



SUMMARY RECORD OF THE 55th MEETING

Chairman: Mr. MURGESCU (Romania)

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A/C.2/34/SR.55
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The meeting was called to order at 7.05 p.m.

ORGANIZATION OF WORK

1. The CHAIRMAN informed the Committee that, owing to the technical difficulties which had affected some delegations, the following matters would not be considered at the current session: agenda item 61, Food problems; draft resolution A/C.3/34/L.75, submitted under agenda item 56, United Nations Conference on Trade and Development; draft resolution A/C.2/34/L.93, submitted under agenda item 12, Report of the Economic and Social Council; and draft resolution A/C.2/34/L.77 and the amendment thereto, (A/C.2/34/L.17), submitted under agenda item 60, United Nations Environment Programme. Consideration of those documents would be deferred until the following session.
2. The President of the General Assembly had had a meeting with the Chairmen of the Main Committees and the Chairman of the Advisory Committee on Administrative and Budgetary Questions, at which it had been announced that all Committees except the Second and Fifth would conclude their work before the end of the week. In his capacity as Chairman of the Second Committee, he had explained that the delay in its work was due to the large number of draft resolutions that had had to be considered and the complexity of the items referred to it.
3. The President of the General Assembly had pointed out that it was the delegations of the same Governments represented on the Second Committee which adopted decisions in the plenary of the General Assembly and had stated that the current session would not be extended but would end, as scheduled on 18 December.
4. In the light of the information which he had provided, the President of the General Assembly had agreed, to propose that the General Assembly should:
(a) extend until Saturday, 8 December, the deadline for submitting draft resolutions having financial implications to the Fifth Committee; and (b) grant a final extension to the Second Committee so that it could conclude its work by Thursday, 13 December, at the latest. The President of the General Assembly had urged the Committee to endeavour to conclude its work before that deadline and, if possible, by 12 December.
5. With a view to enabling the Committee to meet its commitments within those time-limits, a number of meetings for informal consultations had been arranged. Two meetings under the chairmanship of Mr. Ahsan had been planned for Thursday, 6 December, one in the morning and one in the evening, and would deal with draft resolutions submitted under the following agenda items: item 56, United Nations Conference on Trade and Development; item 55 (h), Restructuring of the economic and social sectors of the United Nations system; item 55 (f), Preparations for the special session of the General Assembly in 1980; item 57, UNIDO; and draft resolution A/C.2/34/L.103. Two further meetings, under the chairmanship of Mr. Mr. Xifra, would be held on 6 December to discuss the draft resolutions submitted under item 70, United Nations Conference on Science and Technology for Development. On Friday, 7 December, two meetings under the chairmanship of Mr. Ahsan and a further two under the chairmanship of Mr. Xifra would be held.

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6. He appealed to all concerned to co-operate in a major effort to overcome the difficulties and differences of view so that the draft resolutions could be approved by consensus.

7. The time-limit for the submission of draft resolutions under agenda item 55 would expire at 1 p.m. on Thursday, 6 December.

8. If he heard no objection, he would take it that the Committee agreed to his suggestions.

9. It was so decided.

AGENDA ITEM 55: DEVELOPMENT AND INTERNATIONAL ECONOMIC CO-OPERATION (continued)
(A/C.2/34/L.102, L.111; L.20; L.99; L.29/Rev.1; L.96; L.106; L.107; L.70; and A/34/L.17.

Draft resolution A/C.2/34/L.103

10. Mr. MILLS (Jamaica), introducing the draft resolution, said that it was prompted by the recommendation in paragraph 13 of the annex to General Assembly resolution 32/197, which referred to the need to consider measures for making the Economic and Social Council fully representative. Although there had at first been some reservations about that provision, some action by the General Assembly was required in view of the reference in paragraph (a) of Economic and Social Council decision 1979/57 to the fact that it had been unable to reach agreement on the implementation of section II of the annex to General Assembly resolution 32/197. In the intervening two years it had become clear that the main obstacle to the Council's attempts to streamline its subsidiary machinery and to give effective assistance and support to the General Assembly had been its lack of universality.

