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at 3 p.m.
New York

SUMMARY RECORD OF THE 30th MEETING

Chairman: Mr. KAABACHI (Tunisia)

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The meeting was called to order at 3.25 p.m.

AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (continued) (A/39/3 (Parts I and II), 97, 118, 128, 133, 161, 223, 265 and Add.1, 269, 271, 272, 289 and Add.1, 290, 295, 312 and Corr.1 and Add.1-2, 303, 326, 331, 347, 356, 452, 474 and Corr.1, 477, 554, 559, 581, 590 and Corr.1; A/C.2/39/2, 6, 7; A/C.2/39/L.2; E/1984/9/Add.2; E/1983/71)

1. Mr. VRAALSEN (Norway) expressed his delegation's sympathy to the Indian delegation on the occasion of the assassination of Mrs. Indira Gandhi, the Indian Prime Minister.
2. Speaking on behalf of the Nordic countries, he noted that the International Conference on Population, held in Mexico City in August 1984, had demonstrated that much progress had been achieved since the Bucharest Conference of 1974. The Mexico City Declaration on Population and Development and the World Population Plan for Action, as updated at the Conference, should guide individual countries and the international community in their efforts to solve population problems. Participants in the Mexico Conference had rightly stated that couples should have access to safe and effective family-planning methods in order to exercise the basic right to decide freely and responsibly on the number and spacing of their children, and that men and women should share the responsibilities of family life, in order to bring about an improvement in the status of women which, in turn, would have a positive effect on reproductive behaviour.
3. All countries should give high priority to concrete action aimed at dealing with population growth. National efforts were fundamental in that connection, but the international community, too, had a duty to support those efforts and to allocate additional resources for that purpose.
4. The Nordic countries looked forward with interest to the report on the strengthening of the United Nations Fund for Population Activities, which the Secretary-General had been invited to prepare in recommendation 83 of the Conference.
5. On the issue of transnational corporations it was to be noted that many developing countries were showing increased interest in foreign investment as a means of mobilizing larger resource flows without corresponding rises in indebtedness levels, which were already too high. Foreign investment was a useful supplement to other financial flows but could not, of course, replace them, particularly since it was fairly heavily concentrated in a small number of relatively advanced developing countries and was of little benefit to the poorest countries.
6. The Nordic countries were generally satisfied with the work of the Commission on Transnational Corporations and the United Nations Centre on Transnational Corporations, which had helped to clarify controversial issues and improve relationships between transnational corporations and host countries. The Centre, which relied heavily on voluntary contributions from Nordic sources, had played a particularly important role in that respect through its technical assistance to developing countries. The transnational corporations and their host countries now

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(Mr. Vraalsen, Norway)

seemed more willing to take each other's legitimate interests into account, often within the framework of new forms of co-operation.

7. The Nordic countries were, however, disappointed that the Commission had once again failed to solve the question whether all the publicly-owned enterprises operating internationally, whatever their country of origin and including State enterprises which were playing an increasingly important role in international business, should be regarded as transnational corporations. Another matter of grave concern was that after almost eight years of hard work the Commission had still failed to achieve what everyone agreed was its priority task, namely, to establish a universally acceptable and applicable code of conduct on transnational corporations. It was particularly regrettable that at its reconvened special session in June 1984, the Commission had been unable to confirm the tentative agreement reached during informal consultations on one of the most fundamental issues, that of definitions and scope of application. The Nordic countries continued to feel that reasonable compromise solutions taking into account the interests of all parties could be found provided the necessary good will and flexibility were shown by all. Even if the resulting code was not a perfect instrument, it would still make a major contribution to reaching common objectives. A period of active reflection, including informal contacts and consultations, might now be called for so that subsequent negotiations might be crowned with success. In that connection, the best procedure at the present stage would be to request the Secretary-General to arrange for consultations and, possibly, to report to the fortieth session of the General Assembly with specific proposals for bringing the work on the preparation of the Code to a successful and speedy conclusion. Moreover, another format for the future work of the Commission that would secure high-level participation in the negotiations from all groups might be considered instead of another reconvened special session.

8. In order to increase international investments to support economic development both in host countries and in the world at large, it was important to maximize the benefits and reduce the problems and negative consequences of the operations of transnational corporations. It was against that background that the speedy elaboration of the code of conduct was more important than ever.

9. Mr. MIGNOT (Belgium), said that, politicized as it had been, the International Conference on Population held in Mexico City in August 1984 had proved a success in terms of the North-South dialogue inasmuch as North and South countries had agreed on a world plan of action. The recommendations adopted testified to the advances made since the Bucharest World Population Conference, particularly as regards the links between population and development policies. The identification of the needs underlying those recommendations would increase the efficacy of the action taken. At the level of the United Nations system, there was a need, in particular, for better co-ordination, both of activities by the various institutions concerned and of projects and programmes executed in one country by several governmental or non-governmental organizations. There was also a need, as the Conference had requested in its recommendation 8.3, to strengthen the United Nations Fund for Population Activities. In examining the implementation of that recommendation, account should be taken of the views of the Director-General for Development and International Economic Co-operation, bearing in mind the role entrusted to him under General Assembly resolution 32/197, as well as those of constituted bodies of

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(Mr. Mignot, Belgium)

experts familiar both with population matters and with the operation of the United Nations system. Such bodies existed within the United Nations. In brief, his delegation felt that UNFPU should be strengthened but should keep its specific character, so that its efforts should not be dispersed in related fields which were or could be dealt with by other United Nations bodies.

