

through the territory of transit States by all means of transport, in accordance with article 125 of the United Nations Convention on the Law of the Sea;

2. *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 resolutions 63 (III), 98 (IV), 123 (V) and 137 (VI) of the United Nations Conference on Trade and Development, in the International Development Strategy for the Third United Nations Development Decade, in the Substantial New Programme of Action for the 1980s for the Least Developed Countries⁴² and in other relevant resolutions of the United Nations;

3. *Urges* all concerned countries, as well as international organizations, to provide land-locked 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 and transit infrastructures and facilities;

4. *Urges also* the international community and multi-lateral and bilateral financial institutions to intensify efforts in raising the net flow of resources to all land-locked developing countries to help offset the adverse effects of their disadvantageous geographical situation on their economic development efforts, in keeping with the overall development needs of each land-locked developing country;

5. *Invites* transit countries and the land-locked developing countries to co-operate effectively in harmonizing transport planning and in promoting other joint ventures in the field of transport at the regional, subregional and bilateral levels;

6. *Further invites* the international community to give financial, technical and other support to interested transit and land-locked developing countries in the construction of alternative routes to the sea;

7. *Commends* the United Nations Development Programme, the United Nations Conference on Trade and Development and other United Nations agencies for their work and the assistance they have provided to the land-locked developing countries, and invites them to continue to take appropriate and effective measures to respond to the specific needs of those countries;

8. *Recommends* continued and intensified activities relating to the conducting of necessary studies and the implementation of special actions and specific measures for the land-locked developing countries, including those in the area of economic co-operation among developing countries, as well as those that have been envisaged in the programme of work of the United Nations Conference on Trade and Development, the regional commissions and other programmes and activities at the regional and sub-regional levels;

9. *Once again requests* Member States to transmit to the Secretary-General of the United Nations Conference on Trade and Development their views and comments on the report of the *Ad Hoc* Group of Experts to Study Ways and Means of Improving Transit-transport Infrastructures and Services for Land-locked Developing Countries;

10. *Welcomes* the report of the Secretary-General of the United Nations Conference on Trade and Development on progress in the implementation of specific action related to the particular needs and problems of land-locked developing countries,⁴³ submitted pursuant to resolution 39/209, and requests him to prepare another such

report for submission to the General Assembly at its forty-second session.

119th plenary meeting
17 December 1985

40/184. International code of conduct on the transfer of technology

The General Assembly,

Recalling its resolution 38/153 of 19 December 1983,

Taking note of the decision adopted on 5 June 1985 by the United Nations Conference on an International Code of Conduct on the Transfer of Technology, at its sixth session,⁴⁴ in which it requested the General Assembly to take the measures necessary for further action, including the possible reconvening of negotiations on an international code of conduct on the transfer of technology,

1. *Notes* that progress has been made in the negotiations on an international code of conduct on the transfer of technology but that there are still important problems outstanding;

2. *Further notes* that at the sixth session of the United Nations Conference on an International Code of Conduct on the Transfer of Technology, progress was made in identifying common ground, as well as divergences, in respect of the issues outstanding in chapter 4 of the draft code, on restrictive practices, and in chapter 9, on applicable law and settlement of disputes;

3. *Believes* that further work, continuing the genuine efforts made by all parties concerned, is required in the search for possible solutions to the outstanding issues in order to complete successfully the negotiations on a code of conduct;

4. *Invites* the Secretary-General of the United Nations Conference on Trade and Development and the President of the United Nations Conference on an International Code of Conduct on the Transfer of Technology to consult, as appropriate, with regional groups and Governments, taking into account the need for balanced geographical representation, with a view to identifying appropriate solutions to the issues outstanding in the code of conduct;

5. *Further invites* the Secretary-General of the United Nations Conference on Trade and Development to report to the General Assembly at its forty-first session on the progress made in the consultations referred to in paragraph 4 above and decides to take, at that session, further action on the negotiations on an international code of conduct on the transfer of technology.

119th plenary meeting
17 December 1985

40/185. Economic measures as a means of political and economic coercion against developing countries

The General Assembly,

Recalling the relevant principles set forth in the Charter of the United Nations,

Recalling also its resolutions 2625 (XXV) of 24 October 1970, containing the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, 3201 (S-VI) and 3202 (S-VI) of 1 May 1974, containing the Declaration and the Programme of

⁴² Report of the United Nations Conference on the Least Developed Countries, Paris, 1-14 September 1981 (United Nations publication, Sales No. E.82.I.8), part one, sect. A.

⁴³ A/40/815, annex.

⁴⁴ TD/CODE TOT/49, sect. IV.

