## UNITED NATIONS



# General Assembly

Distr. GENERAL

# Economic and Social Council A/39/332

A/39/332 4 Odd. 1 E/1984/105 3 July 1984

ORIGINAL: ENGLISH

GENERAL ASSEMBLY Thirty-ninth session Item 80 (b) of the preliminary list\* DEVELOPMENT AND INTERNATIONAL ECONOMIC CO-OPERATION: REVIEW OF THE IMPLEMENTATION OF THE CHARTER OF ECONOMIC RIGHTS AND DUTIES OF STATES ECONOMIC AND SOCIAL COUNCIL Second regular session of 1984 Item 3 of the provisional agenda\*\* GENERAL DISCUSSION OF INTERNATIONAL ECONOMIC AND SOCIAL POLICY, INCLUDING REGIONAL AND SECTORAL DEVELOPMENTS

IMPLEMENTATION OF THE CHARTER OF ECONOMIC RIGHTS AND DUTIES OF STATES

Report of the Secretary-General

### CONTENTS

		Paragraphs	Page
I.	INTRODUCTION	1 - 5	3
11.	SUMMARY OF REPLIES RECEIVED FROM INTERGOVERNMENTAL ORGANIZATIONS AND SPECIALIZED AGENCIES AND BODIES OF THE UNITED NATIONS SYSTEM	6 <b>- 6</b> 8	4
	A. Rational and equitable international economic relations: expansion and liberalization of world trade (articles 8, 14, 18 and 19)	6 - 9	4
	B. Flow of resources to developing countries; monetary and financial questions (articles 10, 17 and 22)	10 - 19	5

<sup>\*</sup> A/39/50.

<sup>\*\*</sup> E/1984/100.

III.

### CONTENTS (continued)

		<u>Paragraphs</u>	Page
c.	Commodities: adjustment in export prices and multilateral agreements (articles 5, 6, 14 and 28)	20 - 25	8
D.	World invisible trade: shipping and insurance (article 27)	26 - 29	10
E.	Special attention to the particular needs and problems of the least developed, land-locked and island developing countries (article 25)	30 - 37	11
F.	Economic co-operation among developing countries (articles 3, 12 and 23)	38 - 45	13
G.	Mobilization and utilization of resources for the implementation of progressive economic and social reforms to ensure full participation in the process and benefits of development (article 7)	46 52	15
		46 - 52	15
H.	Disarmament and development (article 15)	53 - 60	цę
I.	Elimination of colonialism, <u>apartheid</u> and racial discrimination (article 16)	61 - 68	18
SUM	MARY OF REPLIES RECEIVED FROM GOVERNMENTS	69 - 74	20

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### I. INTRODUCTION

1. In its resolution 37/204 of 20 December 1982, the General Assembly decided to conduct at its thirty-ninth session, on the occasion of the tenth anniversary of the adoption of the Charter of Economic Rights and Duties of States (Assembly resolution 3281 (XXIX) of 12 December 1974), a comprehensive review of its implementation. For this purpose, the Assembly, in paragraph 2 of the resolution, requested the Secretary-General to prepare a report on the implementation of the Charter, based on information provided by Governments as well as the intergovernmental organizations concerned, and to submit it to the Assembly at its thirty-ninth session, through the Economic and Social Council at its second regular session of 1984.

2. In this connection, the General Assembly called upon all Member States to co-operate with the Secretary-General in the preparation of the report.

3. In pursuance of the request of the General Assembly, the Secretary-General forwarded a note verbale to all Member States inviting them to communicate to him all relevant information regarding their application of the provisions contained in the Charter of Economic Rights and Duties of States. The intergovernmental organizations concerned with the implementation of the Charter were also invited to provide information that would facilitate the related review. In view of the breadth of coverage of substantive sectoral issues contained in the Charter, the Secretary-General extended his invitation for information to concerned specialized agencies and bodies of the United Nations system.

4. As at 14 June 1984, the Secretary-General had received 15 replies from Governments. It should be noted that these responses reflect only a limited proportion of the membership of the United Nations. Further, not all of the replies dealt exclusively with actions taken by individual Member States regarding the implementation of the specific articles of the Charter. The information presented in section III of the present report and the synoptic table at the end of the section thus reflect the relevant information concerning the application of the provisions of the Charter by individual Member States. Section II of the report is based essentially on information received from intergovernmental organizations and those bodies within the United Nations system concerned with the implementation of the Charter.

5. The following Governments, intergovernmental organizations and bodies of the United Nations system have provided information in response to the request of the Secretary-General:

(a) <u>Governments</u>: Afghanistan, Burma, Byelorussian Soviet Socialist Republic, China, Czechoslovakia, Ecuador, Finland, German Democratic Republic, India, Qatar, Romania, Saint Lucia, Sweden, Ukranian Soviet Socialist Republic and Union of Soviet Socialist Republics;

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(b) Intergovernmental organizations and bodies of the United Nations system: Council for Mutual Economic Assistance (CMEA), Economic and Social Commission for Asia and the Pacific (ESCAP), Economic Commission for Latin America (ECLA), United Nations Conference on Trade and Development (UNCTAD), United Nations Industrial Development Organization (UNIDO), International Labour Organisation (ILO), Food and Agriculture Organization of the United Nations (FAO), World Health Organization (WHO), International Maritime Organization (IMO) and World Intellectual Property Organization (WIPO).

- II. SUMMARY OF REPLIES RECEIVED FROM INTERGOVERNMENTAL ORGANIZATIONS AND SPECIALIZED AGENCIES AND BODIES OF THE UNITED NATIONS SYSTEM
- A. <u>Rational and equitable international economic relations:</u> <u>expansion and liberalization of world trade (articles 8, 14, 18 and 19)</u>

6. Since the adoption of the Charter of Economic Rights and Duties of States in 1974, considerable progress has been made with regard to the lowering of tariffs to trade, especially in the context of the Tokyo Round of Multilateral Trade Negotiations. Parallel with that progress, however, has been the marked increase in protectionism, which has become more specific in focus, more sectoral in scope and, in general, more discriminatory in its effect. It now appears that protectionism is geared not only to the defence of domestic markets but also, in certain cases, to the capture of foreign markets by means of export subsidies. The use of trade-control measures, such as voluntary export restraints and orderly marketing arrangements, have been to a large extent implemented outside the framework of the rules of the international trading system. For instance, from a total of approximately 114 safeguard actions which have been in effect since 1978, only 30 have been taken within article XIX (Escape Clause) of the General Agreement on Tariffs and Trade (GATT); the rest, including 37 voluntary export restraint or orderly market arrangements, have ignored GATT procedures. Moreover, within the rules there has been a significant increase in the use of measures aimed at controlling both the volume and prices of imported products and, in particular, under the arrangements negotiated in the Tokyo Round, of countervailing and anti-dumping duties. The growth in protectionism and its existing structures have had a major impact on trade, particularly on the exports of developing countries, and the development described above has given rise to serious apprehensions regarding the operation of the trading system.

