

*Taking into account* the note by the Secretary-General prepared in response to General Assembly resolution 44/215,<sup>101</sup> and his assessment of how to continue his task,

*Concerned* that the mandate provided in paragraph 6 of resolution 44/215 has not been fully implemented,

1. *Calls upon* the international community to adopt urgent and effective measures to eliminate the use by some developed countries of unilateral economic coercive measures against developing countries with the purpose of exerting, directly or indirectly, coercion on the sovereign decisions of the countries subject to those measures;

2. *Deplores* the fact that some developed countries continue to apply economic measures and, in some cases, have increased their scope and magnitude, as evidenced by trade restrictions, blockades, embargoes, freezing of assets and other economic sanctions incompatible with the Charter of the United Nations;

3. *Calls upon* developed countries to refrain from making use of their predominant position in the international economy to exercise political or economic coercion through the application of economic instruments with the purpose of inducing changes in the economic, political, commercial and social policies of other countries;

4. *Requests* the Secretary-General to pursue fully his mandate as contained in paragraph 6 of resolution 44/215, through the Office of the Director-General for Development and International Economic Cooperation and in close cooperation with the United Nations Conference on Trade and Development;

5. *Also requests* the Secretary-General to report to the General Assembly at its forty-eighth session on the implementation of the present resolution.

*79th plenary meeting  
20 December 1991*

**46/211. Adjustment of the Trade Control Measures Information System of the United Nations Conference on Trade and Development, as called for by the General Assembly in resolution 45/210**

*The General Assembly,*

*Stressing* the principle of free and fair global trade, which should be conducive to the significant enhancement of the trade and development prospects of all countries, in particular developing countries, and the importance to that end of promoting transparency with regard to national trade measures,

*Recalling* Trade and Development Board decision 354 (XXXIV) of 10 May 1988,<sup>102</sup> in which the Board recognized that the computerized database on trade measures was a valuable source of information on general and product-specific trade measures and authorized the secretariat of the United Nations Conference on Trade and Development to provide, on request, the information contained in that database,

*Recalling also* paragraph 1 (b) of its resolution 45/210 of 21 December 1990, in which it called for the adjustment of the Trade Control Measures Information System of the United Nations Conference on Trade and Development to monitor environmental regulations for possible protectionism and to monitor non-tariff measures that have a bearing

on the environment, in accordance with paragraph 6 of Trade and Development Board decision 384 (XXXVII) of 12 October 1990,<sup>103</sup>

1. *Welcomes* Trade and Development Board decision 395 (XXXVIII) of 4 October 1991,<sup>104</sup> in which the secretariat of the United Nations Conference on Trade and Development was invited to make use of the information collected by and held in the International Trade Centre, as well as the General Agreement on Tariffs and Trade and other relevant organizations, for the purpose of facilitating collection by the Conference of data on environmental measures related to trade in the Trade Control Measures Information System, and to continue to make available, on request, information from the System;

2. *Notes* the initial steps taken by the secretariat of the Conference to introduce the adjustments in the System called for by the General Assembly in resolution 45/210;

3. *Also notes* the measures initiated by the Secretary-General of the United Nations Conference on Trade and Development to disseminate the information contained in the database, and invites Member States that have not yet done so to designate focal points to facilitate the exchange and dissemination of information contained in the System;

4. *Stresses* the need to improve further and strengthen the database, including an expansion of its coverage of countries and measures and more continuous updating of the information contained therein, with a view to enhancing its utility for trade negotiations and export promotion, as well as for analytical purposes, and requests the Secretary-General of the Conference to take all the additional measures necessary to expedite the work required, in particular the adjustment of the System called for by the Assembly in resolution 45/210, and to promote, where appropriate, and facilitate the dissemination of information from the System and any analysis thereof, pursuant to paragraph 5 of Trade and Development Board resolution 393 (XXXVIII) of 4 October 1991.<sup>17</sup>

*79th plenary meeting  
20 December 1991*

**46/212. Specific actions related to the particular needs and problems of land-locked developing countries**

*The General Assembly,*

*Recalling* the provisions of its resolution 44/214 of 22 December 1989 and all other relevant resolutions of the United Nations relating to the particular needs and problems of land-locked developing countries,

*Recognizing* that the lack of territorial access to the sea, aggravated by remoteness and isolation from world markets, and prohibitive transit costs and risks impose serious constraints on the overall socio-economic development efforts of the land-locked developing countries,

*Recognizing also* that fifteen of the twenty-one land-locked developing countries are also classified by the United Nations as least developed countries and that their geographical situation is an added constraint on their overall ability to cope with the challenges of development,

