 December 1989, entitled "International action to combat drug abuse and illicit trafficking", 44/140 of 15 December 1989, entitled "Implementation of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances", and 44/39 of 4 December 1989, entitled "International criminal responsibility of individuals and entities engaged in illicit trafficking in narcotic drugs across national frontiers and other transnational criminal activities: establishment of an international criminal court with jurisdiction over such crimes";	
(ii)	United Nations Fund for Drug Abuse Control, Division of Narcotic Drugs of the Secretariat, International Narcotics Control Board and its secretariat: status of activities, programmes and projects, and co-ordination with national programmes;	
(iii)	Declaration of the International Conference on Drug Abuse and Illicit Trafficking;	
(iv)	Comprehensive Multidisciplinary Outline of Future Activities in Drug Abuse Control;	
(v)	Regional arrangements;	
(b)	Regional and other arrangements.	Plenary
13.	Reports submitted in response to General Assembly decision 44/410 of 14 November 1989:	
(a)	Report of the Commission on Narcotic Drugs on the enhancement of the role of the United Nations in the fight against illicit drugs;	Plenary
(b)	Progress report of the Secretary-General on:	Plenary
(i)	Ongoing work towards the development of a United Nations system-wide plan of action on drug abuse control, taking into account the recommendations of the International Conference on Drug Abuse and Illicit Trafficking and existing United Nations programmes and other activities at the international and regional levels;	
(ii)	The allocation of sufficient resources within the United Nations system to ensure that adequate priority is given to issues of narcotic drugs;	
(c)	Views on matters pertaining to the special session, transmitted by the Commission on Narcotic Drugs and other relevant bodies of the United Nations system.	Plenary
14.	Adoption of a political declaration and a global programme of action.	6
15.	Follow-up measures for the implementation of the decisions adopted by the seventeenth special session.	6

Agenda of the eighteenth special session
(23 April-1 May 1990)

Item NO.	Title	Allocation
1.	Opening of the session by the Chairman of the delegation of Nigeria.	Plenary
2.	Minute of silent prayer or meditation.	Plenary
3.	Credentials of representatives to the eighteenth special session of the General Assembly:	
(a)	Appointment of the members of the Credentials Committee;	Plenary
(b)	Report of the Credentials Committee.	Plenary
4.	Election of the President of the General Assembly.	Plenary
5.	Report of the Preparatory Committee for the Eighteenth Special Session.	Plenary
6.	Organization of the session.	Plenary

Item No.	Title	Allocation
7.	Adoption of the agenda.	Plenary
8.	General debate.	Plenary
9.	International economic co-operation, in particular the revitalization of economic growth and development of the developing countries.	7
10.	Admission of new Members to the United Nations.	Plenary

Agenda of the forty-fifth session
(first part, 18 September-21 December 1990)

Item No.	Title	Allocation
1.	Opening of the session by the Chairman of the delegation of Nigeria.	Plenary
2.	Minute of silent prayer or meditation.	Plenary
3.	Credentials of representatives to the forty-fifth session of the General Assembly:	
(a)	Appointment of the members of the Credentials Committee;	Plenary
(b)	Report of the Credentials Committee.	Plenary
4.	Election of the President of the General Assembly.	Plenary
5.	Election of the officers of the Main Committees.	Plenary
6.	Election of the Vice-Presidents of the General Assembly.	Plenary
7.	Notification by the Secretary-General under Article 12, paragraph 2, of the Charter of the United Nations.	Plenary
8.	Adoption of the agenda and organization of work.	Plenary
9.	General debate.	Plenary
10.	Report of the Secretary-General on the work of the Organization.	Plenary
11.	Report of the Security Council.	Plenary
12.	Report of the Economic and Social Council.	Plenary, 2nd, 3rd, 4th, 5th
13.	Report of the International Court of Justice.	Plenary
14.	Report of the International Atomic Energy Agency.	Plenary
15.	Elections to fill vacancies in principal organs:	
(a)	Election of five non-permanent members of the Security Council;	Plenary
(b)	Election of eighteen members of the Economic and Social Council;	Plenary
(c)	Election of five members of the International Court of Justice.	Plenary
16.	Elections to fill vacancies in subsidiary organs and other elections:	
(a)	Election of twelve members of the World Food Council;	Plenary
(b)	Election of twenty members of the Committee for Programme and Co-ordination;	Plenary
(c)	Election of a member of the Governing Council of the United Nations Environment Programme;	Plenary
(d)	Election of the United Nations High Commissioner for Refugees.	Plenary
17.	Appointments to fill vacancies in subsidiary organs:	
(a)	Appointment of members of the Advisory Committee on Administrative and Budgetary Questions;	5th
(b)	Appointment of members of the Committee on Contributions;	5th
(c)	Appointment of a member of the Board of Auditors;	5th
(d)	Confirmation of the appointment of members of the Investments Committee;	5th
(e)	Appointment of members of the United Nations Administrative Tribunal;	5th
(f)	International Civil Service Commission:	5th
(i)	Appointment of members of the Commission;	
(ii)	Designation of the Chairman and Vice-Chairman of the Commission;	
(g)	Appointment of members of the Committee on Conferences;	Plenary
(h)	Appointment of an alternate member of the United Nations Staff Pension Committee;	5th
(i)	Appointment of a member of the Consultative Committee on the United Nations Development Fund for Women.	Plenary
18.	Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.	Plenary, 4th ⁵
19.	Admission of new Members to the United Nations.	Plenary
20.	Co-operation between the United Nations and the Asian-African Legal Consultative Committee.	Plenary