7. At the sixth session of UNCTAD, it was recognized that protectionism was especially harmful to the trade and development of developing countries, and it was agreed that protectionism should be resisted. Developed countries committed themselves not only to halting protectionism but also to working systematically towards reducing and eliminating quantitative restrictions and measures having a similar effect. They also agreed to fulfil effectively their commitments in the field of international trade and in particular to provide differential and more favoured treatment to developing countries. Developed countries also undertook to

review their existing trade legislation, regulations and procedures relating to anti-dumping and countervailing duties so as to ensure that there were no unjustifiable impediments to trade. The Conference also recognized the need to strengthen and improve the international trading system. It therefore authorized the UNCTAD Trade and Development Board to make proposals to that end.

8. As to the operation of the Generalized System of Preferences (GSP), a review was undertaken by the Special Committee on Preferences, which agreed that the objectives of the GSP had not been fully achieved and that the duration of the system should be continued beyond the initial period. Accordingly, all schemes that had been put into effect in the early 1970s have been renewed for a second period of 10 years. Canada and the United States of America, whose schemes had been implemented in 1974 and 1976, respectively, have already introduced legislation to renew their schemes for another 10-year period.

The period under review saw the introduction of various improvements in the 9. GSP schemes, such as the addition of countries to the beneficiary lists, expansion to the product coverage, deeper tariff cuts and special measures in favour of the least developed among the developing countries. There were, however, some drawbacks with respect to preserving the GSP advantages in view of the restrictive and discriminatory measures which continued to be applied under the schemes. Eleven industrial countries maintain preference schemes in favour of developing countries; however, the product coverage of these schemes is "limited": it excludes textiles, footwear, leather and some agricultural products. Quantitative restrictions are also applied. Although the amount of trade carried out under the GSP has been impressive, it still represents a little less than one quarter of the preference-giving countries' dutiable imports from beneficiaries. Efforts made at the GATT Ministerial Meeting (24-29 November 1982) to resolve a number of important trade disputes were not entirely successful. However, as was the case with policy statements made by world leaders at Cancún, Mexico, Versailles, France and Williamsburg, United States, the Meeting did succeed in declaring a commitment to resisting protectionist measures and to further trade liberalization, particularly in agriculture, tropical products and textiles. The ministers also undertook to set up a machinery to continue to study possible solutions to trade conflicts arising in sensitive areas such as safeguards and trade in agriculture, clothing and textiles.

# B. Flow of resources to developing countries; monetary and financial questions (articles 10, 17 and 22)

10. With regard to the international monetary system, the past decade has been marked by instability, punctuated by periods of crisis, against which deficiencies of the system have become apparent. This state of affairs has in part provided some impetus to the process of change. The severe economic problems faced by developing countries during the period under review were largely of external origin and partly attributable to the workings of a system in whose creation and operation developing countries played no significant role. Again, this state of affairs has provided additional impetus for change. Not surprisingly therefore, the question

of strengthening the role of developing countries in the decision-making processes of multilateral financial institutions has become topical in certain intergovernmental organizations. Issues concerning changes in the system of international reserve creation and in existing arrangements for balance-of-payments support have been similarly highlighted in a number of intergovernmental organizations.

11. Policy, institutional and other changes have taken place within multilateral financial institutions during the period under review. To some degree the idea of adequate representation of developing countries in decision-making processes seems to have been reflected in the composition of the Committee of Twenty of the International Monetary Fund (IMF). The policies and practices related to the operation of the Compensatory Financing Facility of IMF have undergone some changes. As a result of decisions adopted in 1975 and 1979, access to the facility has been liberalized. The adoption by the Fund's Executive Board of a policy on enlarged access to resources in 1981 has enabled IMF to continue its assistance to members facing payment imbalances. A year after the adoption of the Charter and following the 1976 Sixth General Review of Quotas, the Fund's Executive Board approved an increase to special drawing rights (SDR) 39 billion. By 1983, that figure had reached SDR 90 billion. Similarly, the authorized capital of the International Bank for Reconstruction and Development (IBRD), which in 1977 amounted to \$34 billion was successively increased to reach a total of \$84 billion in 1981. A year earlier, IBRD initiated its structural adjustment lending programme, having in 1974 established the Development Committee to deal with the transfer of resources to developing countries.

12. Within certain intergovernmental organizations, however, concern has been expressed that such institutional and policy changes which resulted from the work of the Committee of Twenty and the Interim and Development Committees have tended to fall short of the expectations of developing countries: existing balance-of-payments support facilities still do not sufficiently recognize the unequal ability of developed and developing countries to finance deficits or the increasingly structural character of the deficits of the latter group of countries. No SDR allocations were made between 1973 and 1977.

13. The major disruptions in the external environment referred to above have also left their mark on the growth and composition of resource transfers to developing countries. The growth of aid has been slowed, as has been that of other non-debt creating forms, particularly foreign direct investment. Growth in those flows of aid has been overshadowed by non-concessional flows, mainly in the form of private bank lending supported by the recycling of the oil-surplus funds. The result has been an expansion in the share of non-concessional flows to about two thirds of the present resource receipts of developing countries.

14. As regards official development assistance (ODA), net flows from all sources grow modestly during the period 1974 to 1982 in real terms by 2.3 per cent annually. Measured, however, against the international target of 0.7 per cent, the ODA/GNP ratio of the member countries of the Development Assistance Committee (DAC)

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of the Organization for Economic Co-operation and Development (OECD) at the end of 1982 was still less than half the target. Little has changed from the level of the early and mid-1970s, although four countries have surpassed the target for some years running. While overall developments leave much to be desired, some modest gains have been achieved. These include the growing acceptance among donor Governments of the volume targets as well as the time frames for concessional aid. There has also been a growing acceptance of the 0.15 per cent ODA subtarget for the least developed countries, which emerged from the United Nations Conference on the Least Developed Countries, held at Paris in 1981, as well as for an expansion of ODA for those countries. The emergence of countries of the Organization of the Petroleum-Exporting Countries (OPEC) as a source of concessional assistance was another welcome feature. However, with the sharp decline in their incomes in recent years, constraints on their aid-giving capacity are in prospect.