10. Mr. DIETZE (German Democratic Republic) expressed his delegation's condolences to the Indian delegation.

11. Turning to the consideration of agenda item 12, he said that despite the great number of resolutions and decisions adopted by the Economic and Social Council during the past year, no progress had been made in solving crucial economic problems such as the critical economic situation in Africa, indebtedness, confidence-building measures and the preparation of a code of conduct for transnational corporations. The Council was not to blame; it was for States to take practical steps towards a normalization of economic co-operation. What was needed were not new resolutions to revitalize the Council but action-oriented decisions for implementing the numerous good resolutions already adopted.

12. Divergency of views on the causes of world economic tensions should not prevent the international community from recognizing that those tensions had to be stopped. It was in that spirit that the German Democratic Republic, together with 110 other countries, had voted in favour of resolution 38/196 on "Confidence-building in international economic relations". If confidence-building measures in a sensitive field such as armaments could be negotiated between Eastern and Western countries at Stockholm, the same should be possible in the economic field. Economic war, protectionism and embargos had never led to mutually advantageous economic co-operation. That was why the CMEA member States had adopted a declaration entitled "Maintenance of peace and international economic co-operation" (A/39/323).

13. Negotiations on a code of conduct on transnational corporations had already been dragging on for more than seven years. With regard to the idea of a freeze in those negotiations, even a temporary one, the negative experience of the so-called exploratory process in connection with the launching of global negotiations should not be repeated, while transnational corporations still controlled about 40 per cent of the industrial production and half of the foreign trade of developing countries as well as almost the whole technology transfer of Western States to developing countries. It was also inadmissible and incompatible with the mandate of the Commission on Transnational Corporations if elaboration of the code was linked with demands to re-orient the code towards favourable conditions for foreign private capital. Setting such conditions amounted to refusing to have any code of conduct. Developing countries, socialist States and other countries had submitted practical proposals. His own country had shown flexibility. It would respond, as before, to every constructive idea conducive to furthering preparation of the code within the framework of the mandate agreed and confirmed by the General Assembly. It reiterated its proposal that the General Assembly should adopt a decision for the speedy continuation and conclusion of the negotiations on the basis of the package proposal submitted by the Chairman of the Special Session of the Commission in 1983.

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(Mr. Dietze, German Democratic Republic)

14. As for the Middle East question, his country renewed its demand for the immediate, complete and unconditional withdrawal of Israel from all Arab territories occupied since 1967, as well as for the recognition of the inalienable rights of the Arab people of Palestine, including their right to form an independent State of their own under the leadership of their sole legitimate representative, the Palestine Liberation Organization, and their permanent sovereignty over their national resources. Consequently, Israel had an obligation to pay adequate compensation for the illegal exploitation of those resources. His country would support any measure taken by the organs and organizations of the United Nations system to increase assistance to the Palestinian people.
15. The German Democratic Republic had voted in favour of the final document of the World Population Conference on the understanding that the appropriate follow-up measures would be realized by the existing United Nations organs.
16. On the issue of disarmament and development, the German Democratic Republic wished to make clear to certain delegations that its proposal at the second regular session of the Economic and Social Council that the Council should deal with the question as a matter of priority had absolutely not been made for propaganda purposes, but because the arms race harmed people's prosperity and social security and because practical disarmament measures could release the means needed for the solution of economic and social problems. It was not a question of the Council taking over tasks assigned to existing United Nations disarmament organs, but rather of the Council, the specialized agencies and other relevant United Nations organs acting within their mandates to make a substantial and concrete contribution to disarmament. His country hoped that those bodies would contribute to implementing resolution 38/188 J, entitled "Institutional arrangements relating to the process of disarmament", which had been adopted by 114 Member States. It expressed the same expectation regarding implementation of resolution 38/56 on preparations for the International Year of Peace in 1986. Economic co-operation and development required peace and peaceful coexistence. Pursuant to the Charter of the United Nations, the Economic and Social Council was not only authorized but even obliged to devote itself to those important questions as part of its co-ordinating activities.
17. Mr. EL-NASR (Egypt) said that his delegation had carefully considered the reports of the Secretary-General on assistance for the Palestinian people and on permanent sovereignty over national resources in the occupied Palestinian and other Arab territories, as well as all other documents concerning the item under consideration.
18. His delegation wished first of all to express its gratitude to the Secretary-General for the arrangements he had made for organizing the special meeting in July 1984 devoted to economic and social assistance for the Palestinian people, as well as to all the institutions and bodies that had taken part in the work of that meeting, which had made it possible, in particular, to appraise the progress made in the field of assistance to the Palestinian people. His delegation wished, furthermore, to thank the Secretary-General for his excellent report on permanent sovereignty over national resources in the occupied Palestinian and other Arab territories (A/39/326), which gave an idea of the violations committed by Israel in those territories.

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(Mr. El-Nasr, Egypt)

19. Egypt had learned with some consternation that Israel had refused to receive the expert appointed by the Secretary-General to gather information on "the resources exploited by the Israeli settlements and the Israeli-imposed regulations and policies hampering the economic development of the occupied Palestinian and other Arab territories". Israel was continuing to refuse to implement the Fourth Geneva Convention of 1949 in the occupied Palestinian Territories, even though it knew that the international community condemned its attitude as contrary to international law, to United Nations resolutions and to the purposes and principles of the Charter. In fact, the attitude expressed by the Permanent Representative of Israel in the letter he had addressed to the Secretary-General (A/C.2/39/7) was very oversimplified. Nothing gave Israel the right to prevent an expert representing the international community from inquiring directly into the situation prevailing in the occupied territories.

