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at 10.30 a.m.
New York

SUMMARY RECORD OF THE 76th MEETING

Chairman: Mr. PIRSON (Belgium)

Chairman of the Advisory Committee on Administrative
and Budgetary Questions: Mr. MSELLE

CONTENTS

AGENDA ITEM 98: PROPOSED PROGRAMME BUDGET FOR THE BIENNIUM 1980-1981 (continued)

Administrative and financial implications of the draft resolutions submitted in documents A/34/L.21, L.22, L.23, L.24/Rev.1, L.25/Rev.1, L.26, L.27, L.28, L.29/Rev.1, L.30, L.31, L.32/Rev.1, L.33, L.34/Rev.1, L.35, L.36/Rev.1, L.37 and L.39 concerning agenda item 28

AGENDA ITEM 97: PROGRAMME BUDGET FOR THE BIENNIUM 1978-1979

Administrative and financial implications of the draft resolution submitted by the Second Committee in document A/C.2/34/L.116 concerning agenda item 57

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The meeting was called to order at 10.35 a.m.

AGENDA ITEM 98: PROPOSED PROGRAMME BUDGET FOR THE BIENNIUM 1980-1981 (continued)
(A/34/6, A/34/7)

Administrative and financial implications of the draft resolutions submitted in documents A/34/L.21, L.22, L.23, L.24/Rev.1, L.25/Rev.1, L.26, L.27, L.28, L.29/Rev.1, L.30, L.31, L.32/Rev.1, L.33, L.34/Rev.1, L.35, L.36/Rev.1, L.37 and L.39 concerning agenda item 28 (A/34/7/Add.16; A/C.5/34/54 and Corr.1)

1. The CHAIRMAN drew the Committee's attention to the Secretary-General's report in document A/C.5/34/54 and Corr.1 on the administrative and financial implications of the draft resolutions on the policies of apartheid of the Government of South Africa, and in particular to the summary in paragraphs 80 to 83 and the conclusions in paragraph 84. He also drew attention to the Advisory Committee's report in document A/34/7/Add.16, and in particular to the recommendations in paragraphs 27 and 28.
2. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that the Secretary-General had estimated the substantive requirements relating to the resolutions on apartheid at a total of \$2,876,200, consisting of \$752,100 under section 3A, \$290,900 under section 3D, \$1,629,100 under section 27A, \$182,300 under section 28 and \$21,800 under section 29, as indicated in the table in paragraph 3 of the Advisory Committee's report. An amount of \$1,148,000 had already been included in appropriations for the proposed programme budget already approved in first reading by the Fifth Committee. Accordingly, the additional estimates being put forward by the Secretary-General amounted to \$1,728,200 net of staff assessment.
3. After consultations with the Secretary-General's representatives, the Advisory Committee had made a number of recommendations in its report which had the effect of reducing the amount estimated by the Secretary-General by \$284,100.
4. He drew attention to paragraph 8, indicating that the Secretary-General's estimate of an additional amount of \$33,100 under section 3D, required in connexion with resolution A/34/L.25/Rev.1 on nuclear collaboration with South Africa, was no longer necessary.
5. He also drew attention to paragraphs 11 to 19 of the report, relating to draft resolution A/34/L.30 on the dissemination of information on apartheid. One of the main items was the conversion to temporary posts of the 15 special service agreements under which staff had been hired for radio programmes on apartheid. After discussion with the Secretary-General's representatives, the Advisory Committee had decided to recommend, for the reasons given in its report (para. 17), that the conversion should be made only at the P-2 level. The Advisory Committee had also been unable to endorse the Secretary-General's requests for an additional G-4 post and for the regrading of the post of co-ordinator of the radio programme at P-5 instead of P-4. The Secretary-General's proposals to strengthen the Centre against Apartheid, set forth in paragraphs 66 to 70 and tables 1 to 3 of document A/C.5/34/35 and Corr.1, were endorsed by the Advisory Committee.

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6. Mr. SADDLER (United States of America) said that he was speaking also on behalf of the United Kingdom delegation. Both their Governments were totally opposed to apartheid and committed to affirmative policies promoting general social and political change in South Africa, as evidenced by specific actions which they had taken in recent years. They had recently noted signs of a more flexible attitude on the part of white South Africa, including steps to end some aspects of discrimination. However, until all aspects of apartheid were eliminated, the two countries would not cease their efforts to achieve that goal.

