

6. *Calls once again upon* all States to provide the Secretary-General with their comments on this question;

7. *Requests* the Commission on Human Rights to continue the consideration of this subject at its thirty-eighth session under the title "Measures to be taken against all totalitarian or other ideologies and practices, in particular Nazi, Fascist and neo-Fascist, based on racial or ethnic exclusiveness or intolerance, hatred, terror, systematic denial of human rights and fundamental freedoms, or which have such consequences";

8. *Requests* the Secretary-General to submit a report, through the Economic and Social Council, to the General Assembly at its thirty-seventh session in the light of the discussion that would take place in the Commission on Human Rights and on the basis of comments provided by States and international organizations.

*101st plenary meeting
16 December 1981*

36/163. Question of involuntary or enforced disappearances

The General Assembly,

Recalling its resolution 33/173 of 20 December 1978, entitled "Disappeared persons", and its resolution 35/193 of 15 December 1980 on the question of involuntary or enforced disappearances,

Bearing in mind Commission on Human Rights resolution 10 (XXXVII) of 26 February 1981,¹⁶¹ in which it was decided to extend for one year the term of the mandate of the Working Group dealing with involuntary or enforced disappearances, and Economic and Social Council decision 1981/139 of 8 May 1981, by which the Council approved the Commission's decision,

Convinced that the action taken, in consultation with the Governments concerned, to promote the implementation of the provisions of General Assembly resolution 33/173 and other United Nations resolutions relevant to the plight of missing or disappeared persons should be continued,

Expressing its emotion at the anguish and sorrow of the families of victims of involuntary or enforced disappearances,

1. *Welcomes* the decision of the Commission on Human Rights to extend for one year the term of the mandate of the Working Group as laid down in Commission resolution 10 (XXXVII);

2. *Expresses its appreciation* to the Working Group for the work done and to those Governments that have co-operated with it;

3. *Requests* the Commission on Human Rights to continue to study this question as a matter of priority and to take any step it may deem necessary to the pursuit of the task of the Working Group, when it considers the report to be submitted by the Group at its thirty-eighth session;

4. *Appeals* to all Governments to provide the Working Group and the Commission on Human Rights with the full co-operation warranted by their strictly humanitarian objectives and their working methods based on discretion;

5. *Renews* its request to the Secretary-General to continue to provide the Working Group with all necessary assistance.

*101st plenary meeting
16 December 1981*

36/164. Missing persons in Cyprus

The General Assembly,

Recalling its previous resolutions on the question of the missing persons in Cyprus,

Reaffirming the basic human need of families to be informed, without further delay, about the fate of their missing relatives,

Having in mind that agreement was reached, on 19 May 1979, during the high-level meeting held at Nicosia under the auspices of the Secretary-General,

Welcoming the agreement establishing the Committee on Missing Persons in Cyprus, referred to in the report of the Secretary-General of 27 May 1981,¹⁶² including the oral agreement of 26 March 1981 concerning the attendance of representatives of the Committee of Relatives of Missing Persons at the meetings of the Committee,

Regretting the fact that owing to procedural difficulties no progress has been achieved towards the commencement of the Committee's investigative work,

1. *Urges* that the Committee on Missing Persons in Cyprus proceed, without any further delay, with its investigative work for the tracing of and accounting for missing persons in Cyprus;

2. *Calls upon* the parties concerned to assist, in a spirit of co-operation and goodwill, the Committee in carrying out its investigative task;

3. *Requests* the Secretary-General to continue to provide his good offices for the unhindered functioning of the Committee.

*101st plenary meeting
16 December 1981*

36/165. Question of the international legal protection of the human rights of individuals who are not citizens of the country in which they live

The General Assembly,

Bearing in mind Economic and Social Council resolutions 1790 (LIV) of 18 May 1973 and 1871 (LVI) of 17 May 1974 concerning the question of the international legal protection of the human rights of individuals who are not citizens of the country in which they live,

Noting Commission on Human Rights resolutions 8 (XXIX) of 21 March 1973,¹⁶³ 11 (XXX) of 6 March 1974,¹⁶⁴ 16 (XXXV) of 14 March 1979,¹⁶⁵ and 19 (XXXVI) of 29 February 1980,¹⁶⁶ on the same subject,

Noting also resolution 9 (XXXI) of 13 September 1978 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities,¹⁶⁷

Recalling that the Economic and Social Council, by its resolution 1980/29 of 2 May 1980, decided to transmit to the General Assembly at its thirty-fifth session the text of the draft declaration on the human rights of individuals who are not citizens of the country in which they live, prepared by the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the Baroness Elles, and amended by the Sub-Commission,¹⁶⁸ together with the comments on the text received from Member States¹⁶⁹ in response to Council decision 1979/36 of 10

¹⁶² *Official Records of the Security Council, Thirty-sixth Year, Supplement for April, May and June 1981*, document S/14490, para. 46.

¹⁶³ See *Official Records of the Economic and Social Council, Fifty-fourth Session, Supplement No. 6 (E/5265)*, chap. XX, sect. A.

¹⁶⁴ *Ibid.*, *Fifty-sixth Session, Supplement No. 5 (E/5464)*, chap. XIX, sect. A.

¹⁶⁵ See *Official Records of the Economic and Social Council, 1979, Supplement No. 6 (E/1979/36)*, chap. XXIV, sect. A.