20. In its resolution 1803 (XVII), the General Assembly had declared that violation of the rights of peoples and nations to sovereignty over their natural wealth and resources was contrary to the spirit and principles of the Charter of the United Nations. Moreover, the principle of permanent sovereignty over natural resources was one of the foundations of General Assembly resolutions 3201 (S-VI) and 3202 (S-VI) concerning the establishment of a new international economic order, as well as of resolution 3281 (XXIX) containing the Charter of Economic Rights and Duties of States. In addition, the right of peoples and States to permanent sovereignty over their natural resources had become one of the recognized principles of international law. However, that right was seriously threatened by Israel's policy in the occupied territories, in particular by the policy of settlement, which was assuming greater dimensions every day in defiance of United Nations resolutions as well as of the provisions of international law and international conventions, in particular the Hague Convention of 1907 and the Fourth Geneva Convention of 1949.

21. The report of the Secretary-General on the living conditions of the Palestinian people in the occupied Palestinian territories (A/39/233) clearly showed that the Israeli policy of developing and protecting illegal settlements was having direct economic effect on the Palestinians, who saw themselves deprived of their land and water resources. Under that same policy, the Israeli occupation authorities were doing everything they could to integrate the economy of the West Bank and the Gaza Strip into the Israeli economy. Thus, instead of serving the long-term interests of the Palestinian population, the economic activity of those territories was made to serve Israel and was becoming dependent on its own economy. Two salient facts emerged from the reports under consideration: first of all, the absence of any local development activity, and secondly, the state of economic dependence of the territories on the Israeli economy. That situation was due to the fact that the local authorities had been deprived of any decision-making powers. It should also be recalled that the occupied territories were subject to two different jurisdictions, the one civilian, which covered the Israeli settlements, the other military, which applied to the rest of the territories. Apart from that juridical situation, the multiplication in the number of settlements and the fact that the local authorities were confiscating an increased number of lands which were then conferred on the children of Israeli settlers were also to be deplored. Moreover, the settlements, through their councils, formed pressure groups which were exercising a strong influence over important decisions

(Mr. El-Nasr, Egypt)

relating to juridical questions, security, land, water resources and the infrastructure in the occupied territories.

22. The aforementioned report of the Secretary-General (A/39/233) had indicated that in January 1984 Israel was in possession of 47.4 per cent of the lands of the West Bank, of which 26 per cent had been allocated to 165 Israeli settlements. Furthermore, the settlements were established in such a way as to limit the expansion of neighbouring Arab villages and agricultural enterprises. In addition, since 1979, the Israeli occupation authorities had authorized individuals and companies to purchase land in the occupied territories, taking advantage of the financial difficulty in which the inhabitants of those territories found themselves and of the fact that a large number of them had chosen to emigrate so as to escape the systematic repression practised by the Israeli authorities, a repression of which the military correspondent of the Jerusalem Post had given a general idea in an article published by that paper on 11 May 1983.

23. The Secretary-General's report on permanent sovereignty over national resources in the occupied Palestinian and other Arab territories (A/39/326) showed clearly the manner in which the occupation authorities had exploited the water and other natural resources of the occupied territories. The report also showed that the Israeli authorities had used the waters of the Jordan to supply their national water distribution network and, in particular, to irrigate desert regions such as the Negev. Israel was thus using 40 to 50 per cent annually of the West Bank waters. The fact that such exploitation predated 1967 in no way justified its continuation in violation of international law. It was true, as the report had made clear, that there was a water surplus in those territories but that did not justify Israel in using it to satisfy its national needs. Further, Israeli official reports provided no information on the distribution of those resources between the Arab inhabitants and the settlers in the occupied territories.

24. The policy of exploiting the natural resources of the occupied territories and linking the economy of those territories to the national economy of Israel had had important social repercussions on the population of the West Bank. In particular, a large number of farmers had been obliged to cease their activities and work as wage-earners in the Israeli economy; that development would have catastrophic consequences in the long term.

25. The chief obstacles to efforts to establish peace in the region were the colonization policy and Israeli practises. Far from ending such activities, Israel had intensified them in 1984, thus demonstrating its determination to pursue its policy of fait accompli. The international community could not allow that policy to determine the future of the occupied territories thus transforming the temporary occupation into a permanent fact. That would be contrary to the principle which the international community had adopted shortly after the First World War regarding the illegality of the acquisition of territory by force. At the end of the twentieth century the violation of the rights of the Palestinian people in the occupied territories, particularly their rights to permanent sovereignty over their natural resources and to self-determination could not be permitted.

(Mr. El-Nasr, Egypt)

26. History taught that peaceful coexistence could not be imposed by force and that prosperity could not be born out of injustice and occupation. The peace-loving nations had the duty to face up to their responsibility to the Palestinian people so that Palestine would once again know peace.

27. Mr. ABU KOASH (Observer, Palestine Liberation Organization) said that the Secretary-General's report on permanent sovereignty over national resources in the occupied Palestinian and other Arab territories was somewhat disappointing in its treatment of the water resources issue and could not be regarded as a satisfactory follow-up to paragraph 10 of General Assembly resolution 38/144.

28. Prior to the occupation of Arab and Palestinian territories in 1967, Israel had been consuming annually about 90 per cent of its renewable water resources and thus had had little room for increasing its consumption. Subsequently the Israeli authorities had been quick to take over full control of the water resources of the West Bank, the Gaza Strip, and the occupied Syrian territory of the Golan Heights and had begun to exploit them without restriction for Israeli consumption and the establishment of Israeli colonies. Even before 1967, one third of the water consumed each year had been drawn from the same underground water aquifer system which contained the water resources of the West Bank. The practice had not ceased; it was currently openly pursued. Moreover, the Israeli occupation authorities had restricted Palestinian water consumption in the West Bank to only 120 million cubic metres although the water balance was about 834 million cubic metres per annum. The implementation by the Israeli authorities of a 30-year plan to increase the population of the Israeli colonies in the West Bank to 1.3 million indicated the real purpose of the Israeli restrictions on Palestinian utilization of Palestinian water resources. Every year the Israeli authorities seized 500 million cubic metres of Palestinian water resources. That amount was definitely in excess of the real current needs of Israel and its colonies; it was therefore reasonable to conclude that Israel preferred to squander part of the Palestinian resources rather than let it be used by the Palestinians for productive purposes. The Israeli occupation authorities had confiscated the Palestinian agricultural land adjacent to the Jordan River and had denied Palestinian farmers access to the land or to the water of the river. The Palestinians had been required to fit their wells with meters recording the quantity of water withdrawn from each and to observe the Israeli-imposed ceilings restricting their consumption. As Israel had absorbed a substantial quantity of the waters of the Jordan, the salinity of the remaining water had increased, thus rendering the water unfit for domestic use and less suitable for irrigation. In Lebanon, the Israeli occupation army had been positioned beyond the Litani River so that Israel could continue to plunder the water resources of the area. The Israeli objective in appropriating Arab water resources had played an important role in all the Israeli wars and military adventures against the Arab nations.

