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### PROGRESSIVE DEVELOPMENT OF THE PRINCIPLES AND NORMS OF INTERNATIONAL LAW RELATING TO THE NEW INTERNATIONAL ECONOMIC ORDER

#### Report of the Secretary-General

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REPLIES RECEIVED FROM MEMBER STATES PURSUANT TO PARAGRAPH 3  
OF GENERAL ASSEMBLY RESOLUTION 38/128

CUBA

[Original: Spanish]

[2 May 1984]

1. In the opinion of the Cuban Government, the topic under consideration is of crucial importance to the developing countries, which are pressing for a more just international economic order completely responsive to the current state of economic relations. Accordingly, the legal framework for such economic relations must be established.
2. It is well known that the economic situation of the developing countries is continuing to deteriorate and that negotiations for the establishment of the new international economic order have reached an impasse. It is therefore necessary to set up the essential and necessarily extremely dynamic mechanisms for its implementation.
3. The legal assumptions underlying the prevailing order do not take into account the realities of a changing world. The legislation governing international relations cannot be derived from the consensus of a small group of capitalist countries nor can there continue to exist a legal order based on exploitation, inequality and economic aggression.
4. The Cuban Government considers that the establishment of the new international economic order will require arduous efforts to codify international law; at the same time, a determination must be made of the legal force of the instruments that have already been adopted, including the resolutions of the General Assembly, in particular those of the fourth and sixth special sessions, as well as the resolution of the summit meetings of the Movement of Non-Aligned Countries.
5. The legislation thus formulated must first and foremost address the economic activities of States and the co-operation that must be established between different countries on the basis of just and equitable conditions. It cannot be forgotten that the new international economic order is inevitably linked to the problem area of greatest concern to society today - international peace and security - and that the crisis in international economic relations is a source of instability and a threat to that peace and security.
6. The new norms must also take into account the right of the developing countries to receive development assistance and to benefit from science and technology. Developing countries must be able to participate on an equal footing in international economic relations. To this end, draft conventions must be prepared on topics which have not yet been regulated or on which sufficient work has not yet been done.

7. What is needed is new international legislation to promote trade on the basis of equality and to establish firmly the criteria for organizing world economic relations on a just basis. However, this new legislation cannot affect the full validity of the principles of international law that have already been accepted by the community of nations, such as the sovereignty of States over their natural resources.

8. Only when steps have been taken to adopt legislation that truly takes into account the above-mentioned principles, which are of prime importance to the developing world, can it be said that we are making progress towards the establishment of the new international economic order.

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