7. In the documents before the Fifth Committee, there were references to a number of activities that the two Governments supported, including halting the proliferation of nuclear weapons, broader dissemination of information on apartheid, and the elimination of apartheid in sports. However, some of the activities mentioned could not legitimately be considered as expenses of the Organization under Article 17 of the Charter, and consequently the two Governments found themselves unable to support approval of the financial implications. They did not accept the disbursement of United Nations funds in such a way that they could be accounted for, or the use of United Nations funds to support external non-United Nations organizations, especially when such organizations were involved in the internal affairs of a Member State, even though the two documents strongly opposed the activities and policies of that Member State. Article 2, paragraph 7, of the Charter prevented the United Nations from intervening in matters essentially within the domestic jurisdiction of any State. Any intervention in the domestic affairs of one Member State could create a precedent that would have implications for all Member States.

8. Since the Secretary-General's proposals in document A/C.5/34/54 and Corr.1 involved the funding from the United Nations regular budget of organizations involved in the domestic affairs of a Member State, the two Governments would vote against the appropriations requested, and called upon all delegations to support the Charter and do likewise.

9. Mr. TOMMO MONTHE (United Republic of Cameroon) referred to paragraphs 11 and 17 of the Advisory Committee's report, and noted that the Advisory Committee had not recommended the creation of temporary posts, as requested by the Secretary-General in connexion with the dissemination of information on apartheid, on the ground that the General Assembly had not yet taken a decision on document A/C.5/34/37. Yet apartheid was a special problem, because it had been defined as a crime against humanity. It was also an urgent problem: while the Fifth Committee was delaying its decision, South Africa was piling up nuclear weapons. South Africa was not prepared to wait, nor should the Fifth Committee wait to give the Secretary-General the means to fight apartheid. Speeches were no substitute for action.

10. Mr. AYADHI (Tunisia) said that delegations were being asked to work under deplorable conditions; when the relevant documents were not available in good time in all languages, representatives could not familiarize themselves with the facts about basic questions that were of great importance to the international community as a whole.

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(Mr. Ayadhi, Tunisia)

11. History would recall the final elimination of colonialism and apartheid as the basic achievement of the United Nations in the new international society. For his delegation and for many others, the fight to eliminate the cancer of apartheid was a question of the highest priority. A disturbing statement had been made in the Committee, declaring opposition to apartheid, but refusing to take the steps needed to eliminate it. The Advisory Committee's position was far from reflecting the general consensus in the United Nations on the priority that should be given to the elimination of apartheid. In view of all the resolutions that had been adopted on the subject, even in the Security Council, the written and oral reports of the Advisory Committee did not appear to reflect sufficient serious concern with the problem. He appealed to the Advisory Committee to reconsider the whole question, and particularly its recommendations regarding funds for the dissemination of information on apartheid. Referring to paragraph 11 of the Advisory Committee's report, he said it was necessary to recall what the racist régime of South Africa had attempted to do in disseminating propaganda in support of racism throughout the world. The sums spent should be compared with the Secretary-General's estimates for the implementation of the General Assembly's programme. No confusion on that important subject could be tolerated, and his delegation therefore formally proposed that the Secretary-General's estimates should be restored, so that the 15 posts required in connexion with dissemination of information on apartheid could be established and action in that sphere pursued. He expressed surprise at the reasons advanced by the United States representative for voting against the estimates; how could the provisions of the Charter be invoked on behalf of a State that had ignored those provisions, defied the international community and violated the basic principles of human rights?

12. Mr. PEDERSEN (Canada) said that his delegation was firmly opposed to apartheid and that, if there had been a separate vote on each draft resolution, his delegation would have voted for the draft resolutions in documents A/34/L.22, L.27, L.28, L.30, L.31, L.32/Rev.1, L.33 and L.35.

13. Mrs. DORSET (Trinidad and Tobago) said that paragraph 17 of the Advisory Committee's report merely stated that, as the General Assembly had not yet taken a decision on document A/C.5/34/37, ACABQ could not at that stage recommend the creation of temporary posts at the P-3 level. The implication appeared to be that the officers could continue to function at the P-2 level, since the creation of posts at the P-3 level would pre-empt the reclassification decisions. It did not seem correct to equate that position with rejection of the posts in question. It might also be that there were other staff in the unit concerned whose morale might be adversely affected if the P-3 posts were created. She did not believe that the Advisory Committee was opposing the creation of temporary posts at any level. Her delegation's position on apartheid was perfectly clear, and it was certainly not supporting any opposition to the creation of the temporary posts.