29. Israel continued to violate the principle of permanent sovereignty as defined in international law. The confiscation of the Palestinian territories of the West Bank and Gaza Strip, the occupied Syrian territory of the Golan Heights and the Arab territory in southern Lebanon was contrary to article 55 of the annex to the Hague Convention of 18 October 1907 concerning laws and customs of war on land which provided that the occupying State should "be regarded only as administrator and usufructuary of public buildings, real estate, forests and agricultural estates

(Mr. Abu Koash, PLO)

belonging to the hostile State and situated in the occupied country. It must safeguard the capital of these properties and administer them in accordance with the rules of usufruct". Israel had constructed buildings on the territories which it had seized, particularly in the occupied Palestinian territories and in the occupied Syrian territory of the Golan Heights, and had created colonies to which it had transferred part of its population, in violation of article 49 of the Geneva Convention of 12 August 1949 (Fourth Geneva Convention) relative to the Protection of Civilian Persons in Time of War.

30. In addition, Israel had destroyed Palestinian, Syrian and Lebanese houses for the establishment of Israeli colonies in the occupied territories and the installation of military outposts in southern Lebanon. Article 53 of the Fourth Geneva Convention prohibited "any destruction by the Occupying Power of real or personal property". The Geneva Convention was based on the premise that the occupation of territory in wartime was essentially a temporary de facto situation and could not imply either the acquisition or transfer of sovereignty. The fact that Israel continued to retain the occupied territories and to behave as if it were entitled to sovereignty over those territories had no legal validity. Israel was a belligerent occupier, bound to observe the relevant provisions of international law. Instead, Israel had chosen to call itself "administrator", which was something novel in international law. The so-called "administrator" had not limited itself to mere administration but had gone on to annex Jerusalem and the Golan Heights and had acted as if it were entitled to full sovereignty over the occupied Palestinian territories. Israel had attempted to impose its imprint on the Palestinians of Jerusalem and the Syrians of the Golan Heights. Israel had occupied southern Lebanon by military force and had obliged the inhabitants to seek Israeli safe-conducts in order to return home or to farm their lands. The heroic resistance of the Arab peoples to the Israeli occupation was well known to all, particularly to the Israeli occupier. In that connection, it must be stressed that the holding of talks on an eventual Israeli withdrawal from southern Lebanon deceived nobody. Israel did not want peace. Sovereignty over the territories occupied by Israel belonged to the Palestinian, Syrian and Lebanese peoples. An end must be put to the Israeli occupation so that those peoples could exercise their inalienable national and natural rights, including the right to freedom. In the meantime, municipalities and other appropriate bodies should be allowed to control the resources for which they had exercised responsibility before the Israeli occupation. Israel should be obliged to pay reparations for the loss or damage of their resources.

31. It was paradoxical that the representative of Israel had referred to the noble function which his country was allegedly fulfilling in the occupied territories. The Zionist refugees whom Palestine had welcomed during the Second World War had seized its territory and had inflicted worse sufferings than they had themselves endured and, in so doing, had deprived the Jews of the world's sympathy.

32. Mr. ABBAS (Bahrain) paid a tribute to the memory of Mrs. Indira Gandhi, Prime Minister of India and chairman of the Movement of Non-Aligned Countries.

33. Speaking of the role of the Economic and Social Council in promoting the economic development of the developing countries, he recalled that his delegation had supported General Assembly resolution 38/196 because it recognized that only

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(Mr. Abbas, Bahrain)

the multilateral platform of economic exchanges and negotiations was conducive to sustained economic co-operation, with respect for the equal rights and sovereignty of States. A climate of confidence in international economic relations could be achieved only through the sustained development of the developing countries and the acceleration of the negotiations in progress. It was therefore necessary to adopt new measures to increase confidence in international economic co-operation, especially the creation of new information channels and new consultative mechanisms to enable that confidence to be reinforced.

34. Consumer protection and in particular the exchange of information on hazardous chemicals and unsafe pharmaceutical products was an important question which should be considered by the Economic and Social Council and by the General Assembly. The draft guidelines for consumer protection would help to bring about broad international co-operation in that area. Provision by all Governments, especially those of producing countries, of lists and detailed information on products harmful to health and the environment would be useful both to producing and to importing countries. The activities of transnational corporations in South Africa and in Namibia had to a large degree strengthened the power of the racist minority of South Africa in defiance of the wishes of the international community, and that made the formulation of a code of conduct for those corporations particularly necessary. The code of conduct should be balanced and take into account the interests of the host countries as well as those of the countries in which the transnational corporations were based. It would also provide the framework for a North-South dialogue and for internationally recognized principles which would permit constructive participation of those corporations in the development of the developing countries.