In contrast to ODA, private flows (excluding foreign direct investment) 15. accelerated sharply in the period 1974 to 1981, increasing annually by 8 per cent in real terms. They have since leveled off in the wake of recent problems of major debtor countries. As a share of net resource receipts of developing countries, such private flows rose from about one quarter in the mid-1970s to a peak of over 50 per cent in 1980, tapering off to 40 per cent in 1981-1982. A corollary to this development was the hardening in the overall terms of financial resource transfers, the concentration of flows on a few credit-worthy countries with a dangerous increase in debt burdens culminating in the recent debt crisis. In light of the widespread debt problems, foreign direct investment, aside from being an important vehicle for the transfer of technology, has been increasingly viewed as less disruptive in financing the current account deficits because profit repatriations are linked to the success of the venture. However, foreign direct investment in developing countries appears to have stagnated in constant terms over the period 1970 to 1982. Resumption of this flow would depend significantly on the strength of the global recovery.

Funds disbursed through multilateral financial institutions grew rapidly in 16. the eight years to 1982 by about 7.4 per cent annually in real terms, although as a proportion of the total resource receipts of developing countries, their share has held constant at around the 12 to 14 per cent level. Those institutions have responded to the current situation with positive initiatives: the structural adjustment lending programme, co-financing activities and the recent special assistant programme initiated by the World Bank and parallel measures adopted by regional development banks with their emphasis on disbursing funds in support of maintenance and rehabilitative projects, local and recurrent costs financing and financing of working capital requirements. With their wide range of expertise those institutions can play a catalytic role in development financing in the next Such an expanded role, however, would require an expansion of their several years. In this context, it should be noted that the replenishment process resource base. of such institutions, as highlighted particularly by the recent negotiations for the seventh replenishment of IDA, continues to be prone to difficulties, delays and shortfalls.

17. The need for medium-term export credit finance in support of the capital goods exports of developing countries has been accentuated by the current situation, in which the access to capital markets by many developing-country exporters is increasingly restricted at a time when many debtor countries are particularly in need of foreign exchange to service debt. Considerable obstacles, however, continue to stand in the way of the establishment of a multilateral export-credit guarantee facility.

18. A major turning point in the history of international financial co-operation was reached with the inclusion of problems of debt and debt burdens in the consideration of issues on the net transfer of resources to developing countries. This culminated in two major UNCTAD Trade and Development Board resolutions 165 (S-IX) in 1978 and 222 (XXI) in 1980. The first resolution brought about \$6 billion in debt relief to 45 countries, and further scope for its fuller implementation was affirmed in both Board resolution 222 (XXI) and Conference resolution 161 (VI) of 2 July 1983.

19. Major progress was also made in the area of multilateral debt renegotiation by Trade and Development Board resolution 222 (XXI), which incorporated guidelines for future operations relating to the debt problems of developing countries. Included among the guidelines were objectives for international action and the operational framework for initiating international consideration of a developing country's debt problems. The guidelines also identify the principal elements for comprehensive analysis of debt problems, the scope for action and the principles agreed upon by debtors and creditors in funding the multilateral forum. While emergence of those detailed features marks a significant step forward in guiding debt renegotiations, major problems remain. Operations relating to debt problems have often not commenced at an early stage in the emergence of debt-servicing difficiulties and, in general, debt-renegotiation exercises continue to focus on the restoration of short-term debt-servicing capacity without sufficiently emphasizing the long-term development prospects of debtor countries.

### C. <u>Commodities: adjustment in export prices and multilateral</u> <u>agreements (articles 5, 6, 14 and 28)</u>

20. The adoption in June 1980 of the Articles of Agreement establishing the Common Fund for Commodities was a main result of efforts in implementation of UNCTAD resolution 93 (IV) of the Integrated Programme for Commodities (IPC). The operations of the Common Fund will be instrumental in the achievement of the stable, remunerative and equitable prices referred to in articles 6, 14 and 28 of the Charter. However, progress regarding the ratification of the Agreement has been somewhat slow. Whereas ratification by at least 90 countries providing two thirds of the directly contributed capital is required for the Agreement's entry into force, 72 countries, accounting for 44.56 per cent of directly contributed capital of the Fund, have ratified the Agreement as at 6 March 1984.

21. The Common Fund would have an important catalytic role in facilitating the conclusion and functioning of the International Commodity Agreement (ICAs),

particularly those concerning commodities of special interest to developing countries. However, the ICAs themselves, as the long-term multilateral commodity arrangements referred to in article 6 of the Charter, would be charged with the task of obtaining stable, remunerative and equitable prices for primary products, taking account of world inflation. The ICAs would also be instrumental in achieving diversification of exports and improving market access for developing countries.

22. Natural rubber is the only commodity on which an ICA with price provisions has been concluded within UNCTAD. International agreements on tin, sugar and cocca, all of which include price provisions, have been successfully renegotiated under UNCTAD auspices. The International Natural Rubber Agreement, which entered into force in 1980, will be renegotiated during 1984. At present, agreement exists in principle for the establishment of an international commodity agreement with price provisions for tea. Progress towards negotiation on this commodity has moved at a slower pace than anticipated because of differences of opinion among the producers on a quota distribution and the objection by one of the major consumers on pricing provisions.

23. The International Agreement on Jute and Jute Products was adopted on 1 October 1982 and came into force provisionally on 9 January 1984. The main operational activity covered by this Agreement consists of arranging for drawing up and implementing projects in research and development, market promotion and cost reduction. This is the first agreement under the Integrated Programme for Commodities to be negotiated with no price stabilization measures. Another ICA without price provisions is that on tropical timber, adopted on 18 November 1983.

24. Three of the FAO intergovernmental groups have drawn up and periodically review action taken within the international guidelines that provide "codes of conduct" for the achievement of certain goals regarding commodities for which international agreements do not exist. In March 1979, the Intergovernmental Group on Rice adopted a revised and strengthened Set of Guidelines on National and International Action for Rice. These were incorporated within the informal and voluntary Framework for Co-operation for International Consultations on Rice that was adopted by the Group in 1980. The harmonization of national policies in relation to agreed objectives for oilseeds, oils and oilmeal was the main aim of the guidelines adopted in April 1980 by the Intergovernmental Group on Oilseeds, Oils and Fats.

25. In general, there appears to be a trend towards agreements and arrangements relating to non-price measures such as research and development and market promotion. However, achievement of this goal has been slow. There has been a tendency on the part of consuming countries to object to the aims and the scope of activities of such programmes. Often, they require that related agreements be designed and conceived in much narrower terms than those desired by most of the developing countries. Differences of opinion between developed and developing countries have also emerged on the financing of the programmes.