Item No.	Title	Allocation
21.	Co-operation between the United Nations and the Organization of American States.	Plenary
22.	Implementation of the Declaration on the Right of Peoples to Peace.	Plenary
23.	Question of Palestine.	Plenary
24.	Co-operation between the United Nations and the Latin American Economic System.	Plenary
25.	Co-operation between the United Nations and the League of Arab States.	Plenary
26.	Co-operation between the United Nations and the Organization of the Islamic Conference.	Plenary
27.	Question of the Comorian island of Mayotte.	Plenary
28.	The situation in Central America: threats to international peace and security and peace initiatives.	Plenary
29.	The situation in Afghanistan and its implications for international peace and security.	Plenary
30.	Co-operation between the United Nations and the Organization of African Unity.	Plenary
31.	Zone of peace and co-operation of the South Atlantic.	Plenary
32.	The situation in Cambodia.	Plenary
33.	Law of the sea.	Plenary
34.	Policies of apartheid of the Government of South Africa.	Plenary, SPC ¹
35.	The situation in the Middle East.	Plenary
36.	Question of the Falkland Islands (Malvinas).	Plenary, 4th ¹
37.	Question of peace, stability and co-operation in South-East Asia.	Plenary
38.	Declaration of the Assembly of Heads of State and Government of the Organization of African Unity on the aerial and naval military attack against the Socialist People's Libyan Arab Jamahiriya by the present United States Administration in April 1986.	Plenary
39.	Implementation of the resolutions of the United Nations.	Plenary
40.	Launching of global negotiations on international economic co-operation for development.	Plenary
41.	Question of equitable representation on and increase in the membership of the Security Council.	Plenary
42.	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.	Plenary ⁹
43.	Question of Cyprus.	
44.	Consequences of the prolongation of the armed conflict between Iran and Iraq.	Plenary
45.	Implementation of General Assembly resolution 44/104 concerning the signature and ratification of Additional Protocol I of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco).	1st
46.	Cessation of all nuclear-test explosions.	1st
47.	Amendment of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water.	1st
48.	Urgent need for a comprehensive nuclear-test-ban treaty.	1st
49.	Establishment of a nuclear-weapon-free zone in the region of the Middle East.	1st
50.	Establishment of a nuclear-weapon-free zone in South Asia.	1st
51.	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.	1st
52.	Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.	1st
53.	Prevention of an arms race in outer space.	1st
54.	Implementation of the Declaration on the Denuclearization of Africa.	1st
55.	Chemical and bacteriological (biological) weapons.	1st
56.	General and complete disarmament:	
	(a) Notification of nuclear tests;	1st
	(b) Comprehensive United Nations study on nuclear weapons;	1st
	(c) Prohibition of the development, production, stockpiling and use of radiological weapons;	1st
	(d) Conventional disarmament;	1st
	(e) Nuclear disarmament;	1st
	(f) Objective information on military matters;	1st
	(g) Prohibition of the production of fissionable material for weapons purposes;	1st
	(h) Relationship between disarmament and development;	1st
	(i) Naval armaments and disarmament;	1st
	(j) International arms transfers;	1st
	(k) Defensive security concepts and policies;	1st
	(l) Review of the role of the United Nations in the field of disarmament;	1st