35. Being aware of the importance of population problems for the economic and social development of every country, Bahrain had adopted a population policy which took account of the interests of the individual, the family and society, and had set up programmes for the mobilization of public opinion and for the complete integration of women at all stages in the development process. Implementation of the World Population Plan of Action required the mobilization of the resources of the United Nations system to co-ordinate activities with the countries concerned. The relationship between population and development was a reciprocal relationship and demographic policies should therefore be an essential component of economic and social development policies and not a substitute for the latter. An examination of population trends since the 1974 World Population Conference in Bucharest revealed that the evaluation measures provided in the 1974 World Population Plan of Action had not been applied because certain aspects of the demographic structure had changed, and different countries had not been able to take steps at the national and international level to deal with such developments. Population forecasts were particularly disquieting because of the very slow decline in the population growth rate which increased the difficulties of the developing countries.

36. The different situations of different countries made all attempts to devise a world population policy unsuccessful. Governments should therefore endeavour to elaborate policies suited to the particular conditions of their own countries and to their development plans and programmes. In keeping with the Declaration and recommendations of the 1984 International Conference on Population held at Mexico City, population policies should form an integral part of the long-term

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(Mr. Abbas, Bahrain)

social and economic development policies so as to improve the living conditions of all the inhabitants of the planet and thus promote the common aim of peace and security. As fishing constituted a source of income and of food for a large part of its population, Bahrain had taken measures to protect the marine environment in its territorial waters. It had carried out a project for the development of pisciculture for which the United Nations Development Programme (UNDP) had provided experts and technicians, and it was endeavouring to increase its production in that area so as to prevent food problems from arising. While it would welcome collaboration with the Food and Agriculture Organization of the United Nations (FAO), his delegation considered that the objectives of the international strategy considered at the World Conference on Fisheries Management and Development in 1984 should be achieved by encouraging research, studies and experiments on the protection of the marine environment and the increase of fish resources, which should be one of the priorities of the programme of action for the improvement, management and development of fisheries and agriculture projects. Co-operating with the competent international agencies, the most advanced countries in the area of fisheries would help developing countries seeking to increase their production to develop their fisheries and to resolve their food problems.

37. The international community, which had approved Economic and Social Council resolution 1982/48 concerning assistance to the Palestinian people and General Assembly resolution 38/144 on the permanent sovereignty over national resources in the occupied Palestinian lands and other occupied Arab territories should take steps to put an end to the sufferings of the Palestinian people who were victims of inhuman Israeli practices such as the occupation of land, confiscation of property and demolition of houses, practices which had been denounced in the Secretary-General's report (A/39/326). The international community should likewise refuse to recognize any measures taken by Israel to exploit the national resources of the occupied Arab territories, to alter the population structure of those territories or to use their natural resources, which were vital for the occupied territories and for Jordan, to build a canal linking the Mediterranean and the Dead Sea. Israel must also change its conduct in those territories, which had led to a deterioration in the economic and social situation of the Palestinians and of the inhabitants of the occupied Syrian territory of the Golan Heights. The immediate implementation of General Assembly resolution 38/145 would, in the framework of effective consultations between the Palestine Liberation Organization, the host countries concerned and the competent United Nations agencies and organs and of existing inter-agency mechanisms, make possible the formulation of projects and the provision of economic and social assistance which the Palestinian people sorely needed in the current circumstances. His delegation approved of the Secretary-General's report (A/39/265), which underlined the need to take account of the recommendations of the five regional preparatory meetings for the International Conference on the Question of Palestine and of the General Assembly resolutions concerning economic and social assistance to the Palestinian people.

38. Mrs. GOETSCH (Austria) said that the International Conference on Population held at Mexico City in August 1984, and the Declaration adopted on that occasion as well as the 88 recommendations for the further implementation of the Plan of Action had succeeded in arousing a new interest in population questions and a more general awareness of the complex interrelationships between such factors as infant

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(Mrs. Goetsch, Austria)

mortality, levels of education, nutrition, housing, the status of women and population growth. The Conference had upheld the principle of free choice of individuals and couples as to the number and spacing of children. It had also underlined the need to integrate population policies with the rest of a country's development policies.

39. Free access by everyone to relevant information and to the means for family planning was an essential part of population policies. Thus Austria, in which most families had no more than two or three children, had been able to stabilize the growth of its population.

40. The relationship between population growth and the environment became more and more evident as in many developed and developing countries natural resources no longer met the needs of the population. Protection of the environment was without doubt a necessary complement to population policies. The recommendations on education and the status of women were also essential for the further success of the implementation of the Plan of Action. They were difficult to carry out because, even where legislation treated men and women as equals, old prejudices and habits of thought were extremely persistent in the developing as well as in the developed countries. That was why Governments had a duty to follow up the recommendations and keep alive the new awareness of population issues. Austria had decided to increase its contribution to UNFPA for 1985.

41. Her delegation had actively participated in the working group on guidelines for consumer protection, which was an important and worthwhile initiative, particularly since a number of abuses had highlighted the need for more effective consumer protection, especially in developing countries, and for the adoption of specific legislation for that purpose.

42. The Austrian delegation agreed by and large with the original draft guidelines and regretted that it had not yet been possible to bring the negotiations on that subject to a successful conclusion. The working group should therefore be reconvened as soon as possible in order to achieve progress on the draft guidelines.

43. It was also regrettable that the Commission on Transnational Corporations, at its reconvened special session, had been unable to complete its work on the draft code of conduct for transnational corporations. There should therefore be some real prospect of success before any new special session was convened. Otherwise, there would be a risk of another futile session. Nevertheless, since a code of conduct could have a positive impact on the economic relations of developed and developing countries, efforts to achieve a consensus should be pursued. The best course would be to establish some informal consultation mechanism to explore ways of overcoming the outstanding difficulties.