# D. World invisible trade: shipping and insurance (article 27)

The International Development Strategy for the Third United Nations 26. Development Decade calls for a 20 per cent share of world shipping for developing countries by the year 1990. Currently, the share of developing countries in the world merchant fleet stands at 13 per cent, which represents an average annual rate of growth of 13.5 per cent since 1971. This share of world shipping is divided as follows: 21.7 per cent of world cargo, 13.8 per cent of containerships, 11.6 per cent of world dry bulk carriers and 9.7 per cent of world tankers. While the share of developing countries in world tonnage remains incommensurate with their share in world trade, some progress has been made towards the improvement of the situation. The Convention on a Code of Conduct for Liner Conferences came into force in October 1983. This, together with the adoption of the United Nations Convention on International Multimodal Transport of Goods in 1980 as well as the progress made in the revision of the law on carriage of goods by sea, promises to improve the position of developing countries in the shipping industry.

27. Both UNCTAD and IMO have made efforts within their fields of competence to assist developing countries to expand their maritime capabilities through the establishment of regional maritime training institutions, the provision of technical advisory services on maritime training and the preparation of model maritime codes. The IMO-sponsored World Maritime University, officially inaugurated at Malmö, Sweden, on 4 July 1983, is to provide specialized training for maritime administrators, surveyors and inspectors, accident investigators, maritime lecturers and others holding key positions in the administrations of developing countries. The enlargement on 1 April 1978 of the Maritime Safety Committee of IMO to all member States made it possible for developing countries to participate more fully in the standard-setting activities of the organization in the fields of maritime safety and pollution prevention.

28. With regard to insurance, the vast majority of developing countries have established their domestic markets and have also been successful in covering locally the major part of their national risks. Despite those successes, much remains to be done in order to improve upon and consolidate these achievements. In a number of developing countries, there are no systems of compulsory insurance in certain risk areas. Increased benefits could be derived by adapting insurance schemes to the needs of the population of developing countries, particularly in sectors pivotal to their economies.

29. Regional co-operation in insurance and reinsurance has been marked by slow progress. In this respect, little change has occurred in the traditional bipolar North-South reinsurance currents. However, a number of regional institutions have been established, such as the regional intergovernmental reinsurance organizations in Africa and Asia and a number of specialized insurance pools in the developing regions. The strengthening of insurance market in developing countries requires, above all, the availability of highly qualified personnel. Local insurance transactions in developing countries are likely to increase if the requisite expertise is available in those countries to promote adequate management, operations and marketing of insurance.

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### E. <u>Special attention to the particular needs and problems of the</u> <u>least developed, land-locked and island developing countries</u> (article 25)

### 1. Least developed countries

30. The General Assembly, in its resolution 34/203 of 19 December 1979, decided to convene a United Nations Conference on the Least Developed Countries. The Conference, held in Paris from 1 to 14 September 1981, adopted the Substantial New Programme of Action for the 1980s for the Least Developed Countries. The Programme of Action, which was subsequently endorsed by the Assembly in its resolution 36/194 of 17 December 1981, has as its main objectives the promotion of structural changes in the least developed countries, the provision of fully adequate and internationally accepted minimum standards for the poor, the identification of and support for major investment priorities and the mitigation, as far as possible, of adverse effects of disasters. To achieve those objectives, the Programme of Action contains recommendations to the least developed countries for action at the national level regarding strategy, priorities, overall and sectoral targets and other action necessary for accelerated development. It also provides for measures of support by the international community.

31. It was recognized in the Programme of Action that only through a substantial increase in official development assistance (ODA) would the least developed countries be able to achieve the objectives of the Programme. At the sixth session of UNCTAD, the international community realized that a doubling of the levels of ODA flows for the period 1976-1980 would be of crucial importance to the least developed countries. Donor countries were, therefore, urged to attain 0.15 per cent of their GNP as ODA or to double their ODA to the least developed countries by 1985 or soon as possible thereafter. In this respect, however, actual performance falls short of commitments made in Paris and elsewhere.

32. In 1981, concessional flows from the DAC countries decreased by 3.2 per cent, those from OPEC countries by 16.3 per cent and those from socialist countries by 4.5 per cent. Non-concessional flows and private flows to least developed countries also decreased considerably during that year. Thus, during 1981, in the midst of the world economic crisis, the least developed countries received 14.8 per cent less in external financial resources than in 1980. Preliminary figures for 1982 indicate that 1980 levels have been reached in current terms, but this represents a significant decline of aid in real terms.

33. As called for by the General Assembly in its resolution 36/194, all United Nations agencies have established focal points in their organizations for the implementation and follow-up of the Programme of Action within the areas of their competence. In the case of WHO, the least developed countries - by definition and implication - form the most important target group in its global strategy of health for all. Through its mechanism of Country Resource Utilization, WHO examines the health policies of those countries and reviews corresponding targets for the attainment of health for all with a view to identifying the additional external resources required. In this exercise, emphasis is placed on the effective allocation of resources in support of health development priorities.

34. The Governing Body of ILO has during the period under review paid particular attention to least developed countries, especially in relation to employment promotion, co-operative development and vocational training. The focus on least developed countries has quite naturally implied some special concern for Africa which accounts for 26 out of a total of 36 least developed countries. In 1982, ILO technical assistance activities for least developed countries in Africa amounted to \$21.1 million. FAO has accorded the highest priority to its programmes for that region. This preoccupation is reflected in the fact that about 40 per cent of all regular and extrabudgetary resources available to FAO are allocated to activities directly and exclusively benefiting Africa. A significant number of FAO programmes (especially those related to food security assistance and fertilizer supply schemes) are in design or practice exclusively for the benefit of least developed countries and other disadvantaged countries. The United Nations Development Programme (UNDP) has also placed emphasis on the requirements of least developed and other low-income countries; 80 per cent of its resources are channelled to countries with a per capita GNP of less than \$500. For the operation of its assistance programmes, the United Nations Fund for Population Activities (UNFPA) classifies least developed countries as priority countries.

### 2. Land-locked developing countries

35. With regard to land-locked developing countries, UNCTAD in its resolution 123 (V) enumerated certain specific actions to be taken in relation to their particular needs and problem. These actions include reduction of the costs of access of those countries to and from the sea and to world markets, improvement of the quality, efficiency and reliability of transport services and restructuring of the economies of land-locked countries in order to lessen their geographical handicaps and to overcome adverse effects of their geographical situation. Despite the measures that have so far been undertaken towards achieving these objectives, the particular geographical handicaps faced by land-locked developing countries continue to constitute an additional and serious constraint on their development.