14. Mr. UCHUNO (Nigeria) supported the plea by the representatives of the United Republic of Cameroon and Tunisia that the Secretary-General should be given the funds required for the comprehensive dissemination of information on the evils of apartheid. His delegation also desired the retention of the Geneva Liaison Office, the costs of which it considered minimal, and called for full financial support for that Office, from which information on apartheid could be disseminated.

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15. Mr. HOUNA GOLO (Chad) said that DPI must continue to produce radio programmes directed against apartheid, and should receive the full support of the international community in that endeavour. His delegation did not believe it was appropriate for the Advisory Committee and the Fifth Committee to try to reach a decision on a problem which had been deferred until the thirty-fifth session, when it would be taken up in the context of discussions on document A/C.5/34/37. His delegation was prepared to support the formal proposal by the Tunisian representative.

16. His delegation wanted an explanation of the apparent ineffectiveness of the Geneva Liaison Office. It wondered whether the staff member at that Office was performing his functions properly.

17. In paragraph 19 of its report, the Advisory Committee recommended a reduction in the estimate under section 28 for common services costs. His delegation wished to know why: if the equipment being used was "makeshift" it was presumably also rather old. The broadcasting workers should have modern, efficient equipment.

18. Finally, he stressed his delegation's conviction that the Fifth Committee was not necessarily acting irresponsibly when it chose to disregard the recommendations of the Advisory Committee.

19. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) clarified that the Advisory Committee's recommendation was to establish the 15 posts requested by the Secretary-General, but to establish them all at the P-2 level rather than at the two levels (P-2 and P-3) suggested by the Secretary-General. The Advisory Committee did not agree, however, with the proposal to establish one P-5 post to accommodate the co-ordinator of the radio programme, or the G-4/1 post also requested in connexion with the broadcasts. Replying to the representative of Chad, he said that the English version of paragraph 19 of the Advisory Committee's report should be considered definitive.

20. Mr. MALLOUM (Mauritania) expressed firm support for the Tunisian proposal.

21. Mr. MBAPILA (United Republic of Tanzania) said that his delegation could not share some delegations' optimism that the situation in South Africa might be changing. The international community could not afford to relax when the South Africans were spending millions of dollars on spreading their propaganda all over the world. His delegation strongly supported the Tunisian proposal.

22. Mr. KHAMIS (Algeria) said that the United Nations needed the co-operation of all civilized States in order to intensify its efforts to oppose apartheid. His delegation believed that the problems being faced by DPI could have been alleviated if, in his budget proposals, the Secretary-General had requested increased appropriations for the fight against apartheid. There could be no doubt of the importance attached by Member States to the eradication of apartheid, a question which had regrettably been before the United Nations for many years.

23. Mr. PAL (India) said that the Committee should not make the mistake of considering only the financial implications of the draft resolutions, without considering their political import. In the modern world, manipulations of public information could all too easily lead to distortions of the truth. No clearer example could be found than the credence attached to the assertions in the United States newspapers that the situation in South Africa was changing for the better. It was thus most important for DPI to increase its dissemination of information on apartheid. On purely political grounds, the Department should receive all possible support for its continuing publication of information on the problems which apartheid continued to pose. He wished to express his delegation's enthusiastic support for the Tunisian proposal.

24. Mr. BUJ-FLORES (Mexico) agreed that some draft resolutions could not be considered only from the technical point of view: political considerations must also be taken into account. Any sums which the Fifth Committee might approve for information against apartheid would be small in comparison with the sums spent on propaganda by the South African Government. His delegation, too, enthusiastically supported the Tunisian proposal.

25. Mr. ZINIEL (Ghana) expressed support for the Tunisian proposal, and said that he shared the Nigerian representative's concern over the decision to do away with the Liaison Office in Geneva and transfer the corresponding post back to New York. The existence of the Office in Geneva helped to diversify the efforts by the Special Committee against Apartheid and the Centre against Apartheid to disseminate information.

26. Mr. BAMBA (Upper Volta) pointed out that, if the 15 temporary posts requested by the Secretary-General were established, the staff already providing the broadcasting services would become entitled to allowances such as annual leave and sick pay, which they did not currently receive. In view of the importance of the task which those persons performed, the establishment of budgetary posts with the attendant benefits for the staff concerned would therefore represent a significant advance. His delegation supported the Tunisian proposal.