Item No.	Title	Allocation
	(m) Prohibition of the dumping of radioactive wastes;	1st
	(n) Conventional disarmament on a regional scale.	1st
57.	Review and implementation of the Concluding Document of the Twelfth Special Session of the General Assembly:	
	(a) World Disarmament Campaign;	1st
	(b) Convention on the Prohibition of the Use of Nuclear Weapons;	1st
	(c) Nuclear-arms freeze;	1st
	(d) United Nations disarmament fellowship, training and advisory services programme;	1st
	(e) United Nations Regional Centre for Peace and Disarmament in Africa, United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific and United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean.	1st
58.	Scientific and technological developments and their impact on international security.	1st
59.	Science and technology for disarmament.	1st
60.	Review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session:	
	(a) Report of the Disarmament Commission;	1st
	(b) Report of the Conference on Disarmament;	1st
	(c) Status of multilateral disarmament agreements;	1st
	(d) Advisory Board on Disarmament Matters;	1st
	(e) United Nations Institute for Disarmament Research;	1st
	(f) Review and appraisal of the implementation of the Declaration of the 1980s as the Second Disarmament Decade;	1st
	(g) Implementation of the guidelines for appropriate types of confidence-building measures;	1st
	(h) Non-use of nuclear weapons and prevention of nuclear war;	1st
	(i) Cessation of the nuclear-arms race and nuclear disarmament;	1st
	(j) Prevention of nuclear war;	1st
	(k) Declaration of the 1990s as the Third Disarmament Decade.	1st
61.	Implementation of the Declaration of the Indian Ocean as a Zone of Peace.	1st
62.	Israeli nuclear armament.	1st
63.	Education and information for disarmament.	1st
64.	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.	1st
65.	Special sessions on disarmament.	1st
66.	Verification in all its aspects.	1st
67.	Question of Antarctica.	1st
68.	Strengthening of security and co-operation in the Mediterranean region.	1st
69.	Review of the implementation of the Declaration on the Strengthening of International Security.	1st
70.	Implementation of the Declaration on the Preparation of Societies for Life in Peace.	1st
71.	Science and peace.	SPC
72.	Effects of atomic radiation.	SPC
73.	International co-operation in the peaceful uses of outer space.	SPC
74.	United Nations Relief and Works Agency for Palestine Refugees in the Near East.	SPC
75.	Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories.	SPC
76.	Comprehensive review of the whole question of peace-keeping operations in all their aspects.	SPC
77.	Questions relating to information.	SPC
78.	Question of the composition of the relevant organs of the United Nations.	SPC
79.	Development and international economic co-operation:	
	(a) International development strategy for the fourth United Nations development decade (1991-2000);	2nd
	(b) Trade and development;	2nd
	(c) Review and appraisal of the implementation of the Substantial New Programme of Action for the 1980s for the Least Developed Countries;	2nd
	(d) Food problems;	2nd
	(e) New and renewable sources of energy;	2nd
	(f) Development of the energy resources of developing countries.	2nd
80.	United Nations Conference on Environment and Development.	2nd
81.	Protection of global climate for present and future generations of mankind.	2nd