*Recognizing further* that most transit countries are themselves developing countries facing serious economic prob-

lems, including the lack of adequate infrastructure in the transport sector,

*Recalling* that measures to deal with the transit problems of land-locked developing countries require close cooperation and collaboration between those countries and their transit neighbours,

*Recalling* the United Nations Convention on the Law of the Sea, adopted on 10 December 1982,<sup>105</sup>

*Recognizing* the important role played by bilateral cooperative arrangements and regional and subregional integration in alleviating the transit problems of the land-locked developing countries and improving the transit-transport systems in land-locked and transit developing countries,

*Noting* the importance of strengthening the existing international support measures with a view to further addressing the problems of land-locked developing countries,

1. *Reaffirms* the right of access of land-locked countries to and from the sea and freedom of transit through the territory of transit States by all means of transport, in accordance with international law;

2. *Reaffirms also* that transit developing countries, in the exercise of their full sovereignty over their territory, have the right to take all measures necessary to ensure that the rights and facilities provided for land-locked developing countries should in no way infringe upon their legitimate interests;

3. *Calls upon* both the land-locked developing countries and their transit neighbours, within the spirit of South/South cooperation, including bilateral cooperation, to implement measures to strengthen further their cooperative and collaborative efforts in dealing with their transit problems;

4. *Appeals* to all States, international organizations and financial institutions to implement, as a matter of urgency and priority, the specific actions related to the particular needs and problems of land-locked developing countries envisaged in the previous resolutions adopted by the General Assembly and the United Nations Conference on Trade and Development, in the International Development Strategy for the Fourth United Nations Development Decade,<sup>29</sup> in the Declaration on International Economic Cooperation, in particular the Revitalization of Economic Growth and Development of the Developing Countries, adopted at the eighteenth special session of the General Assembly and contained in the annex to its resolution S-18/3 of 1 May 1990, and in the relevant provisions of the Programme of Action for the Least Developed Countries for the 1990s;<sup>6</sup>

5. *Invites* the land-locked developing countries and their transit neighbours to intensify further their cooperative arrangements for the development of transit infrastructures, institutions and services to facilitate the movement of goods in transit with financial and technical assistance from donors and international agencies;

6. *Emphasizes* that assistance for the improvement of transit-transport facilities and services should be integrated into the overall economic development strategy of the land-locked developing countries and that donor assistance should consequently take into account the requirement for long-term restructuring of the economies of the land-locked developing countries;

7. *Urges* donor countries and multilateral financial and development institutions to provide land-locked and transit

developing countries with appropriate financial and technical assistance in the form of grants or concessional loans for the construction, maintenance and improvement of their transport, storage and transit infrastructures and facilities, including alternative routes and improved communications;

8. *Requests* the United Nations Development Programme, as appropriate, further to promote subregional, regional and interregional projects and programmes and to expand its support in the transport and communication sectors to the land-locked and transit developing countries and its technical cooperation for development geared towards promoting national and collective self-reliance among them;

9. *Notes with appreciation* the contribution of the United Nations Conference on Trade and Development in formulating international measures to deal with the special problems of the land-locked developing countries, and urges the Conference, *inter alia*, to keep under constant review the evolution of transit-transport infrastructure facilities, institutions and services, monitor the implementation of agreed measures, collaborate in all relevant initiatives, including those of private sector and non-governmental organizations, and serve as a focal point for cross-regional issues of interest to land-locked developing countries;

10. *Invites* the Secretary-General of the United Nations Conference on Trade and Development to carry out, within the overall level of resources for the biennium 1992-1993, specific studies in the following areas, *inter alia*, bearing in mind the need to address the concerns of transit developing countries, and to report on the results of the studies to the Trade and Development Board and to the General Assembly at its forty-eighth session:

(a) Implications of high transit costs on the overall development of the land-locked developing countries;

(b) Identification of specific areas in the context of subregional and regional cooperation for the promotion and integration of transit infrastructure and services and harmonization of transit-transport policies and legislation and the assessment of regional trade possibilities for the expansion of the trade sector of land-locked developing countries;

(c) Improvement of current transit insurance regimes;

(d) Application of new information technology to improve transit services;

(e) Identification of specific training needs to improve the managerial capacities and the skills of personnel involved in transit operations to ensure effective utilization of transit-transport facilities;

(f) Development and expansion of all other alternatives and/or complements to ground transportation in order to improve the access of land-locked countries to foreign markets;