27. Mr. AL-TAKRITI (Iraq) said he considered that the Advisory Committee's proposal to reduce the appropriations requested by the Secretary-General was unacceptable in view of the importance of the struggle against apartheid and racism. Information on that struggle should be broadcast as widely as possible. His delegation supported the Tunisian proposal.

28. Mr. RAOELISOLOFOMANANA (Madagascar) said that the problem of apartheid was a political one on which the General Assembly had a clearly established position. The Fifth Committee had both the opportunity and the duty to act in accordance with the General Assembly's position, and its technical decisions must take account of the political considerations involved. His delegation therefore supported the retention of the Secretary-General's proposals.

29. Mr. OWARISH (Department of Administration, Finance and Management) said that a study had been made of the Liaison Office at Geneva, and it had been concluded that the official concerned was not fully occupied. Moreover, some duplication between the work of the Liaison Office and other departments had been discovered. It had therefore been decided that the post would be better used for other purposes in the Centre against Apartheid, in New York. The Secretary-General had agreed to the suggestion, and assigned the post to the international mobilization against apartheid.

30. The CHAIRMAN invited members to vote on the Tunisian proposal to restore the amount of \$120,000 to the estimates referred to in paragraph 17 of the report of the Advisory Committee (A/34/7/Add.16) and the amount of \$50,300 to the estimates referred to in paragraph 18 of the report of the Advisory Committee. Thus, a total amount of \$170,300 would be restored under section 27 of the proposed programme budget for the biennium 1980-1981.

31. Mr. PALAMARCHUK (Union of Soviet Socialist Republics), speaking in explanation of vote before the vote, said that his delegation's position on the policies of apartheid of the Government of South Africa was well known. At the same time, his delegation could not agree to the inadmissible practice of rejecting the sound recommendations of the Advisory Committee, which had been made after a careful study and did not in any way touch on substantive or political issues. There was no justification for trying to set aside the conclusions of the Advisory Committee for purely political reasons. Unfortunately, such attempts seemed to be all too frequent in the Fifth Committee. His delegation wished to stress its position of principle on that matter and therefore would not participate in the vote on the Tunisian proposal.

32. At the request of the representative of Tunisia, a recorded vote was taken on the Tunisian proposal.

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Barbados, Benin, Bhutan, Brazil, Burundi, Cape Verde, Chad, Chile, China, Congo, Costa Rica, Cuba, Cyprus, Democratic Kampuchea, Ecuador, Egypt, Ethiopia, Gabon, Ghana, Grenada, Guatemala, Guinea, Guyana, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritania, Mexico, Morocco, Mozambique, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Somalia, Sudan, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia.

Against: France, Germany, Federal Republic of, Japan, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Belgium, Bulgaria, Canada, Denmark, Finland, Greece, Hungary, Ireland, Italy, Mongolia, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden.

33. The Tunisian proposal was adopted by 82 votes to 5 with 16 abstentions.

34. The CHAIRMAN invited members to vote on the recommendations of the Advisory Committee contained in paragraphs 27 and 28 of its report (A/34/7/Add.16). Since the Committee had adopted the Tunisian proposal, the figures given by the Advisory Committee would have to be amended by the addition of \$53,000 under section 31 (Staff assessment) and a corresponding addition of \$53,000 under income section 1 (Income from staff assessment). Thus, the total amounts under section 31 and income section 1 should be \$281,500 in each case.

35. The recommendations of the Advisory Committee, as amended, were approved by 103 votes to 4, with 2 abstentions.

36. Mr. LAHLOU (Morocco) said that his delegation had voted in support of the appropriations requested by the Secretary-General. He hoped that the Secretariat would now have sufficient means to guarantee a satisfactory content for broadcasts under the programme and to ensure that the broadcasts could be heard.

37. Referring to the recent conflicts between the Advisory Committee and the Fifth Committee, he said that the Advisory Committee should become more sensitive to the wishes of the Fifth Committee.

38. Mr. DE FACQ (Belgium) said that, if the Committee had voted separately on the financial implications of the draft resolutions covered by the ACABQ recommendations in document A/34/7/Add.16, his delegation would have voted in favour of appropriations for draft resolutions A/34/L.22, L.27, L.28, L.31, L.33 and L.39.

39. Mr. GARRIDO (Philippines) said that his delegation had voted to approve the additional appropriations that would be required for the programmes to combat the heinous policy of apartheid.