44. Mr. NGUYEN QUOC ZUNG (Viet Nam) noted the high priority which the Economic and Social Council had given in its general debate to the close relationship between world peace, disarmament and economic development. It had adopted a number of resolutions and decisions which could contribute to the establishment of the new international economic order. His delegation welcomed the resolutions relating to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and international institutions

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(Mr. Nguyen Quoc Zung, Viet Nam)

associated with the United Nations, of the Charter of Economic Rights and Duties of States and of the resolutions concerning the activities of transnational corporations in South Africa and Namibia and collaboration with the racist minority régime in South Africa, and assistance to the Palestinian people.

45. However, the lack of political will on the part of some Western countries had prevented the Council from reaching agreement on a draft declaration on the critical economic situation in Africa, on the debt problem of developing countries and on confidence-building measures in international economic relations.

46. With respect to the critical economic situation in Africa, some Western countries were unwilling to make any concession regarding commodity price stabilization, compensatory financing and reaffirmation of the official development assistance targets for the least developed countries. In that connection, the consideration of the General Assembly agenda items on the critical economic situation in Africa and on countries stricken by desertification and drought would not be meaningful unless the international community increased multilateral assistance to the affected countries as part of the comprehensive and concrete measures which the General Assembly should take towards that end at its current session.

47. The difficulties which those countries were facing stemmed from the economic crisis of the capitalist world and the neo-colonialist policies of the major Western countries and could be removed only if those countries could count on steady and sustained economic growth. The reports of the Secretary-General on special measures for the social and economic development of Africa in the 1980s and on the Transport and Communications Decade in Africa were particularly interesting in that connection. However, short-term and medium-term measures must go hand in hand with long-term measures so that the economies of the African countries could become self-reliant and attain the objectives set forth in the Lagos Plan of Action and the Final Act of Lagos.

48. As the report of the Secretary-General in document A/39/312 and Add.1 and 2 showed, a number of countries and United Nations bodies had expressed their views on measures to be taken to restore confidence in international economic co-operation. The United Nations had an important role to play in that area, and the working paper submitted by the Polish delegation (A/C.2/39/2) should be welcomed as a good basis for reaching an agreement by all States on the scope and content of possible confidence-building measures, which the increasing instability in the world economic situation and in international economic relations had made urgent.

49. In view of the increased transfer of profits from developing countries by transnational corporations with headquarters in certain Western countries and other destabilizing measures taken by those corporations, it was disturbing to note that the Commission on Transnational Corporations had been unable successfully to complete the preparation of the code of conduct for transnational corporations. Negotiations should be resumed as soon as possible on the key outstanding issues - definition and scope of application, respect for national sovereignty and domestic law, nationalization and compensation - on the basis of the resolution adopted by the General Assembly at its sixth special session and the Charter of Economic

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(Mr. Nguyen Quoc Zung, Viet Nam)

Rights and Duties of States. Developed countries should accept the compromise proposals put forward by the Chairman of the Commission on Transnational Corporations.

50. While the code of conduct could protect the developing countries against the destabilizing effects of the operations of transnational corporations, the public sector and qualified national personnel were also very important to their economic and social development. Steps should be taken to implement the relevant resolutions, particularly with a view to halting the flow of skilled manpower from developing countries.

51. Israel's disregard of the relevant United Nations resolutions and decisions had prevented a solution of the question of the permanent sovereignty over national resources in the occupied Palestinian and other Arab territories. As the report of the Secretary-General (A/39/326) showed, the Zionists had intensified their exploitation of the occupied territories, particularly with respect to water resources. His delegation welcomed Economic and Social Council resolution 1984/56 entitled "Assistance to the Palestinian people", particularly paragraph 4, and believed that a comprehensive and just solution to the Palestinian problem was inconceivable without the unconditional withdrawal of the expansionists from all the territories which they had been occupying since 1967.

52. The recommendations of the International Conference on Population and the Mexico City Declaration on Population and Development were extremely important in implementing the World Population Plan of Action, particularly at a time when the economic and social development of many developing countries was seriously impeded by a high population growth rate. Governments should spare no effort to implement those recommendations.

53. Mr. DOLJINTSEREN (Mongolia) said that although Mongolia was not a member of the Economic and Social Council, it nevertheless followed its activities very closely because it was the task of that United Nations body to give effect to the provisions of the United Nations Charter which dealt with economic and social questions.

54. Since the thirty-eighth session of the General Assembly, the deliberations of the Council had yielded some positive results while leaving something to be desired in certain respects. As indicated in the report of the Economic and Social Council (A/39/3 (Part II)), the Council had rightly stressed the need for member States to take concerted action in addressing the current world economic and social situation, in particular the persisting critical situation of the developing countries, which were fighting for the establishment of a new international economic order. The report also stressed the importance of establishing international conditions favourable to economic and social development, and above all to strengthening peace and disarmament. In doing so, the Council was only voicing the aspirations of many countries and peoples, who understood the extent to which international tension and the arms race could harm the world economy, and in particular the economies of the developing countries. The General Assembly, at its current session, should also adopt resolutions reaffirming the relationship between the strengthening of peace and disarmament, on the one hand, and development and economic co-operation on the other.

(Mr. Doljintseren, Mongolia)

55. The adoption by the Council, at its second regular session of 1984, of resolutions on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and international institutions associated with the United Nations, on assistance to the Palestinian people, and on activities of transnational corporations in South Africa and Namibia was also to be welcomed. The implementation of resolution 1984/64, by which the Council recommended the General Assembly to commemorate the tenth anniversary of the adoption of the Charter of Economic Rights and Duties of States, would provide an opportunity to evaluate the work done with a view to the reorganization of international economic relations and to formulate new concrete measures for the achievement of the progressive goals proclaimed by that Charter and by the Declaration and Programme of Action on the Establishment of a New International Economic Order.