11. The Council's recommendations on restructuring were based on the clear recognition that the intergovernmental and related machinery of the United Nations was gradually becoming unmanageable and ineffective owing to the proliferation of bodies which was the result of the Economic and Social Council's lack of universality.

12. The continuing erosion of the effectiveness and credibility of the Council had to be recognized. It was reflected in the trend towards creating bodies with universal membership to deal with specific issues of development and international economic co-operation. The work of the Committee itself had become bogged down on a number of occasions, and its achievements had been few and very limited in scope, despite the spate of statements, consultations and negotiations.

13. Those observations formed the basis for the clear objective stated in paragraphs 2 and 3 of the draft resolution.

14. Paragraph 4 embodied a decision which provided for ways and means of achieving the objective stated in paragraph 2.

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(Mr. Mills, Jamaica)

15. The remaining operative paragraphs dealt with transitional arrangements to apply pending the required ratification of the amendment to the Charter, and were similar to those adopted on an earlier occasion when the Charter had been amended to increase the Council's membership. The only exception was paragraph 9 which reflected in practical terms the spirit and intent of the provisions of section II of the annex to General Assembly resolution 32/197.

16. The sponsors of the draft resolution were aware that many permanent members of the Security Council took the view that more time was required for consideration of the proposal, at least in so far as an amendment to the Charter was concerned. The elaborate procedure provided for under Article 108 of the Charter was, however, designed to meet precisely that requirement. A distinction had to be drawn between the process required for the adoption of paragraph 4 and that required for the entry into force of the amendment proposed: for the adoption of paragraph 4, a general two-thirds majority was required, whereas for the entry into force of the amendment the five permanent members of the Security Council had to be among the two-thirds of the Member States ratifying the amendment.

17. The sponsors of the draft resolution trusted that it would be adopted by the Committee in view of the urgency and importance of the matter.

18. The CHAIRMAN said that the Committee would revert to the draft resolution following the informal consultations to be held during the coming days.

Draft resolution A/C.2/34/L.111

19. Mr. HAIDAR (India), introducing the draft resolution on behalf of the States Members of the United Nations which were members of the Group of 77, went through the text paragraph by paragraph. He emphasized that the Group of 77 attached great importance to the document, which related to the proposal made to the General Assembly by the President of the Council of State and of the Council of Ministers of the Republic of Cuba concerning the Declaration adopted by the Sixth Conference of Heads of State or Government of the Non-Aligned Countries. A suitable procedure for giving effect to that proposal needed to be devised promptly, and to that end the Preparatory Committee for the New International Development Strategy was being asked to consider the transfer to the developing countries during the 1980-1990 decade of an additional \$300 billion in the form of financial resources, material resources and technical assistance, of which at least \$25 billion should be committed annually during the early years of the third United Nations development decade.

20. He said that the Group of 77 attached great importance to the item and hoped that the draft resolution would be adopted by consensus.

Draft resolutions A/C.2/34/L.20 and L.99

21. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee wished to adopt by consensus draft resolution A/C.2/34/L.99 entitled "Economic co-operation among developing countries", submitted by Mr. Haidar

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(Vice-Chairman of the Committee) after informal consultations concerning draft resolution A/C.2/34/L.20, which had been introduced by India on behalf of the Group of 77 at the thirty-third session and which would be withdrawn by the sponsors when the text submitted by the Vice Chairman was adopted.

22. Draft resolution A/C.2/34/L.99 was adopted without a vote.

23. The CHAIRMAN said that draft resolution A/C.2/34/L.20 had accordingly been withdrawn by its sponsors.

24. Mr. DAVENPORT (Ireland), speaking on behalf of the member States of the European Economic Community, and Mr. ALLEN (United States of America) said that the adoption of paragraph 2 of draft resolution A/C.2/34/L.99 did not imply any value judgement regarding the content of the Action Programme to which it made reference.