Item No.	Title	Allocation
82.	International co-operation for the eradication of poverty in developing countries.	2nd
83.	External debt crisis and development.	2nd
84.	Operational activities for development:	
	(a) Operational activities of the United Nations system;	2nd
	(b) United Nations Development Programme;	2nd
	(c) United Nations Population Fund;	2nd
	(d) United Nations Children's Fund;	2nd
	(e) World Food Programme.	2nd
85.	Training and research:	
	(a) United Nations Institute for Training and Research;	2nd
	(b) United Nations University.	2nd
86.	Special economic and disaster relief assistance:	
	(a) Office of the United Nations Disaster Relief Co-ordinator;	2nd
	(b) Special programmes of economic assistance.	2nd
87.	International assistance for the economic rehabilitation of Angola.	2nd
88.	Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist and colonialist regime of South Africa.	3rd
89.	Effective implementation of United Nations instruments on human rights and effective functioning of bodies established pursuant to such instruments.	3rd
90.	World social situation.	3rd
91.	Elimination of all forms of racial discrimination.	3rd
92.	Implementation of the World Programme of Action concerning Disabled Persons and the United Nations Decade of Disabled Persons.	3rd
93.	Human rights and scientific and technological developments.	3rd
94.	Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms.	3rd
95.	New international humanitarian order.	3rd
96.	Policies and programmes involving youth.	3rd
97.	Implementation of the Convention on the Rights of the Child.	3rd
98.	Implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination.	3rd
99.	Question of aging.	3rd
100.	Crime prevention and criminal justice.	3rd
101.	Elimination of all forms of discrimination against women.	3rd
102.	Forward-looking strategies for the advancement of women to the year 2000.	3rd
103.	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.	3rd
104.	International Year of the Family.	3rd
105.	International Covenants on Human Rights.	3rd
106.	Elimination of all forms of religious intolerance.	3rd
107.	Office of the United Nations High Commissioner for Refugees.	3rd
108.	International action to combat drug abuse and illicit trafficking.	3rd
109.	Torture and other cruel, inhuman or degrading treatment or punishment.	3rd
110.	Enhancing the effectiveness of the principle of periodic and genuine elections.	3rd
111.	Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter of the United Nations.	4th
112.	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 Territories under colonial domination and efforts to eliminate colonialism, apartheid and racial discrimination in southern Africa.	4th
113.	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.	4th
114.	United Nations Educational and Training Programme for Southern Africa.	4th
115.	Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories.	4th
116.	Financial reports and audited financial statements, and reports of the Board of Auditors:	

Item No.	Title	Allocation
	(a) United Nations;	5th
	(b) United Nations Development Programme;	5th
	(c) United Nations Children's Fund;	5th
	(d) United Nations Relief and Works Agency for Palestine Refugees in the Near East;	5th
	(e) United Nations Institute for Training and Research;	5th
	(f) Voluntary funds administered by the United Nations High Commissioner for Refugees;	5th
	(g) Fund of the United Nations Environment Programme;	5th
	(h) United Nations Population Fund;	5th
	(i) United Nations Habitat and Human Settlements Foundation.	5th
117.	Review of the efficiency of the administrative and financial functioning of the United Nations.	5th, Plenary ¹⁰
118.	Programme budget for the biennium 1990-1991.	5th
119.	Programme planning.	5th
120.	Current financial crisis of the United Nations.	5th
121.	Financial emergency of the United Nations.	5th
122.	Administrative and budgetary co-ordination of the United Nations with the specialized agencies and the International Atomic Energy Agency.	5th
123.	Joint Inspection Unit.	5th
124.	Pattern of conferences.	5th
125.	Scale of assessments for the apportionment of the expenses of the United Nations.	5th
126.	Personnel questions:	
	(a) Composition of the Secretariat;	5th
	(b) Respect for the privileges and immunities of officials of the United Nations and the specialized agencies and related organizations;	5th
	(c) Other personnel questions.	5th
127.	United Nations common system.	5th
128.	United Nations pension system.	5th
129.	Financing of the United Nations peace-keeping forces in the Middle East:	
	(a) United Nations Disengagement Observer Force;	5th
	(b) United Nations Interim Force in Lebanon.	5th
130.	Financing of the United Nations Iran-Iraq Military Observer Group.	5th
131.	Financing of the United Nations Angola Verification Mission.	5th
132.	Financing of the United Nations Transition Assistance Group.	5th
133.	Financing of the United Nations Observer Group in Central America.	5th
134.	Administrative and budgetary aspects of the financing of the United Nations peace-keeping operations.	5th
135.	Observer status of national liberation movements recognized by the Organization of African Unity and/or by the League of Arab States.	6th
136.	Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts.	6th
137.	Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives.	6th
138.	United Nations Decade of International Law.	6th
139.	Peaceful settlement of disputes between States.	6th
140.	Draft Code of Crimes against the Peace and Security of Mankind.	6th
141.	Report of the United Nations Commission on International Trade Law on the work of its twenty-third session.	6th
142.	Report of the International Law Commission on the work of its forty-second session.	6th
143.	Consideration of the draft articles on the status of the diplomatic courier and the diplomatic bag not accompanied by diplomatic courier and of the draft optional protocols thereto.	6th
144.	Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization.	6th
145.	Report of the Committee on Relations with the Host Country.	6th
146.	Additional protocol on consular functions to the Vienna Convention on Consular Relations.	6th
147.	Conciliation rules of the United Nations.	6th
148.	Implementation of the commitments and policies for international development co-operation agreed upon in the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries.	2nd