56. With regard to the decisions on the report of the Commission on Transnational Corporations on its reconvened special session and on the review and analysis of agrarian reform and rural development, his delegation supported the efforts made by the developing countries to bring to a successful conclusion the negotiations on the code of conduct on transnational corporations on the basis of the draft submitted by the Chairman of the Commission's special session. He condemned the attempts made by certain Western countries to flood the economies of the developing countries with foreign private capital and demanded a halt to the plundering of the natural and human resources of those countries by the Western transnational corporations.

57. The struggle of the developing countries against economic backwardness would also be served by the strengthening of the public sector and the training of skilled national personnel. The numerous General Assembly resolutions adopted on those subjects, on the initiative of Mongolia, had lost none of their topicality.

58. It was regrettable that, because of the obstructionist policy adopted by the representatives of certain Western countries, the Economic and Social Council had not been able to adopt the draft declaration and resolution on the critical situation in Africa, or the resolutions on the problem of the indebtedness of the developing countries and confidence-building in international economic relations. The General Assembly should, in that regard, reaffirm at its current session the spirit and letter of its resolution 38/196.

59. Mr. FERNANDEZ (Philippines) said that the International Conference on Population had been a great success and noted that significant progress had been made in that field since the United Nations World Population Conference held at Bucharest. The United Nations and, in particular, the United Nations Fund for Population Activities had played a decisive role in the marked decline in population growth. An increasing awareness of population problems and population objectives had made it possible to approach with greater confidence the measures needed to improve the quality of life for all.

60. Population problems continued, indeed, to be serious. By the year 2000, the world population would have grown by more than one billion. Furthermore, growth patterns were uneven, with the poorer countries tending to have larger population

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(Mr. Fernandez, Philippines)

increases. If economic development was to be maintained, population growth rates must be further reduced. In that context, his country had adopted an aggressive but non-coercive family-planning programme based on the principle of individual choice, and encouraged citizens to accept the principle of stable, healthy and self-reliant families. It had accepted the recommendations of the International Conference on Population, which it saw as providing an impetus to international action.

61. With regard to the exchange of information on banned hazardous chemicals and unsafe pharmaceutical products, Governments would have to assess, under local conditions, the benefits and risks involved in the use of potentially dangerous products. It was therefore essential for known risks to be adequately communicated to user countries. They must also have the capability of utilizing the information received in order to control the importation and use of such chemical products once a decision in their regard had been taken. In that connection, the recent efforts made by the United Nations Environment Programme, the Organisation for Economic Co-operation and Development and the Organization of American States with regard to the extremely complex question of exchanging information should be commended. It was to be hoped that UNEP would be able to draw up a viable notification scheme for banned and severely restricted products.

62. With regard to the draft code of conduct on transnational corporations, the Under-Secretary-General for International Economic and Social Affairs, the Director-General for Development and International Economic Co-operation, and the Executive Director of the United Nations Centre on Transnational Corporations had stated that there had been considerable progress in the relevant negotiations. It was to be hoped that such optimism was justified by the facts and that general agreement would soon be reached on the code of conduct. The code would enhance the contribution of transnational corporations to the development process and would, to a certain extent, reduce the suspicion aroused by their objectives and operations. Its adoption would also serve to strengthen the credibility of the United Nations with regard to the solution of international economic problems.

63. It was distressing to note that the necessary resources had not been allocated to the programmes for the Transport and Communications Decade in Africa and the Transport and Communications Decade for Asia and the Pacific, 1985-1994. With regard to the region of Asia and the Pacific, it was to say the least strange that the Council should have recommended the General Assembly to proclaim a Transport and Communications Decade for Asia and the Pacific and, at the same time, request the Secretary-General to extend the necessary means to the Executive Secretary of ESCAP only within existing resources. It would have been better to have allowed the Commission to propose activities and projects to commemorate the Decade and to have decided only after examining them on their merits whether or not to allocate funds for their implementation.

64. In its resolution 38/196, on confidence-building in international economic relations, the General Assembly had requested the Secretary-General to consult all States about the scope of possible confidence-building measures which would lead to the promotion and acceleration of international economic co-operation. In that regard, his Government had suggested that efforts to enhance self-reliance in

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(Mr. Fernandez, Philippines)

developing countries should be augmented by supporting, inter alia, economic and technical co-operation among such countries. It had also felt that greater efforts should be made to uphold the principles of non-discrimination, liberalism, stability and transparency in multilateral relations. As was evident from the report of the Secretary-General, the replies received from Governments and international institutions did not provide a sufficient basis for the formulation of specific recommendations on the creation of new mechanisms or special programmes. The goals of the resolution could be attained within the framework of existing bodies.

65. Mr. PRASAD (India) expressed deep gratitude to all delegations that had conveyed condolences to his delegation on the death of the Prime Minister, Mrs. Indira Gandhi.

66. Mr. LADOR (Israel), speaking in exercise of the right of reply, said that the representative of his country who had taken the floor at an earlier meeting on the item under consideration had, in fact, been born in Palestine and had subsequently lived an enjoyable life in Israel. Further, documents A/39/295 and A/C.2/39/7, and his delegation's statement at the 28th meeting, countered the unfounded accusations made against Israel by the representative of Saudi Arabia. He noted that in Israel, at least, the hands of thieves were not cut off, neither were there public hangings. There was no slave trade, neither was freedom of speech suppressed by the threat of execution.