36. The response of the international community to the urgent assistance needs of the land-locked developing countries has been diverse. Several major donors which have provided assistance do not have particular development policies in favour of those countries. In addition the assistance programmes of several donors and institutions to the land-locked developing countries are not always directly linked to the solution of the problem of transit-transport constraints. Although most of the land-locked developing countries are also classified among the least developed and thus need overall development assistance, specific measures to ease transit-transport constraints would enhance the effectiveness of the overall assistance provided. In this connection, at its sixth session, UNCTAD adopted resolution 137 (VI) in which it urged the international community to provide assistance to the land-locked developing countries in areas including rehabilitation and preventive maintenance of transit-transport facilities and development of new storage facilities along transit corridors, in ports and at rail terminals.

### 3. Island developing countries

Since 1972, a number of decisions have been taken by certain intergovernmental 37. bodies with a view to providing appropriate support to island developing countries. The areas of support include, notably, shipping and air services, including feeder services, telecommunications, export promotion, market access and stabilization of earnings, and marine and sub-marine resources. Multilateral organizations have begun to focus on this group of disadvantaged countries. In 1979, for instance, the Commonwealth Heads of Government endorsed a special programme of action in favour of the smaller Commonwealth island countries. The Lomé conventions also make special provisions for island countries. In the South Pacific and the Caribbean, where most of the island developing countries are situated, regional institutions have received support from the international community. While these countries tend to receive more aid per capita than other developing countries, it is difficuilt to ascertain the extent to which particular decisions and commitments related to their siutation have been implemented.

# F. Economic co-operation among developing countries (articles 3, 12 and 23)

38. Developing countries have long recognized the important role that economic co-operation among them could play in the acceleration of their individual economic and social progress. With the passage of time, this recognition has included another dimension: developing countries now regard mutual co-operation as a form of ollective self-reliance which promises to improve their position in the world economy. They have therefore assumed primary responsibility for the identification, formulation and implementation of measures to strengthen and expand areas of mutual co-operation.

39. In this regard, economic co-operation among developing countries (ECDC) has taken a variety of forms, which range from subregional schemes aimed at market sharing and integration to the establishment of financing institutions for development purposes. ECDC-oriented fields include technical co-operation, research and information, agriculture, fisheries and telecommunications. From a series of decisions and actions taken by developing countries at ministerial meetings in Mexico City (1976), Arusha, United Republic of Tanzania (1979), Caracas (1981) and Buenos Aires (1983), it is clear that ECDC will be broadened both in scope and focus to include expanded co-operation at the interregional level.

40. Since the adoption of the Charter, developing countries have continued their collaborative efforts in the area of manufacturing, while enlarging joint ventures in the field of mining. In 1976, for instance, the Mexican Commission on Mining Promotion and the Investment Commission of Jamaica agreed on a bauxite-producing firm in Jamaica as part of a vertical integration scheme for aluminium. Kuwait and Mauritania established the Arab Mining Industry Company, and a number of Arab countries in partnership with Jordan embarked on activating the Arab Potash Company in the Red Sea area. With an equity of \$400 million, the Arab Mining Company, owned by 12 African and West Asian countries, started its operations in 1975.

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41. The period under review also witnessed co-operation among developing countries in the area of land and river basin development, going beyond the exchange of information to the implementation of mutually beneficial projects. In South America, for instance, three bi-national public entities were created in order to construct and operate hydroelectric plants. The Yacyreta hydroelectric complex involves a partnership betweern Argentina and Paraguay; partnership in the Salto Grande plant is between Uruguay and Argentina; the Itaipu project in the Panama River includes the participation of Brazil and Paraguay and involves an estimated investment of almost \$5 billion. On completion, it is expected to have a generating capacity of 12.6 billion kilowatts.

42. The Integrated Programme for the Development of the Senegal River Basin is being undertaken by Guinea, Mali, Mauritania and Senegal. The overall aims of the programme include improved transport and electricity supply, promotion of a livestock industry, improvement of fishing and timber output and the construction of a network of river communication canals and a complex of port installations. Similarly, the goals of the Organization for the Development of the Senegal River and the Gambia River Basin Scheme include the development of agriculture, power and transport.

43. Following the establishment in 1979 of the Caribbean Food Corporation, owned by member Governments of the Caribbean Community (CARICOM), a number of groupings among developing countries have emerged with their own arrangements to promote trade in food among their members. The Latin American Agency for the Marketing of Foodstuff was created in 1982 as a result of actions taken by the Latin American Economic System (SELA). In West Africa, the Council of the Entente (Benin, the Ivory Coast, the Niger and the Upper Volta) is promoting intra-group trade in meat and livestock. Members of the Association of Southeast Asian Nations (ASEAN) have agreed to grant each other the right to first refusal regarding the purchase of any available rice surplus and the supply of rice import needs. Among members of the South Pacific Bureau for Economic Co-operation (SPEC), trade in sugar is now taking place under the terms of a long-term sugar agreement that was concluded through the sponsorship of SPEC.

44. Although by and large the progress made by regional organizations to further market integration has been somewhat slow, the experience gathered in the process has played a role in attempts to intensify the trade relations among developing countries. Between 1970 and 1975, trade among those countries rose at an annual rate of approximately 36 per cent. Between 1975 to 1980, however, the rate declined to about 22.1 per cent. Even at that level of growth, trade among developing countries remained higher than that recorded by flows among and with other major countries. The share of trade among developing countries in world trade rose from 3.5 per cent in 1970 to almost 6.7 per cent in 1980.

45. The expansion of trade among developing countries appears to be adversely affected, however, by a number of factors, including the drying up of financial flows which, because that has limited the ability of these countries to grant trade credits to each other, has had a dampening effect on intra-group trade flows. Historical links between former colonies and metropolitan centres have tended to

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divert significantly the international trade of developing countries towards developed market economies rather than towards those countries themselves. More recently, the external payments constraints and the import policies which developing countries were obliged to adopt have created a climate which has not been conducive to the expansion of trade among developing countries.

### G. Mobilization and utilization of resources for the implementation of progressive economic and social reforms to ensure full participation in the process and benefits of development (article 7)

46. The intergovernmental bodies and secretariats of ILO and FAO have been particularly concerned with the development and execution of programmes designed to promote popular participation in the process and benefits of economic progress through agrarian and rural development. FAO activities in this endeavour have been guided essentially by the Declaration of Principles and Programme of Action adopted at the World Conference on Agrarian Reform and Rural Development, held in Rome in July 1979; ILO regards free and independent organizations as basic instruments for promoting popular participation in rural development.