Item No.	Title	Allocation
149.	Observer status for the International Committee of the Red Cross, in consideration of the special role and mandates conferred upon it by the Geneva Conventions of 12 August 1949.	Plenary
150.	Tenth anniversary of the University for Peace.	Plenary
151.	Ceremony for the presentation of the Declaration and Plan of Action adopted by world leaders at the World Summit for Children.	Plenary
152.	Critical economic situation in Africa:	
	(a) United Nations Programme of Action for African Economic Recovery and Development 1986-1990;	Plenary
	(b) Report of the United Nations Secretary-General's Expert Group on African Commodity Problems;	Plenary
	(c) African Charter for Popular Participation in Development and Transformation.	Plenary
153.	Iraqi aggression and the continued occupation of Kuwait in flagrant violation of the Charter of the United Nations.	Plenary
154.	Electoral assistance to Haiti.	Plenary
155.	Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons.	1st

Security Council

Agenda items considered during 1990

Item No.	Title
1.	The situation relating to Afghanistan.
2.	Letter dated 3 January 1990 from the Charge d'affaires a.i. of the Permanent Mission of Nicaragua to the United Nations addressed to the President of the Security Council [Nicaragua v. United States in connection with a forced entry into the residence of the Nicaraguan Ambassador to Panama].
3.	The situation in the Middle East.
4.	Letter dated 2 February 1990 from the Permanent Representative of Cuba to the United Nations addressed to the President of the Security Council [Cuba v. United States in connection with the deployment of United States warships in the Caribbean].
5.	The situation between Iran and Iraq.
6.	The situation in Cyprus.
7.	The situation in the occupied Arab territories.
8.	Central America: efforts towards peace.
9.	Admission of new Members.
10.	United Nations peace-keeping operations.
11.	The situation concerning Western Sahara.
12.	The situation between Iraq and Kuwait.
13.	The situation in Cambodia.
14.	Election of five members of the International Court of Justice.
15.	Consideration of the draft report of the Security Council to the General Assembly.
16.	Letter dated 7 December 1990 from the President of the Trusteeship Council addressed to the President of the Security Council [status of the Trusteeship Agreement with respect to the Marshall Islands, Micronesia and the Northern Mariana Islands].

Economic and Social Council

Agenda of the organizational session for 1990 (17 January and 6-9 February 1990)

Item No.	Title	Allocation
1.	Election of the Bureau.	Plenary
2.	Adoption of the agenda and other organizational matters.	Plenary
3.	Basic programme of work of the Council:	
	(a) Implementation of Council resolutions 1988/77 and 1989/114;	Plenary
	(b) Proposals on the basic programme of work of the Council for 1990 and 1991.	Plenary

Item No.	Tit/e	Allocation
4.	Elections and appointments to subsidiary bodies of the Council, and confirmation of representatives on the functional commissions.	Plenary
5.	Provisional agenda for the first regular session of 1990 and related organizational matters.	Plenary

Agenda of the first regular session of 1990
(1-25 May 1990)

Item No.	Tit/e	Allocation
1.	Adoption of the agenda and other organizational matters.	Plenary
2.	Implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination.	Plenary
3.	Human rights questions.	2nd
4.	Advancement of women.	2nd
5.	Social development.	2nd
6.	Narcotic drugs.	2nd
7.	International co-operation in the elimination of the consequences of the accident at the Chernobyl nuclear power plant.	Plenary
8.	Elections, nominations and appointments.	Plenary
9.	Consideration of the provisional agenda for the second regular session of 1990.	Plenary

Agenda of the second regular session of 1990
(4-27 July and 9 November 1990)

