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SECOND COMMITTEE
Agenda item 64

CHARTER OF ECONOMIC RIGHTS AND DUTIES OF STATES

Compilation of references made to the Charter of Economic Rights
and Duties of States

Note by the Secretary-General

Addendum

The Secretary-General circulates herewith, as section C, a compilation of references to the Charter of Economic Rights and Duties of States made by the United Nations Industrial Development Organization, the International Labour Organisation and the United Nations Educational Scientific and Cultural Organization.

C. References to the Charter of Economic Rights and Duties of States made in organizations of the United Nations and specialized agencies

United Nations Industrial Development Organization

The Second General Conference of UNIDO

The Lima Declaration and Plan of Action on Industrial Development and Co-operation 1/

A. DECLARATION

1. The Second General Conference of the United Nations Industrial Development Organization, convened by General Assembly resolution 3087 (XXVIII) of 6 December 1973, entrusted with establishing the main principles of industrialization and defining the means by which the international community as a whole might take action of a broad nature in the field of industrial development within the framework of new forms of international co-operation, with a view to the establishment of a new international economic order,

adopts

the LIMA DECLARATION OF INDUSTRIAL DEVELOPMENT AND CO-OPERATION

Preambular paragraph 7 reads:

7. Recalling the Charter of Economic Rights and Duties of States adopted at the twenty-ninth session of the General Assembly as an instrument designed to bring about new international economic relations and to contribute to the establishment of a new international economic order,

Operative section VI reads:

VI. The Charter of Economic Rights and Duties of States

76. The countries gathered here stress the need for the international community to comply in full with the precepts contained in the Charter of Economic Rights and Duties of States, so that it will become an effective instrument for establishing a new system of international economic relations based on equity, equality, sovereignty and the interdependence of the interests of the developed and the developing countries.

1/ Adopted by the second General Conference at its 18th plenary meeting on 26 March 1975.

Industrial Development Board

- 45 (IX). Follow-up of the decisions and recommendations of the Second General Conference of the United Nations Industrial Development Organization 1/

The Industrial Development Board,

Recalling the Lima Declaration and Plan of Action on Industrial Development and Co-operation which constitute a positive contribution to the establishment of a new international economic order,

Preambular paragraph 6 reads:

Recalling the Charter of Economic Rights and Duties of States adopted by the General Assembly at its twenty-ninth session,

INTERNATIONAL LABOUR OFFICE

GOVERNING BODY

Second item on the agenda

ACTIVITIES OF THE TWENTY-NINTH SESSION OF THE
GENERAL ASSEMBLY OF THE UNITED NATIONS

The ILO and the Charter of Economic Rights and Duties of States

1. Over the past two years the United Nations system has embarked on three major endeavours aimed at transforming the international order and improving economic and social conditions, especially in developing countries. The first two are the International Development Strategy for the Second United Nations Development Decade and the Programme of Action for the Establishment of a New International Economic Order.

2. The third principal initiative, the Charter of Economic Rights and Duties of States, is the subject of this paper. Conceived as a general basic document embodying major principles of economic relations between States, it covers roughly the same fields as the Strategy and the Programme of Action but goes a step further by attempting to codify the rights and duties governing relations among States and groups of States.

Background and preparation of the Charter

3. The idea of drawing up a Charter of Economic Rights and Duties of States originated with a suggestion made by President Luis Echeverría of Mexico at the

1/ Adopted at the 181st plenary meeting, 30 April 1975.

Third Session of the United Nations Conference on Trade and Development, held at Santiago. For that purpose the Conference decided that a working group of government representatives should be appointed by the Secretary-General of UNCTAD. The Group ultimately was composed of 40 members.

4. It was originally envisaged that the Working Group would complete its work during 1973 after two sessions. Sessions were held in Geneva from 12 to 23 February and from 13 to 27 July. More time was, however, required to examine, classify and consolidate proposals submitted by States. The General Assembly later extended the Group's mandate for two further sessions, which were held in Geneva from 4 to 22 February 1974 and in Mexico City from 10 to 28 June 1974. The Group attempted at its fourth session to finalize the draft Charter. The task was made more complex and difficult by the changing world situation with respect to energy, raw materials shortages and inflation. Some countries or groups of countries continued to submit proposals reflecting the new events or found it difficult to adopt definitive positions in the light of the evolving situation. As the number of points on which no agreement had been reached was relatively large, the Chairman in submitting a draft to the Trade and Development Board at its fourteenth session (Geneva, August 1974) requested that the Board should allow him to pursue informal consultations aimed at narrowing the remaining areas of disagreement.