40. Mr. JASABE (Sierra Leone) said his delegation had voted in favour of the Tunisian proposal and of the total additional appropriations. He wished to make clear his delegation's view that the reclassification of a P-4 post to the P-5 level had been approved because of an increased workload of the staff member and not as a means of providing automatic promotion.

AGENDA ITEM 97: PROGRAMME BUDGET FOR THE BIENNIUM 1978-1979

Administrative and financial implications of the draft resolution submitted by the Second Committee in document A/C.2/34/L.116 concerning agenda item 57 (A/C.5/34/90)

41. Mr. AL-TAKRITI (Iraq) said that document A/C.5/34/90 had not yet been made available in Arabic. The Arab delegations had been faced with the problem of not having documents in their language on several occasions. His delegation wished to

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(Mr. Takriti, Iraq)

facilitate the work of the Committee and would not object to its proceeding with the item before it. However, he wished to stress that, if the situation arose again, the Committee would not be able to continue the debate on a question in which documents were not available in Arabic.

42. The CHAIRMAN said he understood the concern of the Arab delegation but that the President of the General Assembly had stressed the need for its work to proceed according to schedule and the plenary was due to take a decision on draft resolution A/C.2/34/L.116 at the afternoon meeting on that same day. He therefore appealed to the Arab delegations to be patient.

43. Mr. LAHLOU (Morocco), speaking as Chairman of the group of Arab States, said that the Arab delegations did not wish to hinder the work of the Committee, but that they would be meeting to consider the problems which the unavailability of documentation created for them.

44. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that the Advisory Committee had considered document A/C.5/34/90, in which the Secretary-General had submitted a statement on the administrative and financial implications of the draft resolution A/C.2/34/L.116, adopted by the Second Committee at its evening meeting on Saturday, 8 December 1979. Pursuant to the request made in paragraph 14 of the draft resolution, the Secretary-General had submitted estimates of conference servicing costs in an amount of \$264,712 related to two meetings to be held "in a Latin American country" in preparation for the Third General Conference of UNIDO. In paragraph 6 of his statement, the Secretary-General noted that the related expenses would be reflected under section 12 (UNIDO) in the final performance report on the programme budget for 1978-1979.

45. In its consideration of document A/C.5/34/90, the Advisory Committee had recalled that in paragraph 5 of resolution 31/140 the General Assembly had decided that United Nations bodies might hold sessions away from their established headquarters when a Government issuing an invitation for a session to be held within its territory had agreed to defray, after consultation with the Secretary-General as to their nature and possible extent, the actual additional costs directly or indirectly involved. In paragraph 4 (a) of his statement (A/C.5/34/90), the Secretary-General had pointed out that the normal venue of the proposed meetings would have been Vienna. The Advisory Committee noted that paragraph 5 of resolution 31/140 did not provide for any exception to the rule. Consequently, any such exceptions should be the subject of specific decisions by the General Assembly. The Advisory Committee noted that draft resolution A/C.2/34/L.116 did not call for a waiver of paragraph 5 of resolution 31/140.

46. In response to inquiries, the representatives of the Secretary-General had informed the Advisory Committee that no statement of financial implications had been submitted to the Second Committee specifically for draft resolution A/C.2/34/L.116. However, a statement of financial implications had been submitted in documents A/C.2/34/L.58 and Corr.1 in respect of draft resolution A/C.2/34/L.31, which had subsequently been superseded by draft resolution A/C.2/34/L.116. The Advisory Committee had also been informed that the

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(Mr. Mselle)

representatives of the Secretary-General in the Second Committee had not drawn that Committee's attention to the potential conflict between paragraph 5 of resolution 31/140 and the interpretation that was being given to paragraph 14 of draft resolution A/C.2/34/L.116.

47. The Advisory Committee had noted further that the proposed venue of the two meetings to be held during the current week and the following week was not specified in document A/C.5/34/90. There was also no reference to whether any Government had actually issued an invitation to host those meetings. According to paragraph 4 (a) of his statement (A/C.5/34/90), the Secretary-General had based his estimate on the assumption that the General Assembly would authorize him to convene the two meetings in a Latin American country.

48. The Advisory Committee had concluded that, should the Assembly decide to authorize the Secretary-General to proceed in the manner he had indicated, there would be need for the Assembly to waive the requirements of paragraph 5 of resolution 31/140. Once that had been done, the Secretary-General would have the authority to incur expenses for the two meetings under discussion and to reflect them in his budget performance report for 1978-1979.