Item No.	Tit/e	Allocation
1.	Adoption of the agenda and other organizational matters.*	Plenary
2.	General discussion of international economic and social policy, including regional and sectoral developments.	Plenary
3.	Revitalization of the Economic and Social Council.	Plenary
4.	Permanent sovereignty over national resources in the occupied Palestinian and other Arab territories.	Plenary
5.	International co-operation in the elimination of the consequences of the accident at the Chernobyl nuclear power plant.	Plenary
6.	Regional co-operation.	1st
7.	Development and international economic co-operation:	
	(a) Trade and development;	1st
	(b) International development strategy for the fourth United Nations development decade;	1st
	(c) World Food Council;	1st
	(d) Transnational corporations;	1st
	(e) Development and utilization of new and renewable sources of energy;	1st
	(f) Development of the energy resources of developing countries;	1st
	(g) International co-operation in tax matters;	1st
	(h) Implementation of the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries.	Plenary
8.	International co-operation in the field of Informatics.	1st
9.	Operational activities for development.	3rd
10.	Co-ordination questions. ¹²	3rd
11.	Programme questions.	3rd
12.	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.	3rd
13.	Disaster reduction and relief:	
	(a) International strategy for the fight against locust and grasshopper infestation, particularly in Africa;	3rd
	(b) Disaster relief co-ordination.	3rd
14.	Special economic and humanitarian assistance:	
	(a) Special programmes of economic assistance;	3rd
	(b) Humanitarian assistance.	

Item No.	Title	Allocation
15.	Report of the United Nations High Commissioner for Refugees.	Plenary
16.	Elections. ¹²	Plenary

Trusteeship Council

Agenda of the twentieth special session (8 January 1990)

Item No.	Title
1.	Adoption of the agenda.
2.	Election of the President and the Vice-President.
3.	Report of the Secretary-General on credentials.
4.	Letter dated 19 December 1989 from the Permanent Representative of the United States of America to the United Nations addressed to the Secretary-General, containing a request for a special session of the Trusteeship Council to consider the dispatch of a mission to observe a plebiscite to be held on 6 February 1990 in Palau on the Compact of Free Association.
5.	Examination of petitions related to item 4 of the agenda.

Agenda of the fifty-seventh session (21 May-1 June and 28 November 1990)

Item No.	Title
1.	Adoption of the agenda.
2.	Report of the Secretary-General on credentials.
3.	Election of the President and the Vice-President.
4.	Examination of the annual report of the Administering Authority for the year ended 30 September 1989: Trust Territory of the Pacific Islands.
5.	Examination of petitions.
6.	Report of the United Nations Visiting Mission to Observe the Plebiscite in Palau, Trust Territory of the Pacific Islands, February 1990.
7.	Offers by Member States of study and training facilities for inhabitants of Trust Territories.
8.	Dissemination of information on the United Nations and the International Trusteeship System in Trust Territories.
9.	Co-operation with the Committee on the Elimination of Racial Discrimination.
10.	Second Decade to Combat Racism and Racial Discrimination.
11.	Attainment of self-government or independence by the Trust Territories and the situation in Trust Territories with regard to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.
12.	Co-operation 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.
13.	Adoption of the report of the Trusteeship Council to the Security Council.

[1] Hearings of organizations and individuals having an interest in the question.

[2] Not allocated; consideration deferred to the forty-fifth session.

[3] Allocated to the Second Committee at the first part of the session in 1989 but considered only in plenary meeting at the resumed session.

[4] Allocated to the Third Committee at the first part of the session in 1989 but considered only in plenary meeting at the resumed session.

[5] Allocated to the Fifth Committee at the first part of the session in 1989 but considered only in plenary meeting at the resumed session.

[6] Allocated to the Ad Hoc Committee of the Seventeenth Special Session.

[7] Allocated to the Ad Hoc Committee of the Eighteenth Special Session; also considered in plenary meeting under item 8.

[8] 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 specific Territories.

[9] On 21 September 1990, the General Assembly adopted the General Committee's recommendation that the item be allocated at an appropriate time during the session.

[10] Consideration of the report on the United Nations intergovernmental structure and functions in the economic and social fields.

[11] Numbers indicate the order in which items were taken up in 1990.

[12] Item considered also at the resumed session.

