

effective control over their natural and all other resources, wealth and economic activities,

Bearing in mind the relevant principles of international law and the provisions of the international conventions and regulations, in particular Convention IV of the Hague of 1907,⁴ and the fourth Geneva Convention of 12 August 1949,⁵ concerning the obligations and responsibilities of the occupying Power,

Bearing in mind also the pertinent provisions of its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974, containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order, and 3281 (XXIX) of 12 December 1974, containing the Charter of Economic Rights and Duties of States,

Regretting that the report of the Secretary-General on permanent sovereignty over national resources in the occupied Palestinian and other Arab territories, requested in General Assembly resolution 36/173, was not submitted,

1. *Condemns* Israel for its exploitation of the national resources of the occupied Palestinian and other Arab territories;

2. *Emphasizes* the right of the Palestinian and other Arab peoples whose territories are under Israeli occupation to full and effective permanent sovereignty and control over their natural and all other resources, wealth and economic activities;

3. *Reaffirms* that all measures undertaken by Israel to exploit the human, natural and all other resources, wealth and economic activities in the occupied Palestinian and other Arab territories are illegal and calls upon Israel to desist immediately from such measures;

4. *Further reaffirms* the right of the Palestinian and other Arab peoples subjected to Israeli aggression and occupation to the restitution of and full compensation for the exploitation, depletion and loss of and damages to their natural, human and all other resources, wealth and economic activities, and calls upon Israel to meet their just claims;

5. *Calls upon* all States to support the Palestinian and other Arab peoples in the exercise of their above-mentioned rights;

6. *Calls upon* all States, international organizations, specialized agencies, business corporations and all other institutions not to recognize, or co-operate with or assist in any manner in, any measures undertaken by Israel to exploit the national resources of the occupied Palestinian and other Arab territories or to effect any changes in the demographic composition, the character and form of use of their natural resources or the institutional structure of those territories;

7. *Requests* the Secretary-General to prepare and submit to the General Assembly at its thirty-eighth session, through the Economic and Social Council, the two reports requested in Assembly resolution 36/173.

*109th plenary meeting
17 December 1982*

37/136. Population activities in the regional commissions

The General Assembly,

1. *Takes note* of decision 80/44 of 27 June 1980 of the Governing Council of the United Nations Development Pro-

gramme on agency support costs⁶ and of section I, paragraph 3, of decision 82/20 of 18 June 1982,⁷ in which the Council endorsed the guidelines for the approval of new and continuing intercountry projects that, *inter alia*, called for the discontinuation by the United Nations Fund for Population Activities of infrastructural support to its project-executing agencies, including the regional commissions;⁸

2. *Requests* the Secretary-General, in consultation with the executive secretaries of the regional commissions, to consider the inclusion in the draft programme budget for the biennium 1984-1985 of proposals on modalities for the continuation of activities in the field of population at the regional level.

*109th plenary meeting
17 December 1982*

37/137. Protection against products harmful to health and the environment

The General Assembly,

Aware of the damage to health and the environment that the continued production and export of products that have been banned and/or permanently withdrawn on grounds of human health and safety from domestic markets is causing in the importing countries,

Aware that some products, although they present a certain usefulness in specific cases and/or under certain conditions, have been severely restricted in their consumption and/or sale owing to their toxic effects on health and the environment,

Aware of the harm to health being caused in importing countries by the export of pharmaceutical products ultimately intended also for consumption and/or sale in the home market of the exporting country, but which have not yet been approved there,

Considering that many developing countries lack the necessary information and expertise to keep up with developments in this field,

Considering the need for countries that have been exporting the above-mentioned products to make available the necessary information and assistance to enable the importing countries to protect themselves adequately,

Cognizant of the fact that almost all of these products are at present manufactured and exported from a limited number of countries,

Taking into account that the primary responsibility for consumer protection rests with each State,

Recalling its resolution 36/166 of 16 December 1981 and the report on transnational corporations in the pharmaceutical industry of developing countries,⁹ and acting in pursuance of Economic and Social Council resolution 1981/62 of 23 July 1981,

Bearing in mind in this context the work of the Food and Agriculture Organization of the United Nations, the World Health Organization, the International Labour Organisation, the United Nations Environment Programme, the General Agreement on Tariffs and Trade, the United Nations Centre on Transnational Corporations and other relevant intergovernmental organizations,

⁴ Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press), 1915, p. 100.

⁵ United Nations, *Treaty Series*, vol. 75, No. 973, p. 287.

⁶ See *Official Records of the Economic and Social Council, 1980, Supplement No. 12 (E/1980/42/Rev.1)*, chap. XI.

⁷ *Ibid.*, 1982, *Supplement No. 6 (E/1982/16/Rev.1)*, annex I.

⁸ See DP/1982/29 and Add.1.

⁹ E/C.10/85.