25. Mr. KOLEV (Bulgaria) speaking on behalf of the delegations of the Byelorussian SSR, Czechoslovakia, the German Democratic Republic, Hungary, Mongolia, Poland, the Ukrainian SSR, the Union of Soviet Socialist Republics and Bulgaria, confirmed the joint position of principle stated by those countries at the thirty-third session of the General Assembly, at the fifth session of UNCTAD and at the nineteenth session of the Trade and Development Board. He said that the adoption of draft resolution A/C.2/34/L.99 must not involve any additional regular budget appropriation to finance UNCTAD development activities in the developing countries, since that would be a violation of the principle of universality of the Organization.

Draft resolution A/C.2/34/L.29/Rev.1

26. The CHAIRMAN said that the sponsors of the draft resolution had asked that consideration of it should be postponed until the following meeting.

27. It was so decided.

28. The CHAIRMAN said that if the Committee kept postponing consideration of draft resolutions it would have to hold enough additional meetings to make up the time lost.

Draft resolutions A/34/L.17 and A/C.2/34/L.106 and draft resolution A/C.2/34/L.107

29. The CHAIRMAN said that draft resolution A/C.2/34/L.106 and draft decision A/C.2/34/L.107 concerning the United Nations Conference on the Least Developed Countries had been submitted by Mr. Haidar (Vice-Chairman of the Committee) following informal consultations on draft resolution A/34/L.17, which would be withdrawn by its sponsors so that the draft proposals submitted by the Vice-Chairman might be approved. Document A/C.2/34/L.70 contained the financial implications of the draft resolution and the draft decision. He suggested that draft resolution A/C.2/34/L.106 should be adopted by consensus and that, in accordance with the request of a number of delegations, draft decision A/C.2/34/L.107 should be put to the vote.

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30. Mr. ALLEN (United States of America) said his delegation found it regrettable that, in view of the difficulty of achieving consensus on draft resolution A/34/L.17 as a whole, the paragraph in dispute had been deleted and made into a separate text to be voted on. That meant that a dangerous precedent was being set in order to achieve a nominal consensus: deleting a paragraph which was an integral part of the text weakened the draft resolution.

31. Mr. HAIDAR (India) explained that draft resolution A/C.2/34/L.106 and draft decision A/C.2/34/L.107 were not being submitted as proposals of the Group of 77 but as the product of informal negotiations in which all countries had taken part. They were merely a practical means of overcoming the deadlock in negotiations, a compromise solution in view of the impossibility of achieving consensus on draft resolution A/34/L.17 as a whole.

32. Mr. KINSMAN (Canada) said that his delegation did not share the objections of the United States: he did not, however, consider it fitting for the Vice-Chairman of the Committee to submit a proposal on which there was such a wide difference of opinion. His delegation was willing to be responsible for submitting draft decision A/C.2/34/L.107.

33. Mr. JÖDAHL (Sweden) said that his delegation saw no difficulty in having draft decision A/C.2/34/L.107 adopted by consensus.

34. The CHAIRMAN asked delegations which had made objections to accept as a practical solution the procedure which he had suggested for the consideration of the draft resolution and the draft decision. If he heard no objection, he would take it that the Committee wished to adopt draft resolution A/C.2/34/L.106 by consensus.