47. One of the longstanding efforts of ILO at promoting popular participation in rural development has been its work in the area of rural co-operatives. In trying to reach and benefit the more vulnerable poorer sections of national populations, those co-operative programmes have been directed towards the expansion of informal local "self-institutions" of the co-operative type. The establishment of linkages between those institutions and investment programmes in selected areas has also been part of the objectives of the co-operative programmes. Much has been achieved through the demonstration of economically and managerially successful models to facilitate the participation of members in the benefits of co-operative activity at the different stages of the economic process. While some Governments have taken positive steps to foster strong and independent co-operatives, others have demonstrated tendencies to the contrary. Such tendencies have adversely affected the participatory aspects of those institutions and complicated the task of promoting genuinely independent and democratically run co-operatives.

48. Since 1974, special emphasis has been placed on rural workers' education. This has taken the form of assistance in the development and strengthening of rural workers' organizations at the request of the organizations themselves. Services provided through such assistance have included organization of training courses, provision of teaching aids and manuals and advisory services in connection with research and evaluation activities. The lack of freedom of association, however, and the existence of other restrictive laws in many countries constitute major obstacles to the establishment and development of trade union-type organizations of rural workers on a wide scale.

49. Beside activities which specifically focus on the promotion of popular participation in the development process, attempts have been made to encourage participation in the ILO Special Public Works Programme. The essential feature of

this Programme is its emphasis on decentralized structures. It actively seeks to involve the beneficiaries of a project in related areas of decision-making as well as in the implementation and maintenance of a project. In some cases, this involvement is undertaken within the framework of organizations composed of the beneficiaries themselves.

50. Serious difficulties arise in connection with the promotion of full participation of people in the process and benefits of development. First, the notion of popular participation, apparently incongruent with the conventional top-to-bottom planning and project control, appears to be viewed by authorities as a challenge to their right to deliver development. Secondly, field activities which encourage participation also risk questioning at the grass-roots level of established structures and leadership. Indeed, the organized voice of the poorest has often pressed for the redistribution of assets, particularly of land. The idea of popular participation which must, in good measure, express itself as the organized initiative of the people is highly correlated to freedom of association and the right to organize. However, as at 13 March 1984, only 24 member States, including 11 developing countries, had ratified ILO Convention 141 concerning the right to establish rural workers' organizations.

51. In co-operation with other United Nations agencies, FAO has organized to date 14 missions to a number of countries in order to review with them their rural development policies in relation to the Programme of Action of the World Conference on Agricultural Reform and Rural Development. In some cases, such high-level missions have had an impact on policy. In other cases, they have resulted in small-scale projects or provided the basis for the formulation of appropriate policies. For the purpose of monitoring and evaluating programmes of agrarian reform and rural development, FAO with assistance from other United Nations agencies and member countries has developed a programme of socio-economic indications. Pilot studies based on these indications have been completed in 16 countries and related consultations were undertaken among experts in each developing region to review the results.

52. Following recommendations provided by experts from 52 countries, FAO has developed a work plan of increased advisory and technical support services as well as collaborative activities with countries concerned, United Nations agencies and other international organizations. In addition, FAO has carried out in-depth studies of 26 selected countries on the alleviation of rural poverty and has assisted an equal number of countries in preparation of such analyses. Those studies and reports have provided the basis for a world analysis of progress made and problems faced in implementing programmes of agrarian reform and rural development. That report was submitted to the twenty-second session of the FAO Conference held in November 1983.

### H. Disarmament and development (article 15)

53. By their virtual monopoly in the development of advanced military technology, the largest military Powers constitute the sources of significant increases in the sophistication of armaments. In addition to those increases in sophistication, which have absorbed huge amounts of resources, those countries have also increased their arsenals considerably. Taken together, the 15 members of the North Atlantic Treaty Organization and the seven members of the Warsaw Treaty Organization accounted for 69 per cent of total military expenditures in 1980. The arms race, however, is a world-wide phenomenon. In recent years, there has been an increase in arms production and trade by developing countries. This increase has provided about 3 per cent of the annual world exports of major weapons since 1974. The major producers in this group are Israel, India and Brazil and, to a lesser extent, Argentina, Egypt and a number of Asian countries. Since the late 1970s, China has also been producing and exporting arms, which, in 1980, accounted for around 1 per cent of world total of major weapons transfers.

54. In 1980, the share of the developing countries in world military expenditures was approximately 22 per cent and that of the developed countries was about 78 per cent. While more than 90 per cent of weapons transferred world-wide originated from six developed countries, with two major military Powers accounting for the largest share, the Middle East region accounted for a little less than one third of the total weapons imports all over the world.

55. Consuming a constantly increasing share of the world resources as well as an equally rising proportion of goods and services traded internationally, the arms race has in effect significantly diverted global resources from productive sectors. It has been estimated that between 3 and 11 per cent of a selected group of 14 non-energy minerals were utilized world-wide for military purposes.

56. With regard to the use of human resources by military establishments, it is estimated that in 1980 over 4 per cent of the working population of the world was engaged, directly or otherwise in the production of military goods and services. Of this, as many as 39.5 million were engaged in purely military activities (35 million employed in the world's armed forces and para-military forces and another 4 million directly employed in the production of specialized military equipment). Of those, about 4.3 million persons were engaged in activities that had little if any civilian economic utility.

57. International organizations have continued to concern themselves with the issue of disarmament in the context of global security and the international economic order. Based on the provisions of UNCTAD resolution 44 (III) of 12 May 1972, which dealt with trade and economic aspects of disarmament, the UNCTAD secretariat has paid considerable attention to disarmament and development prospects. The statement adopted at the sixth session of the Conference stressed in particular that peace and development were closely interrelated and that durable peace could be best assured by narrowing the economic disparity between nations. At present, UNCTAD is elaborating proposals for the reactivation of the work on the interrelationship between disarmament and economic development.

58. The close link between international peace and development is concretely reflected in the objectives of the International Year of Peace, endorsed by the General Assembly in its resolution 38/56 of 7 December 1983. The relationship between peace and development, social progress and justice and the need for international co-operation to promote those goals are highlighted in the programme for the Year. At regional seminars promoting the objectives of the Year during 1984 and 1985, the problems of peace and development will be discussed. Organizations within the United Nations system, especially those dealing with development and economic co-operation, will contribute to the observance of the Year through their own programmes and through inter-agency co-operation.

59. On the part of the General Assembly, there has been no lack of expression of deep concern over the continued increase in global military expenditure. In the Final Document of the Tenth Special Session of the Assembly (resolution S-10/2), devoted to disarmament, the Assembly reactivated the Disarmament Commission while maintaining the Assembly as the main United Nations deliberative organ for disarmament-related issues. The Commission was to also function as a deliberative organ during those periods when the Assembly was not in session. The Committee (now Conference) on Disarmament, composed of the first five nuclear-weapon States and 35 other nations, was created as the sole negotiating body of the Assembly.