¹⁶⁶ *Ibid.*, 1980, *Supplement No. 3 (E/1980/13 and Corr. 1)*, chap. XXVI, sect. A.

¹⁶⁷ See E/CN.4/1296, chap. XVII, sect. A.

¹⁶⁸ E/CN.4/1336.

¹⁶⁹ E/CN.4/1354 and Add.1-6.

May 1979, and recommended that the Assembly should consider the adoption of a declaration on the subject,

Recalling also its resolution 35/199 of 15 December 1980, in which it decided to establish an open-ended working group for the purpose of concluding the elaboration of the draft declaration on the human rights of individuals who are not citizens of the country in which they live,

Having considered the report of the Working Group,¹⁷⁰

1. *Takes note* of the report of the Working Group and of the fact that, although the Working Group has done useful work, it has not had sufficient time to conclude its task;

2. *Decides* to establish, at its thirty-seventh session, an open-ended working group for the purpose of concluding the elaboration of the draft declaration on the human rights of individuals who are not citizens of the country in which they live;

3. *Expresses the hope* that a draft declaration on the human rights of individuals who are not citizens of the country in which they live will be adopted by the General Assembly at its thirty-seventh session.

101st plenary meeting
16 December 1981

36/166. Exchange of information on banned hazardous chemicals and unsafe pharmaceutical products

The General Assembly,

Recalling its resolution 34/173 of 17 December 1979, in which it recognized the urgent need to take concrete measures to prevent adverse effects on health on a world-wide basis,

Recalling also its resolution 35/186 of 15 December 1980, in which it invited Member States to provide information on measures they had taken on the exchange of information on hazardous chemicals and unsafe pharmaceutical products that have been banned in their territories and requested the Secretary-General, in co-operation with the United Nations organs, organizations and bodies concerned, to submit a report to the General Assembly at its thirty-sixth session on the experience of Member States and the United Nations organs, organizations and bodies concerned,

Conscious of the importance of the information system on transnational corporations for the analysis of the activities of these corporations in certain sectors of special social and humanitarian interest to the countries in which operations take place, particularly developing countries,

Taking into account that in resolution 35/186 it requested the Commission on Transnational Corporations to study, during its seventh session, ways and means within the information system on transnational corporations to improve the exchange of information on those products with a view to formulating appropriate recommendations,

Bearing in mind the importance of objective information on banned hazardous chemicals and unsafe pharmaceutical products,

Aware that the production and export of banned or severely restricted hazardous substances—including pharmaceuticals, pesticides and industrial chemicals—endanger public health and the environment,

1. *Takes note* of the report of the Secretary-General on the exchange of information on banned hazardous chemicals and unsafe pharmaceutical products;¹⁷¹

2. *Takes note also* of the conclusions and recommendations in the report of the United Nations Centre on Trans-

national Corporations¹⁷² which was submitted to the Commission on Transnational Corporations at its seventh session;

3. *Reiterates* the need to intensify international co-operation in the search for the solution to problems arising from the production and export of banned or severely restricted substances;

4. *Urges* Member States and other interested parties, including transnational corporations, to co-operate more fully in providing data on banned or severely restricted substances to the appropriate organs, organizations and bodies of the United Nations system with responsibility for information exchange in regard to such substances;

5. *Calls upon* the organs, organizations and other competent United Nations bodies involved in disseminating information on this subject to ensure that the documentation they prepare is adequately suited to the needs of and clearly understood by all those engaged in processing, handling, dispensing or using all banned hazardous chemicals and unsafe pharmaceutical products;

6. *Requests* the Secretary-General and the organs, organizations and other competent United Nations bodies to provide, within the available resources, the necessary technical assistance to the developing countries, at their request, to help them establish an adequate system for monitoring the import of unsafe pharmaceutical products of doubtful therapeutic value and banned hazardous chemicals, on the one hand, and to train scientific personnel to handle these problems, on the other;

7. *Invites* Member States to deal with this subject through appropriate means, including possible legislation at the national level, where they do not yet exist;

8. *Once again requests* the Secretary-General to consult Member States on the existing information systems on banned hazardous chemicals and unsafe pharmaceutical products and to report to the General Assembly at its thirty-eighth session through the Economic and Social Council.

101st plenary meeting
16 December 1981

36/167. Draft Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with Special Reference to Foster Placement and Adoption Nationally and Internationally

The General Assembly,

Recalling Economic and Social Council resolution 1981/18 of 6 May 1981 entitled "Draft declaration on social and legal principles relating to adoption and foster placement of children nationally and internationally", by which the Council requested the General Assembly to consider at its thirty-sixth session the draft Declaration annexed to that resolution so that the further action proposed in Council resolution 1979/28 of 9 May 1979 may proceed,

Bearing in mind the report of the Secretary-General¹⁷³ on views of Member States on the text of the draft Declaration.

Convinced that the adoption of the draft Declaration will promote the well-being of children with special needs,

1. *Decides* to include in the provisional agenda of its thirty-seventh session an item entitled "Draft Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with Special Reference to Foster Place-

¹⁷⁰ A/C.3/36/11.

¹⁷¹ A/36/255.

¹⁷² E/C.10/90.

¹⁷³ A/35/336.