



UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
GENERAL

A/34/635/Add.3
11 December 1979
ENGLISH
ORIGINAL: ENGLISH/SPANISH

Thirty-fourth session
Agenda item 12

REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

Report of the Second Committee (Part IV)

Rapporteur: Miss Paulina GARCIA DONOSO (Ecuador)

I. INTRODUCTION

1. The Committee continued its consideration of the item at the 54th to 56th meetings on 1, 5 and 8 December 1979. An account of the discussion of the Committee is contained in the relevant summary records (A/C.2/34/SR.54-56).

II. CONSIDERATION OF PROPOSALS

A. Draft resolution A/C.2/34/L.93

2. At the 54th meeting, on 1 December, the representative of the United States of America introduced a draft resolution (A/C.2/34/L.93) entitled "Follow-up to and implementation of the Mar del Plata Action Plan of the United Nations Water Conference" on behalf of Burundi, Chad, Finland, Guinea, Mali, the Netherlands, the Philippines, the Sudan, Sweden, the United States of America, the Upper Volta and Zaire.

3. A statement (A/C.2/34/L.94) on the administrative and financial implications of draft resolution A/C.2/34/L.93 was submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly.

4. At the same meeting, the Assistant Secretary-General for Secretariat Services for Economic and Social Matters made a statement in connexion with the administrative and financial implications of the draft resolution.

5. At the 56th meeting, on 8 December, the representative of the United States of America, on behalf of the sponsors, introduced a revised text of the draft resolution (A/C.2/34/L.93/Rev.1). The revised text included the addition, at the

end of operative paragraph 3, of the words "and on the understanding that requirements for documentation set out in that resolution will be reduced".

6. At the same meeting, the Committee had before it a revised statement (A/C.2/34/L.94/Rev.1) of the administrative and financial implications of the revised draft resolution.

7. Also at the same meeting, the Committee adopted draft resolution A/C.2/34/L.93/Rev.1 (see para. 11).

B. Consideration of the draft resolutions transmitted to the General Assembly by the Economic and Social Council

8. At the 55th meeting, on 5 December, the Committee considered the draft resolutions entitled "Transnational corporations: code of conduct on transnational corporations and international agreement on illicit payments" and "International agreement on illicit payments", transmitted to the General Assembly by the Economic and Social Council in its decision 1979/73 of 3 August 1979. ^{1/} The draft resolutions read as follows:

"Transnational corporations: code of conduct on transnational corporations and international agreement on illicit payments

"The Economic and Social Council,

"Recalling General Assembly resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974 on the Declaration and the Programme of Action on the Establishment of a New International Economic Order, which, inter alia, call for the formulation, adoption and application of a code of conduct on transnational corporations,

"Recalling also General Assembly resolutions 3281 (XXIX) of 12 December 1974 containing the Charter of Economic Rights and Duties of States and 3362 (S-VII) of 16 September 1975 on development and international economic co-operation,

"Bearing in mind General Assembly resolution 3514 (XXX) of 15 December 1975, in which all corrupt practices, including bribery, by transnational and other corporations, their intermediaries and others involved, in violation of the laws and regulations of the host countries, are condemned,

^{1/} Official Records of the General Assembly, Thirty-fourth Session, Supplement No. 3 (A/34/3), chap. VII.

"Recalling the establishment, by the Commission on Transnational Corporations at its second session, of the Intergovernmental Working Group on a Code of Conduct, 2/

"Recalling Council resolution 1978/71 of 4 August 1978, by which the Council decided to establish the Committee on an International Agreement on Illicit Payments,

"Noting the progress made so far by the Intergovernmental Working Group on a Code of Conduct and by the Committee on an International Agreement on Illicit Payments, and the pending issues as defined by the Intergovernmental Working Group and by the Committee, and the views expressed thereon in the Council,

"Noting also the close relationship that exists between issues being considered by the Intergovernmental Working Group on a Code of Conduct and by the Committee on an International Agreement on Illicit Payments,

"1. Reaffirms that the formulations of a code of conduct by the Commission on Transnational Corporations should be given the highest priority and that the conclusion of an international agreement on illicit payments should in no way interfere with or delay that priority;

"2. Takes note of the report of the Commission on Transnational Corporations on its fifth session 3/ and the report of the Committee on an International Agreement on Illicit Payments on its first and second sessions; 4/

"3. Urges States to complete the work of the Intergovernmental Working Group on a Code of Conduct and the Committee on an International Agreement on Illicit Payments;

"4. Endorses the conclusion of the Commission on Transnational Corporations that the Intergovernmental Working Group on a Code of Conduct should hold three further sessions of two weeks' duration in order to accomplish its task as set out in its mandate, that these three sessions should be held before the sixth session of the Commission, and that the eighth session of the Group should be held before the thirty-fourth session of the General Assembly; 5/

2/ Official Records of the Economic and Social Council, Sixty-first Session, Supplement No. 5 (E/5782), para. 51.