49. Since the estimates had been prepared on a "full cost" basis, they represented maximum possible requirements. Actual requirements were likely to be less. Owing to lack of time, the Advisory Committee had been unable to determine what the actual figure was likely to be.

50. Mr. SADDLER (United States of America) said his delegation was deeply disturbed over the dilemma with which the Fifth Committee was faced. The situation had been caused mainly by the unforgivable ineptitude of the Secretariat. His delegation had always appreciated the work of the Secretariat and in general had supported the staff when it had performed its functions in a proper manner. However, he must insist that the correct procedure be followed in informing Member States of all administrative and financial implications prior to the adoption of resolutions and decisions. It should not be presumed that all delegations were adequately informed about previous decisions of the General Assembly. Paragraph 14 of draft resolution A/C.2/34/L.116 clearly called on the Secretary-General and the Executive Director of UNIDO to ensure that the necessary arrangements were made for the meetings in question. The draft resolution did not provide for any exception to the provisions of paragraph 5 of General Assembly resolution 31/140. That resolution had been adopted for sound reasons and reaffirmed on various occasions. Any deviation from its provisions could have very serious and far-reaching effects on the granting of financial support for the United Nations budget.

51. His delegation believed that the Secretary-General could have ensured that the necessary arrangements were made for the regional meetings without financial implications for the regular budget. The Secretary-General was still bound to implement the terms of General Assembly resolution 31/140. Under the circumstances, there was no decision for the Fifth Committee to take, since the

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(Mr. Saddler, United States)

Secretary-General was not making any request in paragraphs 6 or 8 of document A/C.5/34/90. The Fifth Committee should merely take note of the statement by the Secretary-General and request the Secretary-General to continue to implement the relevant provisions of General Assembly resolution 31/140, which had most recently been reaffirmed during the Fifth Committee's consideration of the report of the Committee on Conferences (A/34/32). For the Fifth Committee to do otherwise would be to cast aside the valuable work that had been done by the Committee on Conferences. If it became necessary, his delegation would respectfully request that the question of the application of General Assembly resolution 31/140 should be submitted for decision. Furthermore, his delegation wished to protest against the hasty manner in which the item had been submitted to delegations and to the Fifth Committee.

52. Mr. PAL (India), speaking on behalf of the Group of 77, said he wished to place on record their dissatisfaction at the fact that the Secretariat had not been able to inform the Second Committee of the correct procedure to be followed, as a result of which the Fifth Committee found itself in a very difficult position. He wondered whether the Chairman of the Advisory Committee might be able to advise the Fifth Committee on the procedure it should now follow. Would it be appropriate for the Fifth Committee, in addition to its decision on the administrative and financial implications of draft resolution A/C.2/34/L.116, to take a brief decision with regard to a waiver of paragraph 5 of General Assembly resolution 31/140? Or should the Rapporteur be authorized to add such a provision at the beginning of his report to the General Assembly on the action taken by the Fifth Committee with regard to the financial implications of draft resolution A/C.2/34/L.116?

53. Although his delegation fully shared the United States representative's desire for compliance with the provisions of General Assembly resolution 31/140, he felt that the question should be interpreted from a different perspective. Some flexibility must be allowed for special circumstances. Since no additional appropriation was being requested, the Fifth Committee had only to decide on the technical problem. He hoped that it would be possible for the Committee to make a recommendation for consideration by the General Assembly at the plenary meeting to be held that same afternoon.

54. Mr. STUART (United Kingdom) said that draft resolution A/C.2/34/L.116 had been adopted by the Second Committee in the middle of the night on Saturday, 8 December. That was an important fact to bear in mind in determining who was responsible for the chaotic situation facing the Fifth Committee. It was not that Committee, the Advisory Committee, or the Secretariat, but the Second Committee which had ignored the deadline for the submission of draft resolutions with financial implications. He made that charge not in any spirit of recrimination, but in order to help the General Assembly at its next session when it considered the problems of its time-table.

55. His delegation had no objection to limited-access meetings such as the one proposed in the draft resolution, provided that they were genuinely devoted to preparatory work for a major conference. However, the interregional meeting in

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(Mr. Stuart, United Kingdom)

question was divorced in both time and space from the Third General Conference of the United Nations Industrial Development Organization (UNIDO) to such an extent that it was impossible for his delegation to agree to it. In accordance with the provisions of General Assembly resolution 31/140, it was the host country which should defray any additional costs.