11. *Invites* the Secretary-General of the United Nations Conference on Trade and Development, in collaboration with the Administrator of the United Nations Development Programme and, where relevant, the executive heads of the subregional economic groupings, to convene in 1992-1993 subregional symposia/workshops of experts of land-locked and transit developing countries on the basis of the studies mentioned in paragraph 10 above and in other relevant studies;

12. *Requests* the Secretary-General to convene in 1993 a meeting of governmental experts from land-locked and transit developing countries and representatives of donor countries and financial and development institutions to review and propose appropriate concrete action to address the problems of land-locked developing countries, to be forwarded to the Trade and Development Board and to the General Assembly at its forty-eighth session for appropriate action;

13. *Calls on* the Secretary-General, in consultation with the Secretary-General of the United Nations Conference on Trade and Development, to take appropriate measures to enhance the capacity of the Conference, within existing resources for the biennium 1992-1993, in the area dealing with land-locked and island developing countries so as to ensure the effective implementation of the activities called for in the present resolution and of existing measures in support of land-locked developing countries;

14. *Welcomes* the report of the Secretary-General of the United Nations Conference on Trade and Development on the progress being made to address the particular needs and problems of land-locked developing countries,<sup>106</sup> and requests him to prepare another report, taking into account the provisions of the present resolution, for submission to the General Assembly at its forty-eighth session.

*79th plenary meeting  
20 December 1991*

**46/213. United Nations/International Maritime Organization Conference of Plenipotentiaries on a Draft Convention on Maritime Liens and Mortgages**

*The General Assembly,*

*Recognizing* the importance of the subject of maritime liens and mortgages in ship financing and in the development of national merchant fleets,

*Emphasizing* the need for international uniformity and for the establishment of a widely acceptable international legal instrument governing the subject of maritime liens and mortgages,

*Recognizing* the desirability of facilitating the harmonious and orderly development of world trade,

1. *Expresses* its appreciation to the United Nations Conference on Trade and Development and to the International Maritime Organization for the valuable work done in preparing a draft convention on maritime liens and mortgages;

2. *Decides* that a United Nations/International Maritime Organization Conference of Plenipotentiaries on a Draft Convention on Maritime Liens and Mortgages shall be convened at Geneva during the first half of 1993 for a period of three weeks to consider the draft convention and to embody the results of its work in a convention on maritime liens and mortgages;

3. *Decides* that the following shall be invited:

(a) All States, to participate in the Conference;

(b) All members of the International Maritime Organization, to participate in the Conference;

(c) Representatives of organizations that have received a standing invitation from the General Assembly to participate in the capacity of observers in the sessions and the

work of all international conferences convened under its auspices; these representatives would participate in the Conference in that capacity, in accordance with Assembly resolution 3237 (XXIX) of 22 November 1974;

(d) Representatives of the national liberation movements recognized by the Organization of African Unity in its region; these representatives would participate in the Conference in the capacity of observers, in accordance with General Assembly resolution 3280 (XXIX) of 10 December 1974;

(e) The specialized agencies, the International Atomic Energy Agency and the General Agreement on Tariffs and Trade, as well as interested organs of the United Nations, which should be represented by observers at the Conference;

(f) Intergovernmental bodies in consultative status with the United Nations Conference on Trade and Development and the International Maritime Organization, which should be represented by observers at the Conference;

(g) Directly concerned non-governmental organizations in consultative status with the United Nations Conference on Trade and Development and the International Maritime Organization, which should be represented by observers at the Conference;

4. *Requests* the Secretary-General of the United Nations Conference on Trade and Development and the Secretary-General of the International Maritime Organization to make the necessary arrangements, within existing resources, for holding the Conference at Geneva, to submit to the Conference all relevant documentation, including the draft rules of procedure of the Conference, and to arrange for the necessary staff, facilities and services that it will require;

5. *Decides* that the languages of the Conference shall be those used in the General Assembly and its Main Committees.

*79th plenary meeting  
20 December 1991*

**46/214. International code of conduct on the transfer of technology**

*The General Assembly,*

*Recalling* its resolution 45/204 of 21 December 1990, on an international code of conduct on the transfer of technology,

1. *Takes note* of the report of the Secretary-General of the United Nations Conference on Trade and Development on the consultations carried out in 1991 on an international code of conduct on the transfer of technology;<sup>107</sup>

2. *Decides* to transmit that report to the United Nations Conference on Trade and Development at its eighth session;

3. *Requests* the Secretary-General of the United Nations Conference on Trade and Development to report to the General Assembly at its forty-seventh session on the outcome of the consideration of the report by the Conference at its eighth session.

*79th plenary meeting  
20 December 1991*