Appendix V

United Nations information centres and services

(as at January 1999)

ACCRA. United Nations Information Centre Gamel Abdul Nassar/Liberia Roads (P.O. Box 2339) Accra, Ghana Serving: Ghana, Sierra Leone	BEIRUT. United Nations Information Service, Economic and Social Commission for Western Asia UNIC Beirut/UNIS ESCWA Building Riad El-Solh Square (P.O. Box No. 11-8575-4656, Riad El-Solh Square) Beirut, Lebanon Serving: Jordan, Kuwait, Lebanon, Syrian Arab Republic, ESCWA	COLOMBO. United Nations Information Centre 202-204 Baudhdhaloka Mawatha (P.O. Box 1505, Colombo) Colombo 7, Sri Lanka Serving: Sri Lanka
ADDIS ABABA. United Nations Information Service, Economic Commission for Africa Africa Hall (P.O. Box 3001) Addis Ababa, Ethiopia Serving: Ethiopia, ECA	BONN. United Nations Information Centre United Nations Premises in Bonn Martin Luther King Str. 8 D-53175 Bonn, Germany Serving: Germany	COPENHAGEN. United Nations Information Centre Midtermolen 3 DK-2100 Copenhagen, Denmark Serving: Denmark, Finland, Iceland, Norway, Sweden
ALGIERS. United Nations Information Centre 9A Rue Emile Payen, Hydra (Boîte Postale 823, Alger-Gare, Algeria) Algiers, Algeria Serving: Algeria	BRAZZAVILLE. United Nations Information Centre Avenue Foch, Case Ortf 15 (P.O. Box 13210 or 1018) Brazzaville, Congo Serving: Congo	DAKAR. United Nations Information Centre 12 Avenue Leopold S. Senghor, Immeuble UNESCO (Boîte Postale 154) Dakar, Senegal Serving: Cape Verde, Côte d'Ivoire, Gambia, Guinea, Guinea-Bissau, Mauritania, Senegal
ANKARA. United Nations Information Centre 197 Atatürk Bulvari (P.K. 407) Ankara, Turkey Serving: Turkey	BRUSSELS. United Nations Information Centre UN House 14 Rue Montoyer 1000 Brussels, Belgium Serving: Belgium, Luxembourg, Netherlands; liaison with EC	DAR ES SALAAM. United Nations Information Centre Marogoro Road/Sokoine Drive Old Boma Building (ground floor) (P.O. Box 9224) Dar es Salaam, United Republic of Tanzania Serving: United Republic of Tanzania
ANTANANARIVO. United Nations Information Centre 22 Rue Rainitovo, Antasahavola (Boîte Postale 1348) Antananarivo, Madagascar Serving: Madagascar	BUCHAREST. United Nations Information Centre 16 Aurel Vlaicu (P.O. Box 1-7011) Bucharest, Romania Serving: Romania	DHAKA. United Nations Information Centre House 60, Road 11A Dhanmondi (G.P.O. Box 3658, Dhaka 1000) Dhaka, Bangladesh Serving: Bangladesh
ASUNCION. United Nations Information Centre Estrella 345, Edificio City (3er piso) (Casilla de Correo 1107) Asunción, Paraguay Serving: Paraguay	BUENOS AIRES. United Nations Information Centre Junín 1940 (1er piso) 1113 Buenos Aires, Argentina Serving: Argentina, Uruguay	GENEVA. United Nations Information Service, United Nations Office at Geneva Palais des Nations 1211 Geneva 10, Switzerland Serving: Bulgaria, Switzerland
ATHENS. United Nations Information Centre 36 Amalias Avenue GR-10558 Athens, Greece Serving: Cyprus, Greece, Israel	BUJUMBURA. United Nations Information Centre 117 Avenue de la Revolution (Boîte Postale 2160) Bujumbura, Burundi Serving: Burundi	HARARE. United Nations Information Centre Sanders House (2nd Floor) Cnr. First Street/Jason Moyo Avenue (P.O. Box 4408) Harare, Zimbabwe Serving: Zimbabwe
BANGKOK. United Nations Information Service, Economic and Social Commission for Asia and the Pacific United Nations Building Rajdamnern Avenue Bangkok 10200, Thailand Serving: Cambodia, Hong Kong (China), Lao People's Democratic Republic, Malaysia, Singapore, Thailand, Viet Nam, ESCAP	CAIRO. United Nations Information Centre 1 Osoris Street, Garden City (Boîte Postale 262) Cairo, Egypt Serving: Egypt, Saudi Arabia	

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mation Centre
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