60. In 1979, the Committee held its first session in Geneva, and in 1982 the second special session of the General Assembly devoted to disarmament was held. The work of the Assembly, the Commission and the Committee has resulted in concrete proposals for progressive reduction of military budgets as an important element of disarmament. Many of these proposals include specific provisions for reallocating disarmament savings from military to developmental purposes. However, the world community seems to be entering a new phase of accelerated growth in world military expenditures, with declining prospects for mutually advantageous economic co-operation and with a widespread reduction in economic growth.

### I. <u>Elimination of colonialism, apartheid and racial</u> <u>discrimination (article 16)</u>

61. The implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples continues to be the focus of the Special Committee charged with this question. In order to facilitate the advancement of self-determination and independence of peoples in dependent Territories, the Special Committee has over the years made a significant number of suggestions and recommendations regarding the implementation of the Declaration, especially in situations where certain obstacles appear to impede the process of decolonization.

62. At its most recent session, the Special Committee considered the activities of foreign economic and other interests which constituted impediments to the independence of Territories under colonial and related forms of domination. The Special Committee reaffirmed the inalienable rights of people of dependent Territories to the enjoyment of their natural resources in any manner they deemed to be in their best interests. While it has continued to condemn the policies of

Governments that support foreign economic enterprises which exploit the resources of those Territories, the Special Committee has also called upon all Governments to take appropriate measures, in respect of their own nationals or corporate bodies under their jurisdiction, owning or operating such enterprises, to terminate such activities. The Special Committee has also requested Governments to prevent new investments that would run counter to the interests of the inhabitants of the Territories.

63. Owing to the fact that the racist régime in South Africa has consistently refused to allow the United Nations Council for Namibia to establish itself within the Territory, the Council has been unable to perform its activities in regard to legislative, judicial, administrative and other matters. Notwithstanding this fact, the Council has taken numerous measures to protect the interests of the Namibian people. On 27 September 1974, the Council adopted Decree No. 1 for the Protection of the Natural Resources of Namibia.

64. That Decree prohibits, <u>inter alia</u>, the exploitation, export, transport and any other use of Namibian resources without the authorization of the Council. It considers null, void and of no force or effect any authorization for those purposes granted by South Africa or the "Administration of South West Africa". It determines that anyone who contravenes the Decree may be held liable in damages by the future Government of an independent Namibia.

65. Since Namibia is one of the largest producers of uranium, the Council on behalf of Namibia became a full member of the International Atomic Energy Agency (IAEA). It participates actively in that organization in order, among other things, to prevent South Africa (which illegally exploits Namibian uranium) from obtaining information on the technologies of uranium extraction and processing and from participating in related projects, symposiums and working groups. In order to protect Namibian maritime resources, the Council became a party to the United Nations Convention on the Law of the Sea. The protection of the economic and social interests of the Namibian people also explains the Council's membership in the governing bodies of United Nations agencies.

66. Individually, many States from all geographic regions continue to take measures agains <u>apartheid</u>. Such measures have been taken by way of implementation of General Assembly and Security Council resolutions calling for the isolation of the South African Government in the diplomatic, military, economic, trade, sports, cultural and other fields. However, collective action through the Security Council has so far been frustrated by the use of the veto to oppose comprehensive and mandatory measures against <u>apartheid</u>.

67. The main trading partners of South Africa have continued to provide the country with the resources and technology which has enabled the Government to step up the repression of opponents of <u>apartheid</u> inside South Africa as well as to engage in acts of aggression in the front-line States. Both activities have caused tremendous damage and suffering. The material damage to Angola alone has been estimated at over \$10 billion. The relevant Security Council resolutions calling for prompt and adequate compensation to Angola and Lesotho for the destruction incurred have so far gone unheeded by South Africa.

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68. On the basis of an extensive appraisal of evidence related to the health and psychosocial implications of <u>apartheid</u>, the International Conference on <u>Apartheid</u>, convened at Brazzaville in November 1981 under the auspices of WHO, examined the needs and priorities for action regarding health care for victims of <u>apartheid</u>. As a result of this exercise, a Joint National Liberation Movement/WHO Action Group was established. The principal objective of the WHO programme of assistance has been to provide an acceptable level of health for refugees who are victims of <u>apartheid</u>. WHO has therefore assisted those front-line States and other countries hosting refugees in the establishment of appropriate health facilities. In refugee communities, WHO has been offering assistance to health authorities for the evaluation and control of the epidemiological situation especially in those areas affected by hostilities.

### III. SUMMARY OF REPLIES RECEIVED FROM GOVERNMENTS

69. As mentioned in paragraph 4 above, not all of the replies received from Governments provided information on the specific measures that they had undertaken to implement the articles of the Charter of Economic Rights and Duties of States. In their replies, Governments offered interpretations regarding the significance and scope of the Charter. In this respect, the opinions proffered by individual Governments were quite similar in their emphasis on the importance and far-reaching implications of the Charter. The replies also reflected uniformly and clearly the view that the Charter remained largely unimplemented. In this context, some Governments identified areas where implementation of the Charter was conspicuously lacking and other Governments made suggestions as to those measures that were required for complete implementation.

By and large, Governments indicated that they regarded the Charter as a basic 70. document in the field of political and economic relations. They saw it as properly reflecting the realities of the phenomenon of interdependence, particularly in the area of global economic relations. They also saw in the Charter an elaboration of a number of concepts contained in the Declaration on the Establishment of a New International Economic Order (General Assembly resolution 3201 (S-VI) of 1 May 1974). Like the Declaration, the Charter stresses the importance of removing the developing countries from their condition of dependence. It also places equal importance on the expansion of international co-operation so as to bring an evenness and balance to the world economy. It reinforces the call for novel and progressive rules regarding the exercise of sovereignty over natural resources. By such an exercise, the Charter aims at offsetting the handicaps of developing countries by placing those countries on an equal footing with the developed world and enhancing their countervailing power in relation to the economic interests of the developed world.

71. Viewed in conjunction with the Declaration on the Establishment of a New International Economic Order, the Charter is seen to have provided the basic orientation for the practical restructuring of international economic relations on an equitable and democratic basis. Holding to the view that the implementation of the Charter and implementation of decisions relating to the establishment of a new international economic order are inseparable, a number of Governments maintained

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that their efforts to implement the Charter were reflected in their support (in national, regional and international forums) for measures and decisions aimed at structural changes in world economy, the launching of related global negotiations and for the improvement of the general economic situation of the developing countries.