56. Mr. PALAMARCHUK (Union of Soviet Socialist Republics) said that, while his delegation has no objection to the holding of preparatory meetings for the Third General Conference of UNIDO, to which it attached great significance, it believed it would be preferable to obtain funding from extrabudgetary resources, or at least to meet the cost from existing appropriations. His delegation could not fail to comment on the sad fact that, for some unknown reason, the Secretariat had not informed Member States of the relevant provisions of General Assembly resolution 31/140 at the time of adoption of the draft resolution in document A/C.2/34/L.116. Such behaviour was inadmissible and he hoped it would not happen again. In submitting documentation on the financial implications of draft resolutions which called for conferences to be held away from Headquarters, the Secretariat was duty bound to inform Member States of those provisions so that they could act accordingly. The situation in which the Fifth Committee found itself was the result of an error by the Secretariat in the Second Committee.

57. Mr. LÖSCHNER (Federal Republic of Germany) said that his delegation had had great difficulties with paragraph 14 of the draft resolution contained in document A/C.2/34/L.116, because it believed that regional or interregional meetings should be based on the principle of universality and that there should be a close link, with regard to venue and timing, between such meetings and the world-wide conferences in preparation for which they were held. In addition, whenever such a meeting was held away from Headquarters, the rule was that the host country should bear the additional costs.

58. Mr. KUYAMA (Japan) said that his Government believed that the Third General Conference of UNIDO would be one of the most important meetings to be held in 1980 and intended to contribute to its success. However, it had not been in a position to support paragraph 14 of draft resolution A/C.2/34/L.116 in the Second Committee, because it strongly believed that the regular budget of the United Nations should be used to finance only those meetings which were held in accordance with established practice and procedures and, in the case of meetings held away from Headquarters, in accordance with the provisions of paragraph 5 of General Assembly resolution 31/140. He regretted that the Secretariat had failed to draw the attention of the Second Committee to the conflict between the contents of the draft resolution and the provisions of paragraph 5 of the relevant General Assembly resolution.

59. Mr. SWEGER (Sweden), speaking on behalf of the Nordic countries, said that, while they had willingly joined the consensus on the adoption of the draft resolution in document A/C.2/34/L.116, they had been unable to vote in favour of paragraph 14 of that draft resolution, because it had proved impossible to reach agreement on wording to satisfy all countries and the principles of the universality of the United Nations. It was in the interest of the Third General

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(Mr. Sweger, Sweden)

Conference of UNIDO that all delegations should be well prepared, but only those meetings held under United Nations auspices and forming part of the pattern of conferences should qualify for United Nations funding or secretariat assistance.

60. Mr. KHAMIS (Algeria) expressed understanding of the problems posed by the non-observance of General Assembly resolution 31/140, but believed that there sometimes circumstances to justify an exception to the rule. He requested further clarification from the Under-Secretary-General for Administration, Finance and Management.

61. Mr. MORET (Cuba) explained that the original version of the draft resolution in question had been submitted to the Second Committee by the Group of 77 on 9 November 1979 but, because of lengthy and complex informal negotiations, it had not been possible for that Committee to take a decision until 8 December, by which time arrangements had already been made for the interregional preparatory meeting to be held from 17 to 21 December. The African group had decided to take advantage of those arrangements to hold its own meeting in the same Latin American country on 13 and 14 December.

62. Mr. HOUNA GOLO (Chad) said that, although his delegation shared the concern expressed about the failure to observe the provisions of paragraph 5 of resolution 31/140, the principles of which should be upheld, there was an exception to every rule. Given the time factor, he believed that the rule could be broken. With reference to the conditions in which the draft resolution had been adopted in the Second Committee, which some had attributed to an error on the part of the Secretariat, he agreed that there was a conflict between paragraph 14 of the draft resolution and paragraph 5 of General Assembly resolution 31/140, but hoped that it would be possible to find some formula to solve the problem. He welcomed the suggestions made by the representative of India in that respect.

63. Mr. ZINIEL (Ghana) expressed his delegation's support for the comments made by the representative of India. He pointed out that the regional and interregional meetings in preparation for the Third General Conference of UNIDO were intended to facilitate its work on the vital issue of the industrialization of the developing countries, which was a major element of the Declaration and Programme of Action on the Establishment of a New International Economic Order. Similar meetings had been held in preparation for the United Nations Conference on Science and Technology for Development, and his delegation had no difficulty whatsoever with the draft resolution adopted by the Second Committee, contained in document A/C.2/34/L.116.