35. Draft resolution A/C.2/34/L.106 was adopted without a vote.

36. Mr. KOLEV (Bulgaria), speaking on behalf of his own delegation and of the delegations of the Byelorussian SSR, Czechoslovakia, the German Democratic Republic, Hungary, Mongolia, Poland, the Ukrainian SSR and the Union of Soviet Socialist Republics, reaffirmed the position repeatedly stated by those countries, said that the difficulties of developing countries were a consequence of colonialist and neo-colonialist exploitation and of the inequity inherent in capitalist economic relations, a situation for which the socialist countries were in no way responsible. The socialist countries maintained friendly relations with the majority of developing countries and were providing many of them with grants, concessional loans and technical and economic assistance for establishing enterprises, implementing projects and promoting social progress. The socialist countries had joined in the consensus on draft resolution A/C.2/34/L.106, but they felt that it should not occasion additional regular budget appropriations. The Conference should be financed from existing resources, from savings achieved through the elimination of duplication and the rationalization of the operations of the Organization, and from voluntary contributions.

37. The CHAIRMAN said that the next order of business was the vote on draft decision A/C.2/34/L.107.

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38. Draft decision A/C.2/34/L.107 was adopted by 106 votes to 10.

39. Draft resolution A/34/L.17 was withdrawn by its sponsors.

40. Mr. GRETT (Australia) said that his country had voted in favour of draft decision A/C.2/34/L.107, but shared the concern expressed earlier about its being distributed under the auspices of the Vice-Chairman, a procedure which might have serious repercussions on the work of the Committee if it became customary. With regard to the content of the draft decision, several proposals had been made, not all of them in the Second Committee, to the effect that the United Nations should finance the costs of delegations' participation in conferences under the regular budget. His delegation did not support such proposals since, in its view, attendance at conferences should be on the basis of equality, and the correct precedent and practices were those laid down in General Assembly resolution 33/153. For that reason, although his delegation recognized the importance of the least developed countries' participation in the meetings of the Preparatory Committee for the United Nations Conference on the Least Developed Countries, it stressed that the decision just adopted must not create a precedent and hoped that the Secretary-General would do his utmost to secure extrabudgetary resources for the purpose to which he had referred.

41. Mr. KOLEV (Bulgaria), speaking on behalf of his own delegation and of those of the Byelorussian SSR, Czechoslovakia, the German Democratic Republic, Hungary, Mongolia, Poland, the Ukrainian SSR and the Union of Soviet Socialist Republics, said that those socialist delegations had voted against draft resolution A/C.2/34/L.107 because they completely disagreed with the procedure of financing from the regular budget the costs of participation of government delegations in conferences of the United Nations and its organs. It was a dangerous precedent that could lead to rampant increases in the United Nations budget. The socialist countries were aware of the difficulties of the least developed countries, but they maintained that funding for their attendance at conferences should come from extra budgetary resources and hoped that the Secretary-General would do his utmost to obtain them.

42. Mr. GREEN (New Zealand) said that his delegation had voted in favour of the draft decision just adopted, concerning the costs of attendance at meetings of the Preparatory Committee for the United Nations Conference on the Least Developed Countries, because it regarded the participation of all officially recognized least developed countries as essential to the success of the Conference. Its support should not, however, be construed as setting a precedent. His delegation had taken into account the statement by the Secretary-General in document A/C.2/34/L.70 of his intention to explore the availability of voluntary contributions to finance those expenditures.

43. Mr. DAVENPORT (Ireland) said that the member States of the European Economic Community, on whose behalf he was speaking, had been pleased to join in the consensus on draft resolution A/C.2/34/L.106 and had voted in favour of draft decision A/C.2/34/L.107 because they were anxious that the United Nations Conference on the Least Developed Countries should be a success. They had done so,

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(Mr. Davenport, Ireland)

however, on the understanding that the draft decision would not set a precedent and that the Secretary-General would make every effort to secure extrabudgetary funds to finance the participation of delegations from the least developed countries. The procedure utilized to have draft decision A/C.2/34/L.107 treated as a separate issue should likewise not set a precedent.

44. Mr. MAKASUGI (Japan) said that his delegation had voted in favour of draft decision A/C.2/34/L.107, but maintained that the principles established in General Assembly resolution 1798 (XVII) should be observed. He hoped that in the case under consideration the Secretary-General would do everything possible to secure extrabudgetary funds.