72. Some Governments pointed out that the principles and provisions of the Charter went beyond the framework of economic relations among States. In the view of those Governments, the principles and provisions of the Charter have an important and constantly growing significance for inter-State relations in general. For them the Charter includes the notion of "substantive equality" designed to compensate for inequalities and reaffirms the authority of States over economic agents operating in their territories. Further, for those Governments, the Charter outlines a juridical framework which is consonant with an international community of co-equal States and itself serves to bring about a transition to that end. Those Governments have therefore taken the approach that efforts to implement the Charter are manifested in the positions they have taken against colonialism, the interference of States in the internal affairs of others and the many forms of economic coercion. Efforts made towards global peace and security through the advocacy of, and practical steps towards, general and complete disarmament are also held by some Governments as part of the process of implementing the Charter.

Some Governments stated in their replies that those articles of the Charter 73. which were of crucial political significance had yet to be implemented. In this connection, they cited the fact that some developing countries continued to face discrimination because of their ideological persuasion or economic and political system. As stated by other Governments, the current acceleration of the arms race and the growing threat of nuclear war strongly contrasted with the situation in the earlier years, which followed the adoption of the Charter, when the process of The enormity of the détente provided some hope for global peace and security. economic problems faced by developing countries and the present state of the unrestructured world economy were factors cited by Governments to illustrate the extent of the non-implementation of the Charter. A significant number of Governments emphasized that acts of economic aggression in the form of threats, trade sanctions and other means of economic coercion carried out by some countries against others were inconsistent with the objectives and provisions of the Charter. They also maintained that such acts served as instruments of political pressure aimed at influencing the sovereign decision-making process of target countries.

74. As mentioned above, Governments in their replies to the Secretary-General provided views and observations which, in a general way, were related to the Charter as well as to the state of its implementation. In one form or another, these have been incorporated appropriately within the various parts of the present report. Therefore, in the synoptic table below, an effort has been made to extract from the replies of Governments information that is not reflected elsewhere in the present report. The information which follows is based on replies from Governments and focuses on measures that they have taken individually to implement the articles of the Charter. The complete texts of the replies from Governments are available in their original language for consultation.

# Table - Symoptic presentation of replies of Governments on their implementation of the Charter of Economic Rights and Durises of States

	Articles 1, 2 and 7	Articles 4, 9, 13, 17, 24, 25 and 26	Articles 3, 12, 20, 21 and 23	Articles 8, 14, 18, and 19	Articles 10, 17 and 22	Articles 5, 6, 14 and 20	Article 15	Article 16	Articles 29 and 30	Articles 31 and 32
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A/39/332 E/1984/105 English Page 22 •

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A/39/332 B/1984/105 English Page 23

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A/39/332 B/1984/105 Emglish Page 26

	Acticles 1, 2 and 7	Articles 4, 9, 13, 17, Articles 3, 12, 20, 24, 25 and 26 21 and 23	Articles 8, 14, 18, and 19	Articles 10, 17 and 22	Acticien 5, 6, 14 and 28	Article 15	Article 16	Articles 29 and 30	Articles 31 and 32
HE STATE OF THE ST			While reparding the member States with the member States with the member States with the means to give expression to envise the state of the intercoveremental economic relational economic relational economic relational to a state of the state of the state of the citeria a well at the citerial of t	1 -					··· .
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	Articles J. 2 and 7	Articles 4, 9, 13, 17, Articles 3, 12, 20, 24, 25 and 26	Articles 3, 12, 20, 21 and 23	Articles 8, 14, 18, and 19	Articles 10, 17 and 22	Articles 5, 6, 14 and 20	Article 15	Article 16	Articles 29 and 30	Articies 31 and 32
TRION CF SOVIET			Participates in CMEA	Promotion of the			Continues to			
SOCIALISE REPUBLICS	of States' povereignty. insimication of	. developing countries. Assistance to that	which exemplifies neveloely equitable	establishment of the new international			follow a course of allegistico	6		
	interference in the	group of countries	and mutully advan-	economic order and			international			
	interna: affairs of	amounted to over 38	tageous co-operation.	overcoming the main			tension, averting	100		
	others and peaceful	billion roubles. The	Socialist countries	obstacles to the econo-			the threat of			
	coexistence are fully	proportion between	are seeking to	mic development of			nuclear war,			
	compatible with the	assistance and	organize co-operation	developing countries			curbing the arms	R5		
	principles of the	GNP, which averaged	with developing coun-	constitute an integral			race and imple-	1		
	foreign policy of the	I per cent during the	tries in such a way	part of its external			menting disarma-	B-		
	Soviet Union and with	post five years, rose	as to he <u>lp</u> them in	economic policy and that			ment measures.			
	its policy of develop-	to 1.3 per cent in	the overall solution	of other socialist			Advocates the			
	ing and consoliduting	1981. Nearly 1,800	of socio-economic	countries. Long before			reduction of			
	mutualiy advantageous	industrial enter-	problems in the	the adoption of the			military budgets	ts		
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	co-operation with	stations and other	populations as a	Union unilaterally lifted	Pi		released thereby	ŝ		
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		USSR aid in develop-		countries. The Soviet			specific proposals	sals		
		ing countries.		Union opposes economic			in this regard			
		Between 1975 and 1981,		isolation and advocates			both within and	5		
		the volume of foreign		world trade free from			outside the United	iteđ		
		trade of the Soviet		protectionism and related	Pé		Nations, State	4		
		Union with accialist		barriers impeding its			parties to the			
		countries rose 2.5		development.			Marsaw Treaty			
		times and that with					proposed to States	stes		
		developed capitalist					Members of NATO the	o the		
		countries 2.4 times					holding of talks on	48 Oh		
		and with developing					the guestion of			
		countries 2.8 times.					limiting and			
		Concerning non-discri-					reducing military	L.A.		
		mination in interna-					expenditure.			
		tional trade, the								
		Soviet Union conforms								
		to the relevant pro-								
		visions of the								
		Charter.								

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### Abbreviations

- CARICOM Caribbean Community
- CMEA Council of Mutual Economic Assistance
- ECDC Economic co-operation among developing countries
- ECLA Economic Commission for Latin America
- GATT General Agreement on Tariffs and Trade
- GNP Gross national product
- GSP Generalized System of Preferences
- NATO North Atlantic Treaty Organization
- SNPA Substantial New Programme of Action for the Least Developed Countries for the 1980s
- TCDC Technical co-operation among developing countries
- UNCTAD United Nations Conference on Trade and Development

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