

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.

ment and Adoption Nationally and Internationally'' with a view to the possible allocation of the item to the Sixth Committee;

2. *Decides*, in order that the further action proposed in Economic and Social Council resolution 1979/28 may proceed, that appropriate measures should be taken at its thirty-seventh session to finalize the draft Declaration.

*101st plenary meeting
16 December 1981*

ANNEX

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

A. GENERAL FAMILY AND CHILD WELFARE

1. It is in the best interest of every nation to give a high priority to family and child welfare as it plans for the use and further development of national resources.

2. It is recognized that the best child welfare is good family welfare.

3. It is affirmed that the first priority for a child is to be cared for by the biological parents. Other family members should be the first alternative if the biological parents cannot provide care for the child.

4. When biological family care is unavailable or inappropriate, substitute family care should be considered.

5. It must be recognized that there are parents who cannot bring up their own children and that the children's rights to security, affection and continuing care should be of greatest importance.

6. Providers of service should have professional social work training in family and child welfare.

B. FOSTER PLACEMENT

7. Every child has a right to a family. Children who cannot remain in their biological family should be placed in a foster family or adoption in preference to institutions, unless the child's particular needs can best be met in a specialized facility.

8. Children for whom institutional care was formerly regarded as the only option should be placed with families, both foster and adoptive.

9. Provision should be made for regulation of placement of children outside of their biological family.

10. Foster family care should be a planned, temporary service as a bridge to permanency for a child, which includes but is not limited to restoration to the biological family or adoption.

11. Planning for the child in foster family care must involve the biological family, foster family and child, if appropriate, under the auspices of a competent authorized agency.

C. ADOPTION

12. The primary purpose of adoption is to provide a permanent family for a child who cannot be cared for by his/her biological family.

13. Adoption procedures should be flexible enough to meet the child's needs in various situations.

14. In considering possible adoption placements, those responsible for the child should select the most appropriate environment for the particular child concerned.

15. Sufficient time and adequate counselling should be given to the biological parents to enable them to reach a decision on their child's future, recognizing that it is in the child's best interest to reach this decision as early as possible.

16. Legislation and services should ensure that the child becomes an integral part of the adoptive family.

17. The need of adult adoptees to know about their background should be recognized.

18. There should be recognition, in the law, of traditional adoption within the family, to ensure the protection of the children and to assist the family by counselling.

19. Governments should determine the adequacy of their national services for children and recognize those children whose needs are not being met by existing services. For some of these children, intercountry adoption may be considered as a suitable means of providing them with a family.

20. When intercountry adoption is considered, policy and legislation should be established to protect the children concerned.

21. In each country, placements should be made through authorized agencies competent to deal with intercountry adoption services and providing the same safeguards and standards as are applied in national adoptions.

22. Proxy adoptions are not acceptable, in consideration of the child's legal and social safety.

23. No adoption plan should be considered before it has been established that the child is legally free for adoption and the pertinent documents necessary to complete the adoption are available. All necessary consents must be in a form which is legally valid in both countries. It must be definitely established that the child will be able to immigrate into the country of the prospective adopters and can subsequently obtain their nationality.

24. In intercountry adoption, legal validation of the adoption should be assured in the countries involved.

25. The child should at all times have a name, a nationality and a legal guardian.

36/168. International Drug Abuse Control Strategy

The General Assembly,

Having received from the Economic and Social Council the report containing the draft International Drug Abuse Control Strategy¹⁷⁴ that was requested by the General Assembly in resolutions 32/124 of 16 December 1977, 33/168 of 20 December 1978, 34/177 of 17 December 1979 and 35/195 of 15 December 1980,

Considering that the scourge of drug abuse continues to spread and has reached epidemic proportions in many parts of the world and that, as specified in the request for the inclusion of the item entitled "International campaign against traffic in drugs" in the agenda of the thirty-sixth session of the General Assembly,¹⁷⁵ it is necessary to adopt scientific, technical and political measures commensurate with the gravity of the problem,

Emphasizing the conclusion contained in paragraph 2 of Commission on Narcotic Drugs resolution 1 (XXIX) of 11 February 1981¹⁷⁶ that, in order for any international action in the field of drug abuse control to be successful, the full and active co-operation and dedication of all countries must be forthcoming,

Recognizing the urgent need for an effective, comprehensive, co-ordinated global strategy to prevent and control drug trafficking, the illicit demand for drugs and drug abuse, as well as for comprehensive, co-ordinated strategies at the regional and national levels,

1. *Adopts* the International Drug Abuse Control Strategy and the basic five-year programme of action¹⁷⁷ dealt with in Commission on Narcotic Drugs resolution 1 (XXIX) which the Economic and Social Council, in its decision 1981/113 of 6 May 1981, decided to transmit to the General Assembly;

2. *Urges* that the International Drug Abuse Control Strategy and the programme of action be given priority by all Governments and be implemented as quickly as possible by the relevant bodies of the United Nations and other international organizations;

¹⁷⁴ See A/C.3/36/7.

¹⁷⁵ *Official Records of the General Assembly, Thirty-sixth Session, Annexes*, agenda item 129, document A/36/193.

¹⁷⁶ See *Official Records of the Economic and Social Council, 1981, Supplement No. 4 (E/1981/24)*, chap. XI, sect. A.

¹⁷⁷ *Ibid.*, Supplement No. 4 (E/1981/24), annex II.