45. Mr. JÖDAHL (Sweden) said that he, too, had doubts about the procedures followed in connexion with the draft decision just adopted, which should not set a precedent; the content of the draft decision should likewise not be considered as a precedent. Sweden recognized the importance of the effective participation of the least developed countries in the preparatory work for the Conference and hoped that that could be achieved without utilizing regular budget funds.

46. Mr. MONTGOMERY (United States of America) said that he hoped that it was clear that his country's vote against draft decision A/C.2/34/L.107 was not to be construed as opposition to the United Nations Conference on the Least Developed Countries or as lack of interest in those countries. His delegation's position was that the cost of governmental delegations' participation should not be financed from the regular budget. The text of the draft decision, as interpreted by the Group of 77, was ambiguous in that respect, and his delegation had therefore voted against it. Extrabudgetary funds should be sought and found, and the Secretary-General should give highest priority to that task. His delegation had also voiced its opposition to the procedure used in handling both draft resolution A/C.2/34/L.106 and draft decision A/C.2/34/L.107, and was pleased to note that the Indian delegation was likewise not completely satisfied with that procedure. His delegation would have had no difficulty in supporting the adoption of the original draft resolution A/34/L.17, by consensus, once it had stated its opinion on the paragraph concerning assistance for travel and per diem expenses.

47. Mr. XIFRA (Spain) said that his country's position was identical with that expressed by the spokesman for the European Economic Community.

48. Mr. KINSMAN (Canada) said that his delegation had supported the draft decision just adopted, although found it regrettable that the Committee had had to vote on a text submitted by its Vice-Chairman. He understood the time constraints involved, but it was to be hoped that the procedure would not set a precedent.

49. Mr. HAIDAR (India) pointed out that the procedure which had led to separating draft resolution A/C.2/34/L.106 from draft decision A/C.2/34/L.107 had been agreed upon in the informal consultations and had not been adopted on the initiative of any one Government or delegation: all those participating in the consultations shared responsibility for it. His delegation would have preferred to secure consensus on the basis of the text it had originally submitted and hoped that the other draft resolutions it was submitting would be adopted by a consensus of the Committee.

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50. The CHAIRMAN said that he, too, hoped that all draft resolutions submitted would be adopted by real consensus.

AGENDA ITEM 56: UNITED NATIONS CONFERENCE ON TRADE AND DEVELOPMENT (continued)
(A/C.2/34/L.75, L.91, L.98 and L.109; A/C.5/34/38)

Draft resolution A/C.2/34/L.109

51. Draft resolution A/C.2/34/L.109 was adopted without a vote

52. Draft resolution A/C.2/34/L.91 was withdrawn by the sponsors because of the adoption of draft resolution A/C.2/34/L.109.

53. Mr. KOLEV (Bulgaria), speaking on behalf of his own delegation and of the delegations of the Byelorussian SSR, Czechoslovakia, the German Democratic Republic, Hungary, Mongolia, Poland, the Ukrainian SSR and the Union of Soviet Socialist Republics, said that the socialist delegations had not opposed the adoption of draft resolution A/C.2/34/L.109 without a vote in view of the importance of the preparation of a code of conduct on the transfer of technology and they would participate constructively in the Conference. With regard to the financial implications of the third session of the Conference, it was essential that the costs should be covered by existing funds and those obtained through voluntary contributions or through savings and the elimination of duplication in the relevant bodies of the United Nations system. It was deplorable that the practice of convening conferences without adequate preparation was continuing and necessitating the convening of additional sessions, with the resulting excessive expenditure.

AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (continued)
(A/34/3/Add.7; A/C.2/34/L.110)

54. The CHAIRMAN said that during informal consultations it had been decided to take no decision on the draft resolutions entitled "Transnational corporations: code of conduct on transnational corporations and international agreement on illicit payments" and "International agreement on illicit payments", transmitted by the Economic and Social Council, to which draft decision A/C.2/34/L.110 referred. If he heard no objection, he would therefore take it that the Committee agreed that that draft decision should be withdrawn.