1. *Agrees* that products that have been banned from domestic consumption and/or sale because they have been judged to endanger health and the environment should be sold abroad by companies, corporations or individuals only when a request for such products is received from an importing country or when the consumption of such products is officially permitted in the importing country;

2. *Agrees* that all countries that have severely restricted or have not approved the domestic consumption and/or sale of specific products, in particular pharmaceuticals and pesticides, should make available full information on these products with a view to safeguarding the health and environment of the importing country, including clear labelling in a language acceptable to the importing country;

3. *Requests* the Secretary-General to continue to ensure the provision of the necessary information and assistance by the United Nations system in order to strengthen the national capacities of developing countries to protect themselves from the consumption and/or sale of banned, withdrawn, severely restricted or, in the case of pharmaceuticals, non-approved products;

4. *Requests* the Secretary-General, based upon the work already being done within the Food and Agriculture Organization of the United Nations, the World Health Organization, the International Labour Organisation, the United Nations Environment Programme, the General Agreement on Tariffs and Trade, the United Nations Centre on Transnational Corporations and other relevant intergovernmental organizations, to the maximum extent possible within existing resources, to prepare and regularly update a consolidated list of products whose consumption and/or sale have been banned, withdrawn, severely restricted or, in the case of pharmaceuticals, not approved by Governments, and to make this list available as early as possible and, in any case, not later than December 1983;

5. *Agrees* that the consolidated list referred to in paragraph 4 above should be easy to read and understand and should contain both generic/chemical and brand names in alphabetical order, as well as the names of all manufacturers and a short reference to the grounds and the decisions taken by Governments that have led to the banning, withdrawal or severe restriction of such products;

6. *Decides*, on the basis of the above-agreed criteria, to keep under review the format of the consolidated list with a view to its possible improvement;

7. *Requests* Governments and the relevant organs, organizations and bodies of the United Nations system to provide all the information and assistance necessary for the prompt and effective fulfilment of the task entrusted to the Secretary-General.

*109th plenary meeting
17 December 1982*

37/138. Financing of the Multinational Programming and Operational Centres of the Economic Commission for Africa on an established basis

The General Assembly,

Recalling its resolutions 32/197 of 20 December 1977 and 33/202 of 29 January 1979 on the restructuring of the economic and social sectors of the United Nations system, in particular the designation therein of the regional commissions as, *inter alia*, the main general economic and social development centres within the United Nations system for their respective regions, having responsibility for the promotion of subregional and regional co-operation,

Bearing in mind resolution 311 (XIII) adopted on 1 March 1977 by the Conference of Ministers of the Economic Commission for Africa,¹⁰ by which the Conference established the Multinational Programming and Operational Centres to foster sectoral and subregional integration,

Recognizing the prominent role given to subregional and regional economic integration in the Lagos Plan of Action for the Implementation of the Monrovia Strategy for the Economic Development of Africa¹¹ as a means towards achieving the establishment of an African economic community by the year 2000,

Recognizing also that the Multinational Programming and Operational Centres constitute an integral part of the Economic Commission for Africa, through which the Commission effectively carries out aspects of its mandate, as set forth in its terms of reference,¹² and that they serve as the principal mechanism of the Commission for fostering economic and technical co-operation at the subregional level in Africa,

Recalling also its resolutions 35/64 of 5 December 1980 and 36/180 of 17 December 1981 on special measures for the social and economic development of Africa in the 1980s,

Recalling further its resolution 36/178 of 17 December 1981, in which it invited the Secretary-General to submit a report on the financing of Multinational Programming and Operational Centres on an established basis and Economic and Social Council resolution 1982/62 of 30 July 1982 on the same subject,

Taking into account the views expressed by the Conference of Ministers of the Economic Commission for Africa in its resolution 450 (XVII) of 30 April 1982¹³ on the need to correct the present situation regarding the inadequacy of the human and financial resources available to the Multinational Programming and Operational Centres for regular budget and operational activities, as a result of which their very existence is threatened,

Bearing in mind the action already taken by the Executive Secretary of the Economic Commission for Africa to improve the resource situation of the Multinational Programming and Operational Centres,

Having considered the report of the Secretary-General on the financing of the Multinational Programming and Operational Centres of the Economic Commission for Africa on an established basis,¹⁴ prepared pursuant to General Assembly resolution 36/178, and having examined, in particular, paragraphs 47 to 49 of that report,

1. *Takes note with appreciation* of the report of the Secretary-General on the financing of the Multinational Programming and Operational Centres of the Economic Commission for Africa on an established basis;

2. *Welcomes* the decision adopted by the Governing Council of the United Nations Development Programme at its twenty-ninth session, in which the Council requested the Administrator of the Programme to continue to provide financial support to the five Multinational Programming and Operational Centres during the whole of the third programming cycle, 1982-1986;¹⁵

¹⁰ See *Official Records of the Economic and Social Council, Sixty-third Session, Supplement No. 7*, vol. I (E/5941), part III.

¹¹ A/S-11/14, annex I.

¹² E/CN.14/111/Rev.8.

¹³ See *Official Records of the Economic and Social Council, 1982, Supplement No. 11* (E/1982/21), chap. V.

¹⁴ E/1982/70 and Corr.1.

¹⁵ See *Official Records of the Economic and Social Council, 1982, Supplement No. 6* (E/1982/16/Rev.1), annex I, decision 82/4 A, sect. IV.