67. He had no illusion that the rhetoric used by the representative of Saudi Arabia would change, since it was in line with the attitude long adopted by his country and its sister States towards Israel and its people. It seemed that some representatives wished to transform the Second Committee into another Special Political Committee dealing with the whole problem of the Middle East, as if enough time and money had not already been wasted in considering the question. The Committee should return to its original tasks and deal with economic development in developing countries, for which the representative of Saudi Arabia seemed to have little respect. As for the statement by the representative of the Soviet Union at the previous meeting, the latter was ill-placed to speak of Israel's behaviour in the administered territories. It would be far more appropriate for him to provide clarification of the human rights violations and the countless number of civilian political detainees in his own country, people who were guilty of nothing more than disagreement with the misguided policies of the Soviet Government.

68. Beautiful though the flowers on the tombs of Lenin and Marx might be, it was regrettable that the Soviet régime had buried the ideals represented by those men, instead of devoting its efforts to the pursuit of constructive goals in the developing countries.

69. Mr. SCOTT (United States of America), speaking in exercise of the right of reply, said at the previous meeting that the representative of the Soviet Union had stated that memorials had been erected to the memory of Karl Marx and Friedrich Engels around the world and that fresh flowers were always to be found at their bases. In keeping with that pastoral image, he wished to lay flowers of his own at the bases of the more outstanding memorials to those two important if

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(Mr. Scott, United States)

not universally revered individuals. He had roses for Latvia, Estonia and Lithuania, formerly independent States but now absorbed by the Soviet Union. He had lilies for the graves of the millions who had perished in the name of Marx during the campaign to collectivize agriculture in the 1930s. He had a bouquet of carnations for the 67 successive crop failures suffered by the Soviet Union as a result of Marxist agricultural policies, and pansies for those who had lost their status as independent States and were now enjoying the benefits of Marxism and Leninism. He had flowers of every imaginable species to brighten the empty shelves that Soviet citizens scoured in search of necessities. He had daisies for the centrally planned economy system, which ensured that the Soviet Union would never fully exploit the potential of its people, nor begin to match the market economies of the Western countries. He had peonies for those trapped inside the Soviet Union who were deprived of their political and religious freedom, and snapdragons for the Soviet troops in Afghanistan.

70. No such memorials or statues were necessary to commemorate capitalism and the free market. Their benefits were there to be seen by all who were willing to look. They were to be found in the productive farms of the United States, which were being called on to feed the starving of Ethiopia, because those who should be doing so were too busy building more monuments to the glory of comrade Marx. They were also to be found in the industries and the scientific and cultural achievements of the United States.

71. The greatest benefit for the people of the United States was to be free, and to enjoy of freedom of speech and religion and a free press. Those were the monuments which his country cherished above all. The representative of the Soviet Union had derisively mentioned another monument which symbolized all that the people of the United States held dear. It was, of course, the Statue of Liberty. He wished to assure the representative of the Soviet Union that the Statue of Liberty would be standing proudly to welcome Soviet immigrants, if the Soviet Union were ever confident enough to allow its citizens to travel freely.

72. Mr. AL-GHAMDI (Saudi Arabia), speaking in exercise of the right of reply, said that, as usual, the representative of Israel was defending himself by attacking others, so as to divert attention from the crimes perpetrated by his country, and was underestimating the ability of members of the Committee to grasp the questions before them. The sterile arguments put forward by the representative of Israel had no place in the Committee, and deceived no one.

73. The international community was well aware of Israel's actions. As evidence, it was sufficient to recall that the Security Council had unanimously adopted resolution 465 (1980), in which it had affirmed that the measures taken by Israel to change the situation in the Arab territories occupied since 1967 had no legal validity; had deplored the pursuit of that policy; had called upon Israel to dismantle the existing settlements; and had called upon all States not to provide Israel with any assistance to be used in establishing such settlements.

74. Yet Israel continued to receive aid not only to establish settlements but to invade a new Arab State, a member of the United Nations, and to subject the people of that State to the same unjust treatment as it inflicted on their brothers in the

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(Mr. Al-Ghamdi, Saudi Arabia)

occupied Arab territories. Indeed, in one of his reports, the Secretary-General had pointed out that the demolition of houses was being carried out at a very rapid pace. Further, Israelis were tried before Israeli civil courts while Palestinians were judged by military tribunals whose decisions were irreversible.

75. International law prohibited the annexation of occupied territories, the expulsion of their population or the establishment of settlements in such territories, as provided in article 47 of the Fourth Geneva Convention. Article 49 of that Convention prohibited forcible transfers from occupied territory to the territory of the occupying Power, for whatever reason. Yet Israel continued to scorn all international conventions, as was evidenced by a recent article in the Daily News, according to which an international jurists' association had prepared a report on acts of discrimination committed by Israel in the occupied territories. Did the representative of Israel intend to contest the testimony of those jurists, as he had dismissed the report of the Secretary-General, and as he had always dismissed all information revealing Israel's immoral and inhuman practices?

76. Mr. ABU KOASH (Observer, Palestine Liberation Organization), speaking in exercise of the right of reply, said that the representative of Israel would have it that all Israelis had been born in Palestine. That was a ridiculous assertion; it was pointless to recall the origins of Israeli leaders such as Golda Meir, Sharon and Begin. Until 1936, Palestinian Jews had represented 5 per cent of the Palestinian population. Subsequently, the Zionist movement had done its utmost to settle immigrants from various regions of the world in Palestine in order to expel the Palestinians from their country. The Israeli representative could not deny that the Zionist leaders of his country followed such a policy. Fortunately, for their part, the Palestinians had many Jewish friends. In fact, the PLO representative to the Socialist International was Jewish, but not Zionist. Accordingly, it was important to draw a distinction between Jews and Zionists.

77. In any event, the abhorrent acts committed by Israel in the occupied Palestinian territories, in the Golan Heights, in southern Lebanon and at Sabra and Shatila, and the guns of Sharon and Begin, were infinitely more eloquent than the flowery language of the representative of Israel.

The meeting rose at 6.20 p.m.