5. On 25 November the Chairman of the Working Group introduced the Group's report 1/ to the Second Committee of the General Assembly at the latter's twenty-ninth session in New York. After considerable discussion, at the meeting of 6 December, France, on behalf of the EEC countries, introduced a draft resolution 2/ requesting the Working Group "to continue their efforts with a view to submitting a completed and generally accepted draft Charter to the special session of the General Assembly devoted to development and international economic co-operation (September 1975)". The resolution was rejected by 81 votes to 20, with 15 abstentions. Seventeen other amendments submitted by Western industrialized countries were rejected.

6. Following a United States initiative, all preambular paragraphs, subdivisions of Chapter I and articles were put to a vote except those retained as a result of the rejection of earlier amendments. Notwithstanding areas of disagreement, 35 of the 54 items voted upon were accepted unanimously. The articles which proved most controversial concerned sovereignty over wealth, natural resources and economic activities within each State's national jurisdiction, i.e. issues of foreign investment, activities of transnational corporations and nationalization; and trade arrangements and preferences. The Committee then adopted the draft resolution 3/ as revised by a roll-call vote of 115 to 6 with 10 abstentions and presented the report to the General Assembly. On 12 December, at a plenary meeting, the General Assembly adopted the Charter by a vote of 120 to 6 with 10 abstentions. 4/

1/ TD/B/AC.12/3 and TD/B/AC.12/4.

2/ A/C.2/L.1419.

3/ A/C.2/L.1386.

4/ The text of the Charter is attached on appendix I.

The Charter and the ILO

7. Mr. Bertil Bolin, Assistant Director-General of the ILO, addressed the fourteenth session of the Trade and Development Board on the subject of the Charter. ^{5/} He drew attention to the convergence between the views and preoccupations expressed in the draft Charter and the ideas contained in the Declaration of Philadelphia, from which it followed that the ILO could only welcome the general spirit of the Charter. Mr. Bolin then cited paragraphs in the draft dealing with matters considered essential by the ILO's tripartite constituency: the quest for higher standards of living for all peoples, the primary responsibility of States to promote the economic, social and cultural development of their people, to implement social reforms and to ensure full participation of their people in the process and benefits of development, the right and responsibility of States to mobilize their resources to the full - meaning in particular, from the ILO point of view, the mobilization of human resources through full, productive and freely chosen employment, and the development of "appropriate" technology.

8. Mr. Bolin went on to refer to the resolution adopted by the International Labour Conference at its last session concerning the convening by the ILO of a Tripartite World Conference on Employment, Income Distribution and Social Progress and the International Division of Labour as an example of the convergence between the Charter and the ILO's own objectives.

9. Mr. Bolin indicated that the ILO, within the extent of its mandate and through its tripartite structure, would have a role to play in giving full effect to the programmes envisaged by the Charter. He concluded by saying that the ILO would give due consideration to the Charter, once completed and adopted, when deciding upon the activities of the Office.

10. The Director-General, in addressing the Tenth Conference of the American States Members of the ILO (Mexico City, 26 November-5 December 1974), referred to the Charter and to the efforts under way to establish an order in which all nations, rich and poor, are able to collaborate, adding that the ILO intends to play its full part in the major effort that is called for. Undoubtedly, the main contribution by the ILO concerns the constant effort to help the member States to cope with the unemployment problem, the improvement of living and working conditions, and the protection of human rights.

11. Submitted for information.

Geneva, 10 February 1975.

^{5/} See Appendix II.

UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION

EXECUTIVE BOARD

Item 7.1 of the provisional agenda

Recent decisions and activities of the organizations of the
United Nations system, of relevance to the work of UNESCO
(97 EX/16 and 97 EX/22 and Corr.) 1/

The Executive Board,

7. Invites the Director-General, in implementing the resolutions adopted by the General Conference at its eighteenth session, in the framework of the execution of UNESCO's programme for the years 1975 and 1976, and in drawing up the draft programme and budget of the organization for the years 1977 and 1978, to attach particular importance to the following:

...

(b) The contribution which UNESCO might make, in its fields of competence, to the establishment of a new international economic order, and to appropriate participation in the preparations for the seventh special session of the United Nations General Assembly on development and international economic co-operation, bearing in mind especially the principles laid down by the Charter of Economic Rights and Duties of States.

1/ Ninety-seventh session of the Executive Board, 5-22 May 1975.
Document 97 EX/DECISIONS, p. 37.