55. It was so decided.

AGENDA ITEM 60: UNITED NATIONS ENVIRONMENT PROGRAMME (continued) (A/C.2/34/L.2, A/C.2/34/L.108, A/C.2/34/L.104, A/C.2/34/L.35)

Draft resolution A/C.2/34/L.2 and draft amendments A/C.2/34/L.103 and A/C.2/34/L.104

56. Mr. EL-MOKRI (Morocco), referring to the amendment (A/C.2/34/L.104) submitted by his delegation to the draft resolution entitled "Marine pollution" (A/C.2/34/L.2), stressed his country's special concern with regard to the protection of the marine environment. At the Third United Nations Conference on

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(Mr. El-Mokri, Morocco)

the Law of the Sea his delegation had tried to reach a compromise on the elaboration of a more satisfactory doctrine of responsibility, the objective of which would be not so much the determination of the party responsible as the "socialization" of the risk. The guarantee funds provided for at the international level were indicative of that approach, under which the legitimate interests of the coastal countries would be balanced against those of the countries of registry.

57. The sole purpose of the amendment was to have the General Assembly reflect the compromise which had been reached on general principles at the Third United Nations Conference on the Law of the Sea, to the extent that that compromise expressed the awareness, co-operation and solidarity necessary for the preservation of the natural heritage of the marine environment.

58. He read out the amendments to the draft resolution and outlined their relationship to article 235 of the Informal Composite Negotiating Text (A/CONF.62/WP.10/Rev.1), which gave a general outline of the codification of the principles concerning responsibility for damage caused by marine pollution. Given that Text, he was surprised by the controversy which the amendments under consideration had aroused; neither the specialized agencies nor the General Assembly itself could remain indifferent to the affected countries' demand for more effective protection of the marine environment and more equitable treatment for themselves.

59. Although his delegation was prepared to yield to the Committee's consensus, it hoped that the message it had tried to communicate in document A/C.2/34/L.104 would be heeded and would be eventually acknowledged and adopted.

60. The CHAIRMAN said that if he heard no objection, he would take it that the Committee adopted the amendments in document A/C.2/34/L.108 without a vote.

61. It was so decided.

62. The CHAIRMAN said that if heard no objection, he would take it that the Committee adopted the draft resolution contained in document A/C.2/34/L.2, as amended, without a vote.

63. It was so decided.

64. Mr. ABDALLAH (Libyan Arab Jamahiriya) said that the resolution which had just been adopted should in no way affect the deliberations of the Conference on the Law of the Sea. In his view, the serious problem of pollution on land should take priority over marine pollution.

Draft resolution A/C.2/34/L.35

65. The CHAIRMAN reminded the Committee that Canada, the Federal Republic of Germany, the Ivory Coast, the Netherlands, Saudi Arabia, Sudan and Tunisia were also sponsors of the draft resolution.

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66. Mr. EL-HASSAN (Sudan) said that his delegation wished to announce a revision of the draft resolution. The text would be revised by adding a new paragraph 5 reading:

"Invites the Governing Council of UNEP to consider at its next session the possibility of including Djibouti, Guinea and Guinea-Bissau in the list of countries receiving assistance, through the United Nations Sudano-Sahelian Office, for implementing the Plan of Action to Combat Desertification in the Sudano-Sahelian region, and to report the matter to the General Assembly at its thirty-fifth session."

67. All his co-sponsors supported the revision, and he hoped that it would be adopted by consensus.

68. The CHAIRMAN announced that Burundi, Democratic Yemen and Portugal had also become sponsors of the draft resolution.

69. He said that if he heard no objection, he would take it that the Committee adopted draft resolution A/C.2/34/L.35, as orally revised, without a vote.

70. It was so decided.

The meeting rose at 9.05 p.m.