3/ Ibid., 1979, Supplement No. 8 (E/1979/38).

4/ E/1979/104.

5/ See Official Records of the Economic and Social Council, 1979, Supplement No. 8 (E/1979/38), para. 19.

"5. Decides that the Committee on an International Agreement on Illicit Payments should hold at least two other sessions of two weeks' duration each, in order to accomplish its work and should report to the Commission on Transnational Corporations at its sixth session and to the Council at its second regular session of 1980;

"6. Recommends that the General Assembly should decide at its thirty-fourth session to convene in the last quarter of 1980 a United Nations negotiating conference to conclude agreement on the basis of the work of the Intergovernmental Working Group on a Code of Conduct and of the work of the Committee on an International Agreement on Illicit Payments."

"International agreement on illicit payments

"The Economic and Social Council,

"Recalling its resolution 1978/71 of 4 August 1978, in which, inter alia, it decided in principle to convene, if possible in 1980, and subject to a definitive decision by the Council at its second regular session of 1979, a conference of plenipotentiaries to conclude an international agreement on illicit payments,

"Noting the progress made by the Committee on an International Agreement on Illicit Payments as recorded in its report on its first and second sessions, 6/

"1. Decides to convene a conference of plenipotentiaries to conclude an international agreement on illicit payments, to meet not later than 30 June 1980;

"2. Invites all States to participate in that conference."

9. At the same meeting, the Committee agreed to take no decision on the draft resolutions transmitted to the General Assembly by the Economic and Social Council in its decision 1979/73.

C. Draft decision

10. At the 56th meeting, on 8 December, on the proposal of the Chairman, the Committee decided to recommend that the General Assembly should take note of the report of the Secretary-General on the implementation of the Charter of Economic Rights and Duties of States (E/1979/74), submitted pursuant to Economic and Social Council resolution 1978/64 of 4 August 1978 (see para. 12).

6/ E/1979/104.

III. RECOMMENDATIONS OF THE SECOND COMMITTEE

11. The Second Committee recommends to the General Assembly the adoption of the following draft resolutions:

Follow-up to and implementation of the Mar del Plata Action
Plan of the United Nations Water Conference

The General Assembly,

Recalling its resolution 32/158 of 19 December 1977, by which it adopted the report of the United Nations Water Conference, 7/ approved the Mar del Plata Action Plan contained therein 8/ and endorsed Economic and Social Council resolutions 2115 (LXIII) and 2121 (LXIII) of 4 August 1977 concerning the implementation of the Action Plan and the report of the Water Conference, respectively,

Recalling that the United Nations Water Conference recommended in paragraph 15 of the Mar del Plata Action Plan that the decade 1981-1990 should be designated as the International Drinking Water Supply and Sanitation Decade and should be devoted to the implementation of national plans and programmes for drinking water supply and sanitation in accordance with the Plan of Action contained in resolution II of the Conference,

Recalling further Economic and Social Council resolution 1979/31 of 9 May 1979 entitled "International Drinking Water Supply and Sanitation Decade", decision 79/15 of 27 June 1979 of the Governing Council of the United Nations Development Programme on international co-operative action in support of the Mar del Plata Action Plan 9/ and World Health Assembly resolution WHA 32.11 of 18 May 1979, entitled "United Nations Water Conference: follow-up to the Mar del Plata Action Plan", all of which were designed to secure the further implementation of the Decade,

Recognizing that the implementation of the Decade will require concerted action by countries, with all possible support by international organizations, as and when requested,

1. Takes note of the report of the Secretary-General on the results of the third special session of the Committee on Natural Resources; 10/
2. Endorses Economic and Social Council resolutions 1979/31 and Council

7/ Report of the United Nations Water Conference, Mar del Plata, 14-25 March 1977 (United Nations publication, Sales No. E.77.II.A.12).

8/ Ibid., chap. I.

9/ Official Records of the Economic and Social Council, 1979, Supplement No. 10 (E/1979/40 and Corr.), chap. XXI, sect. Q.

10/ E/1979/91.

resolutions 1979/67, 1979/68 and 1979/70 of 3 August 1979, concerning the follow-up activities for the implementation of the Mar del Plata Action Plan;

3. Decides to hold a special one-day meeting during its thirty-fifth session to launch formally the International Drinking Water Supply and Sanitation Decade, 1981-1990, in accordance with Economic and Social Council resolution 1979/31 and on the understanding that requirements for documentation set out in that resolution will be reduced;

4. Requests the Committee on Natural Resources, at its regular biennial sessions during the 1980s, to review the progress made by Governments in the implementation of the Action Plan and to provide continued guidance and oversight to the supporting water-related activities undertaken by the organizations of the United Nations system, including the plans and programmes of the Decade.

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12. The Second Committee also recommends that the General Assembly should take note of the report of the Secretary-General on the implementation of the Charter of Economic Rights and Duties of States, 11/ submitted pursuant to Economic and Social Council resolution 1978/64 of 4 August 1978.

11/ E/1979/74.