



General Assembly

Distr.  
GENERAL

A/43/763  
31 October 1988

ORIGINAL: ENGLISH

Forty-third session  
Agenda item 82 (b)

DEVELOPMENT AND INTERNATIONAL ECONOMIC CO-OPERATION:  
TRADE AND DEVELOPMENT

Negotiations on a draft international code of conduct  
on the transfer of technology

Report of the Secretary-General of the United Nations  
Conference on Trade and Development

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## I. INTRODUCTION

1. Pursuant to General Assembly resolution 42/172 of 11 December 1987, the Secretary-General of the United Nations Conference on Trade and Development (UNCTAD) and the President of the United Nations Conference on an International Code of Conduct on the Transfer of Technology continued during 1988 their consultations with regional groups and interested Governments with a view to identifying appropriate solutions to the issues outstanding in the draft code of conduct. The present report deals with the status of those consultations.

## II. CONSULTATIONS CARRIED OUT IN 1988

2. The consultations with regional groups and interested Governments during 1988 focused mainly on the identification of appropriate solutions to the issues outstanding on the code that could serve as a basis for reconvened negotiations on the draft code of conduct. As pointed out in the report of the Secretary-General of UNCTAD to the General Assembly at its forty-second session (see A/42/678), some indications were given by the developing countries, during consultations in 1987, of a possible movement at the negotiating conference, when reconvened, which might permit the identification of compromise solutions to the issues outstanding in chapter 4 of the draft code. Upon request for further clarification of their position, the developing countries put forward, during the current consultations, a set of elements relating to the outstanding issues in the draft code of conduct which, in their view, could serve as the basis for reconvening the United Nations Conference on an International Code of Conduct on the Transfer of Technology.

3. The proposals by the developing countries were communicated to all other regional groups and China, and have, as a result, received careful consideration and attention by them all. The socialist countries of Eastern Europe and China expressed the view that they could accept the set of elements proposed by the developing countries as the basis for reconvening the United Nations Conference on an International Code of Conduct on the Transfer of Technology with a view to completing the work on the draft code. However, the developed market-economy countries were of the view that the proposals by the developing countries did not provide a sufficient basis for a successful resolution of the outstanding issues in the draft code of conduct. Accordingly, they could not accede to the suggestion that the Conference be reconvened at this time.

4. Nevertheless, the groups agreed that the consultations on the draft code of conduct should continue with a view to exploring and identifying further avenues of action for the future. Thus, at the time of writing the present report, consultations are still going on with Governments and regional groups on further consideration of the proposals submitted by the developing countries and on ways and means of reconciling views on future action on the draft code.

### III. CONCLUDING REMARKS

5. In the light of the above, and in accordance with the mandate given by the General Assembly in its resolution 42/172, the Secretary-General of UNCTAD and the President of the United Nations Conference on an International Code of Conduct on the Transfer of Technology wish to pursue their efforts with a view to bringing the ongoing consultations to a successful end. Therefore, it is the intention of the Secretary-General of UNCTAD to make a more complete report to the General Assembly at its forty-fourth session.

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