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,

Reaffirming article 32 of the Charter of Economic Rights and Duties of States, which declares that no State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights,

Bearing in mind the general principles governing international trade and trade policies for development contained in its resolution 1995 (XIX) of 30 December 1964, United Nations Conference on Trade and Development resolution 152 (VI) of 2 July 1983³⁸ entitled "Rejection of coercive economic measures", and the principles and rules of the General Agreement on Tariffs and Trade and paragraph 7 (iii) of the Ministerial Declaration adopted on 29 November 1982 by the Contracting Parties to the General Agreement on Tariffs and Trade at their thirty-eighth session,⁴⁵

Reaffirming its resolutions 38/197 of 20 December 1983 and 39/210 of 18 December 1984,

Taking note of the report of the Secretary-General on the effects of economic measures taken by developed countries for coercive purposes, including their impact on international economic relations,⁴⁶ and considering that further work should be undertaken in order to implement resolutions 38/197 and 39/210,

Gravely concerned that the use of coercive measures adversely affects the economies and development efforts of developing countries and that, in some cases, those measures have been intensified, creating a negative impact on international economic co-operation,

1. *Deplores* the fact that some developed countries continue to apply and, in some cases, have increased the scope and magnitude of economic measures that have the purpose of exerting, directly or indirectly, coercion on the sovereign decisions of developing countries subject to those measures;

2. *Reaffirms* that developed countries should refrain from threatening or applying trade restrictions, blockades, embargoes and other economic sanctions, incompatible with the provisions of the Charter of the United Nations and in violation of undertakings contracted, multilaterally and bilaterally, against developing countries as a form of political and economic coercion which affects their economic, political and social development;

3. *Requests* the Secretary-General to prepare a comprehensive, in-depth report on the economic measures mentioned in paragraph 2 above, taken by developed countries for coercive purposes, including their impact on international economic relations, with a view to appraising the economic effects of such measures on the development and development prospects of affected developing countries and with a view to assisting in concrete international action against those measures, and to submit that report to the General Assembly at its forty-first session;

4. *Also requests* the Secretary-General, in preparing the comprehensive in-depth report, to request further comments from Governments and inputs from competent organizations of the United Nations system, particularly the United Nations Conference on Trade and Development, the regional commissions and those specialized

agencies that have received information on the application of economic coercive measures against developing countries;

5. *Appeals* to Governments and to the pertinent international organizations to provide the necessary information to the Secretary-General, as requested in paragraph 4 above.

119th plenary meeting
17 December 1985

40/186. Preferential Trade Area for Eastern and Southern African States

The General Assembly.

Recalling its resolutions 3362 (S-VII) of 16 September 1975 on development and international economic co-operation and 36/180 of 17 December 1981, in which the international community was invited to apply special measures for the social and economic development of Africa in the 1980s,

Recalling also its resolution 37/139 of 17 December 1982, in which it, *inter alia*, called upon donor Governments and organs, organizations and bodies of the United Nations system to provide substantial resources for promoting the accelerated development of African countries and the effective implementation of the Lagos Plan of Action for the Implementation of the Monrovia Strategy for the Economic Development of Africa,⁴⁷ and the Final Act of Lagos,⁴⁸

Appreciating in this regard the establishment of the Preferential Trade Area for Eastern and Southern African States in December 1981,

Noting the progress made in the reduction of tariffs among member States to stimulate growth and development in the area, in the launching of clearance and payments arrangements and in the measures taken to intensify co-operation among member States in the agricultural, industrial, educational, cultural and other sectors, with a view to creating an economic community of the eastern and southern African States by the year 1992,

1. *Invites* donor Governments to provide substantial financial and technical assistance to the Preferential Trade Area for Eastern and Southern African States to accelerate its development into an economic community;

2. *Invites also* the United Nations Development Programme to continue to make resources available to the Preferential Trade Area from its regional indicative planning figures on an urgent basis;

3. *Calls upon* international financial institutions, particularly the World Bank, the International Development Association, the International Fund for Agricultural Development and the African Development Bank, to provide immediate assistance to the Preferential Trade Area;

4. *Invites* the organs, organizations and bodies of the United Nations system to take into account in their work programmes co-operation with the Preferential Trade Area;

5. *Requests* the Secretary-General to report to the General Assembly at its forty-first session on the implementation of the present resolution.

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17 December 1985

⁴⁵ See General Agreement on Tariffs and Trade, *Basic Instruments and Selected Documents*, Twenty-ninth Supplement (Sales No. GATT/1983-1), document L/5424.

⁴⁶ A/40/596.

⁴⁷ A/S-11/14, annex I.

⁴⁸ *Ibid.*, annex II.