64. Mr. DEBATIN (Under-Secretary-General for Administration, Finance and Management) admitted that it might have been wise for the Secretariat to draw attention to the provisions of General Assembly resolution 31/140, but said that it was only fair to state that the Second Committee, in considering the draft resolution, had had before it a statement from the Budget Division to the effect that, although the normal venue of the meetings would have been Vienna, the General Assembly would authorize the Secretary-General to convene both meetings in a Latin American country. The Second Committee had therefore been fully aware

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(Mr. Debatin)

that an exception would be made to the normal procedure and that that would have to be taken into account in the provision of funds. The Fifth Committee was of course free to call for implementation of General Assembly resolution 31/140 and to interpret the action in question as an exception to the rule.

65. The CHAIRMAN suggested that the Committee should request the Rapporteur to inform the General Assembly that, should it decide to adopt draft resolution A/C.2/34/L.116, it would have to decide beforehand to waive the requirements of paragraph 5 of resolution 31/140.

66. In adopting that decision and draft resolution A/C.2/34/L.116, the General Assembly would give the Secretary-General the necessary authority to defray the costs not exceeding \$264,712 entailed in the meetings to which reference was made in paragraph 4 (a) of document A/C.5/34/90, and would request the Secretary-General to reflect the actual costs in the budget performance report for the biennium 1978-1979.

67. He was aware that the solution he was suggesting would not be acceptable to all delegations; he certainly deplored the fact that the Committee was obliged to deal in great haste with such an important matter.

68. Mr. SADDLER (United States of America) proposed that the Chairman's suggestion be amended by the addition of the word "separately" after the words "actual costs". He expressed his belief that any decision on the waiver of paragraph 5 of resolution 31/140 should be taken by the Fifth Committee.

69. Mr. KHAMIS (Algeria) expressed his delegation's support for the Chairman's suggestion and said that it might save time if a decision could be taken on the waiver in the Committee rather than in a plenary meeting of the General Assembly.

70. The CHAIRMAN said that, if the Committee agreed to his suggestion, it would in effect be taking such a decision.

71. Mr. HOUNA GOLO (Chad) said that his delegation believed that it was basically a technical matter for the Secretariat to decide whether the costs should be shown separately or not. It could support the Chairman's suggestion.

72. Mr. BUNC (Yugoslavia) expressed support for the Chairman's suggestion.

73. Mr. AYADHI (Tunisia) agreed that the Chairman's suggestion was an appropriate solution to what was a purely technical matter. However, his delegation would have preferred a more stringent formulation with regard to General Assembly resolution 31/140.

74. Mr. STUART (United Kingdom) said that, although his delegation appreciated the procedural suggestion made by the Chairman, it would still have to cast a negative vote for the reasons he had already stated.

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75. Mr. BUJ-FLORES (Mexico) asked whether the Fifth Committee would be informing the General Assembly that it had decided to waive the provisions of paragraph 5 of General Assembly resolution 31/140.

76. The CHAIRMAN explained that the Committee could only make a recommendation, since it did not have the right to waive a decision of the General Assembly. However, the effect would be the same.

77. Mr. GARRIDO (Philippines) said that it was his understanding that the Committee would be taking two decisions, one on the waiver and the other on the financial implications.

78. Mr. SADDLER (United States of America) said that his delegation would insist on a separate vote being taken on each paragraph of the Chairman's suggestion.

79. The first paragraph of the Chairman's suggestion was adopted by 75 votes to 17, with 13 abstentions.

80. The second paragraph of the Chairman's suggestion was adopted by 78 votes to 9, with 18 abstentions.

81. Mr. SADDLER (United States of America), speaking in explanation of vote after the vote, said that his delegation had voted against the Chairman's suggestion and was somewhat concerned at the Chairman's comments on the outcome of the vote before it had been taken. That singular procedure did nothing to further the Committee's work.

82. Mr. KHAMIS (Algeria) said that his delegation had voted in favour of both paragraphs, although it failed to understand why separate votes had been necessary. According to his interpretation, the Committee had decided to waive paragraph 5 of General Assembly resolution 31/140.

The meeting rose at 1.40 p.m.